

# **A Comparative Study of the Namibian and South African Transitions to Democracy and the Effects on Reconciliation**

by

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## **Declaration**

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## Abstract

The Namibian transition to independence and the South African transition to a majority democracy have many similarities as well as differences. The key similarities are composed of the shared history and mutual influences on society, the economy and national politics. Key differences constitute the manner in which the transitions were executed: internationally imposed in the Namibian case, and internally negotiated in the South African case. Almost every facet of Namibian and South African societies have in some way or another been imprinted by the respective transitions, which also contributed to the shape of the national consciousness. However, decades of state-enforced racial discrimination in the form of Apartheid legislation left its mark on both the Namibian and South African society. As a result, public and private consciousness is marred with racial and ethnic identities created and legislated during Apartheid, which is hampering democratic consolidation.

This study provides a comparison between the South African and Namibian transitions, within the broader context of democratic consolidation. This study contends that reconciliation is a necessary condition for democratic consolidation in South Africa and Namibia, and aims to assess whether there is any significant difference between the impact of the internationally orchestrated Namibian transition as opposed to the internally negotiated South African transition on levels of reconciliation in the two countries. This is done by applying Gibson's (2004) four criteria of reconciliation (interracial reconciliation, political tolerance, support for the principles of democracy and legitimacy) to the South African and Namibian cases. The hypothesis is that there should be less support for democratic ideals in Namibia than in South Africa, on the basis that democracy was, to a certain degree, forced onto Namibian society, while it was freely chosen by South African society.

The main finding of this study, however, suggests that the differences in the transition style - the one being internationally orchestrated and the other being internally negotiated- seems not to have had any significant affect on national reconciliation. It seems as though hostility between different groups based mainly on the superficial racial and ethnic differences that were created during Apartheid has made way for hostility centred more on socio-economic differences. While socio-economic issues have become the overriding concern for both South Africans and Namibians, socio-economic differences between individuals and groups are still largely tied to ethnicity and race.

## Opsomming

Die onafhanklikheidswording en die oorgang na 'n meerderheidsdemokrasie van onderskeidelik Namibië en Suid-Afrika word gekenmerk deur 'n aantal ooreenkomste asook verskille. Die sleutel ooreenkomste behels die gedeelde geskiedkundige agtergrond, die invloed van die ekonomie en nasionale politiek klimaat en die gevolglike uitwerking van hierdie faktore op die samelewing. In kontras behels die verskille die wyse waarop die oorgang uitgevoer is. In die Suid-Afrikaanse konteks is die proses deur interne onderhandelinge bewerkstellig terwyl die Namibiese oorgang sterk beïnvloed is deur eksterne invloede.

Ongeag hierdie verskille het die verwickelinge 'n hewige impak gehad op beide die Suid-Afrikaanse, asook die Namibiese publiek en hul kollektiewe bewussyn. Die invloed van jare se rasdiskriminasie in die vorm van apartheidswetgewing het egter sy tol op die publiek geëis. Die gevolg is die merkbare invloed van ras en etniese identiteite op albei lande se bevolkings wat oor die langtermyn demokratiese konsolidasie kan teenwerk.

Hierdie studie tref 'n vergelyking tussen Suid-Afrika en Namibië binne die breër konteks van demokratiese konsolidasie. Die studie veronderstel dat versoening 'n noodsaaklike vereiste is vir demokratiese konsolidasie in Suid-Afrika en Namibië, en poog ook om die invloed van die intern-gedrewe Suid-Afrikaanse transisie teenoor die ekstern-georkestreerde Namibiese transisie te assesser. Dit word gedoen deur die toepassing van Gibson (2004) se vier-voudige konsep van versoening (inter-ras versoening, politieke verdraagsaamheid, ondersteuning vir die beginsels van demokrasie en legitimiteit) op beide lande. Die hipotese word as volg geformuleer: Die Namibiese bevolking toon 'n negatiewe ingesteldheid teenoor demokratiese beginsels aangesien demokrasie as regeerstelsel op die bevolking afgedwing is, in kontras met Suid-Afrika waar demokrasie as regeerstelsel deur 'n meerderheidstemming verkies is.

Die hoofbevinding van hierdie werkstuk is egter dat die verskille in die aard van die oorgang na demokrasie in beide lande nie 'n noemenswaardige invloed gehad het op nasionale versoening nie. Dit blyk egter dat konflik tussen sekere bevolkingsgroepe wat hoofsaaklik spruit uit die etniese en ras identiteite, soos geformuleer deur die apartheidswetgewing, huidiglik gesentreer is rondom sosio-ekonomiese verskille. Gevolglik word dit gemeld dat hierdie sosio-ekonomiese verskille direk verband hou met ras en etnisiteit.

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## **Abbreviations and acronyms**

ANC: African National Congress

AWB: Afrikaner-Weerstandsbeweging

CCB: Civil Cooperation Bureau

CCN: Council of Churches of Namibia

CODESA: Convention for a Democratic South Africa

COSATU: Congress of South African Trade Unions

CP: Conservative Party

DP: Democratic Party

DTA: Democratic Turnhalle Alliance

FA: Freedom Alliance

HRC: Human Rights Commission

HSRC: Human Sciences Research Council

IDASA: Institute for a Democratic Alternative for South Africa

IEC: Independent Electoral Commission

IFP: Inkatha Freedom Party

MDM: Mass Democratic Movement

MK: Umkhonto we Sizwe

MPLA: Movimento Popular de Libertacao de Angola

NAM: Non-Aligned Movement

NAMPOL: Namibia Police

NANSO: Namibian National Students Organisation

NNF: Namibia National Front

NPC: National Planning Commission

NUNW: National Union of Namibian Workers

OAU: Organisation of African Unity



PAC: Pan-Africanist Congress  
PLAN: People's Liberation Army of Namibia  
SACC: South African Council of Churches  
SACP: South African Communist Party  
SADF: South African Defence Force  
SAP: South African Police  
SC: Security Council  
SWA: South West Africa  
SWABC: South West Africa Broadcasting Corporation  
SWAPO: South West African People's Organisation  
SWAPOL: South West Africa Police  
TEC: Transitional Executive Council  
TRC: Truth and Reconciliation Commission  
UDF: United Democratic Front  
UN: United Nations  
UNCIVPOL: United Nations Civilian Police  
UNTAG: United Nations Transition Assistance Group  
UNITA: Uniao Nacional para a Independencia Total de Angola  
US: United States  
USSR: Union of Soviet Socialist Republics

# Chapter One

## Introduction

### 1.1 Introduction and Framework:

Prior to Namibia's independence, and the end of Apartheid in South Africa, both countries were subjected to a system of white minority rule over the majority non-white population. Namibia had been under South African control for 73 years, which many times had been called illegal by various international social and political figures and organisations. The same could be said for the non-white South African population. With the start of the civil war in Angola, the then South African white minority government accepted that its long-standing objective of incorporating Namibia fully into the white Republic was no longer tenable. Instead it sought to create a client, conservative, multi-ethnic government under white tutelage in order to establish a buffer state to insulate South Africa from the 'total onslaught of communism' supposedly threatening it from the north. This strategy represented a direct challenge to aspirations for independence of the radical nationalist liberation movement, the South West African People's Organisation (SWAPO), and the international community (Sidaway & Simon, 1993:23).

With the onset of the collapse of white Portuguese colonial rule in Angola and Mozambique in 1975, the South African white minority government lost much of its legitimacy. The collapse was a crucial geopolitical change which eventually contributed to the Namibian and South African transitions to democracy. South Africa's military involvement in Angola and the issue of 'linkage'<sup>1</sup> between Namibian independence and the withdrawal of Cuban forces from Angola eventually provided the pretext for a decades-long delay. Consequently, Namibia achieved internationally recognised statehood only on 21 March 1990. Of course, the world into which Namibia emerged in 1990 was vastly different from that facing newly-independent Angola and Mozambique in 1975. The Cold War had somewhat come to an end and South Africa was the last African country under white minority rule. International political and social pressure, and economic sanctions eventually brought about change in South Africa as well; the transition to black majority rule (Sidaway & Simon, 1993:25-6).

Often, the South African and Namibian transitions to democracy have been described as a culmination of a number of events and processes. Many South African historians and political scientists point to the Namibian transition to democracy; alongside the fall of Communism and the end of the Cold War; as being the most important event in bringing about the end of Apartheid. It can be argued that the Namibian transition was the threshold in the process that forced the South African transition. Without the Namibian transition to democracy, the South African one would have been very different and might have taken place only at a later stage in time. The reasoning for this importance is that the Namibian transition created the hope for

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<sup>1</sup> 'Linkage' here refers to fact that Cuban Troop removal was one of the stipulations the South African government requested for granting Namibia's independence.

the majority of South Africa that the minority government had finally relinquished its illegal hold over Namibia and had allowed majority, free and fair elections in the neighbouring country. The manner and nature of the Namibian transition gave rise to possible directions the South African transition to democracy could take. The fact that the white minority government in Namibia had to relinquish control over the country and allow a majority government to be formed, stirred up great emotions and hopes in the people of South Africa.

However, this reasoning should not be interpreted as to diminish the value and importance of other events that lead to and contributed to the fall of the authoritative minority government, such as the Soweto Uprising that sparked decades long township riots; economic, social and political sanctions; and an ever increasing insurgency by Umkhonto we Sizwe, the military wing of the African National Congress (ANC). However, the Namibian transition to democracy in 1989-90 set in motion the South African transition by creating possibilities for change; peaceful change from the old to the new. In essence, the Namibian transition was a “test run” for the people in moving from an oppressive white minority government towards a black (and mixed) majority government in the spirit of democracy and reconciliation. Results, successes and failures would serve as indication of possibilities and as guidelines for the South African transition to democracy. Often times, the South African transition has been hailed as the blueprint for democratic transitions and could be used as a model for other countries wishing to do the same. The South African transition was mostly successful and peaceful and deemed a great success by the international community. The Namibian transition was also mostly peaceful and created the opportunity for a peaceful South African transition. It showed that there was another way other than a violent overthrow of the then South African minority government through revolution and political violence.

However, certain realities have to be taken into consideration. The South African transition has received far greater international academic and mass media attention than the Namibian one. The volume of academic and other texts on the South African transition is far greater than on the Namibian transition. One must ask him/herself as to why this is the case? One reason that quickly comes to mind is that South Africa has greater political and economic importance to the international community than Namibia. Another reason would be the significance attached to South Africa as a middle and regional power, being the economic and political powerhouse in Africa. It is often said that South Africa is to Africa what the United States (US) is to the world.

Any person familiar with South African and Namibian history knows that the respective transitions form an integral part of the current political, social and economic state of affairs in either country. There is no doubt that the events that took place during 1989-90 and during 1990-94, were integral in forming the Namibia and South Africa we know today, which is why it remains an important research topic.

A direct comparison between the Namibian and the South African transitions is not generally possible since the histories of these two countries are far too entwined and interwoven. Furthermore, South Africa has always been the single greatest influence on Namibia as far as national sovereignty goes. However, two important distinctions can be made: the single

greatest difference between these two transitions is that the Namibian transition to democracy was from a colonial to a democratic, sovereign nation-state. The South African transition to democracy is different in that there was a change in the mode of governance and the recognition of universal human rights; which also played a more important overall role in the Namibian and South African state formation. Namibia freed itself from foreign rule while South Africa experienced social change resulting in political change. The second aspect is that the Namibian transition to democracy was largely internationally orchestrated, while the South Africa transition was largely internally negotiated.

The objective here is not to determine which transition was the “better” one. Neither is it to come to a conclusion as to which was more successful. The issues alluded to above do not allow for such a comparison. However, enough similarities exist to warrant an informative comparison of the two transitions on the basis of shared history and other commonalities such as similar social and political circumstances, for example, the change from a white minority government to a black multi-party majority government. Historically, the similarities between South Africa and Namibia are relatively the same. Both countries have had one or two European colonial powers governing them and both have generally the same social, political and economic construct. The countries were governed very similarly with the South African government imposing its will on Namibia. The countries have roughly the same social make-up of blacks, whites, Coloureds and Asians. They have the same executive, parliamentary, judicial and legislative systems. Civil society is strong in both societies; and unfortunately, the two countries also have the same inequality issues in common. Politics and civil society are characterised by race and ethnic conflict; and politics in both countries take on pluralistic aspects. Even the political economy of both does not differ widely from each other. Both countries follow economic restructuring and redistribution strategies in favour of the previously disadvantaged ethnic and social groups (Bauer & Taylor, 2005:205-75). An attempt will be made to discern between an internationally orchestrated transition (the Namibian) and an internally negotiated transition (the South African) and the impact this had on ethnic reconciliation.

But what does the above mentioned distinction between an internationally and an internally organised transitions mean and entail? The internationally orchestrated Namibian transition to democracy was ultimately a transition from colonial rule to independence with the UN cooperating with the illegally occupying force – South Africa – in establishing an effective administration in Namibia to allow for the nation’s people their right to self-determination. Or as Dobell puts it (1998:22), “...when the transition has been designed by Western architects, implemented during the collapse of communism in Eastern Europe, and overseen by international donor organizations”.

As for the South African transition to democracy, it differed in that there was no international, overarching organisation or institution to facilitate the transition. South African elites; ranging from academia, economic, political and social; from both sides – the one being the white minority ruling the other, black majority – meeting to discuss the end of Apartheid as South Africa had become ungovernable due to internal unrest and economic sanctions by the international community. The ruling elite had realised that the Apartheid system could

only further be maintained through intense suppression of the majority black population which would have resulted in enormous bloodshed and even possibly a civil war. To avoid this outcome then was to negotiate a transition to a democratic regime internally, meaning that South Africans themselves wanted to decide their fate.

To clarify: the difference between ‘international’ and ‘internal’ is, in this sense, quite significant. Bratton and Van de Walle (1997:8-9), in their research on political transitions, argue that few political institutions are strengthened by regime change. National judicial and legislative institutions remain weak. Moreover, past practices of clientalism, rentseeking and fraud remain deeply ingrained in certain administrations. The election of new leaders does not mean that they would cease to search for the spoils of political office, on the contrary, the advent of elections mark a scramble for political positions and an intensification of tendencies to quickly make the most of the benefits of office-holding. However, in the case of Namibia, the United Nations (UN) and its subsidiary United Nations Transition Assistance Group (UNTAG), facilitated and implemented the transition from South African colonial rule to democratic majority rule, thereby creating an entirely new government. Although it can be argued that the Namibian transition was mostly negotiated between the UNTAG Special Representative, Martti Ahtisaari and the South African Administrator-General, Louis Pienaar, the negotiations were not as extensive as the South African negotiations. In the South African case, the transition from white minority rule to black majority rule, the “negotiated nature” of the transition was the intentional striving towards a peaceful resolution to Apartheid. This meant that the majority South African population was to be incorporated into an existing government. In both cases, emphasis was placed on avoiding bloodshed and averting disaster. There was simply too much at stake.

Bratton and Van de Walle (1997:10-12) conceptualise regime transition as a shift from one set of political procedures to another, from an old pattern of rule to a new one. It is an interval of intense political uncertainty during which the shape of the new institutional dispensation is up for grabs by incumbent and opposition contenders. For this reason, a regime transition can be depicted as a struggle between competing political forces over the rules of the political game and for the resources with which the game is played. Regime changes can either be quick or can unfold incrementally. The reality of the Namibian and South African transitions is only slightly different from this definition. It was, from the onset of the Namibian transition process clear who the contenders were and from whom to whom political power would be transferred. There was no overall uncertainty as to what would happen, and who would gain the upper hand; there was however uncertainty of what the new government would or would not do after gaining political power. For South Africa, the transition was an attempt by the National Party for ‘power-sharing’. It was accepted that the ANC would be in government, but it was not known to what extent. Hence, the negotiated nature of both transitions. It was clear from the beginning that political power would change from white minority rule to black majority rule in both countries. The essence to be explored on this aspect in this thesis then is: to what extent was the transition in either country negotiated and how did the one differ from the other?

## **1.2 Problem Statement and Research Aim:**

The comparison between the South African and Namibian transitions will be undertaken within the broader context of democratic consolidation, which will be outlined further in the section titled “conceptualisation”. Democratic consolidation takes on numerous aspects and considerable time and effort has been invested by academic scholars and organisations into determining what exactly democratic consolidation entails or should, at least. However, the focus in this thesis is on one aspect of democratic consolidation, this being reconciliation between the former antagonists. Following Gibson (2004:7) the contention is that reconciliation is a necessary condition for democratic consolidation in South Africa and Namibia.

This study aims to assess whether there is any significant difference between the impact of the internationally orchestrated Namibian transition as opposed to the internally negotiated South African transition on levels of reconciliation in the two countries. This is done by applying Gibson’s (2004) four criteria of reconciliation (interracial reconciliation, political tolerance, support for the principles of democracy and legitimacy) to the South African and Namibian cases. The hypothesis is that there should be less support for democratic ideals in Namibia than in South Africa, on the basis that democracy was, to a certain degree, forced onto Namibian society, while it was freely chosen by South African society.

## **1.3 Methodology and Analytical Framework**

The research that will be done for this thesis will largely be of a descriptive and explanatory nature. Most information/sources used will be secondary sources, on the basis that there is enough academic literature present on both transitions to warrant such an approach. Secondary survey data is used to establishing the levels of reconciliation with the thesis authors’ own interpretation of the findings of the data.

The aim is not to reinterpret the transitions anew, but to rather to approach them from the constructs of race and ethnicity and assess the differences and similarities of results with regard to ethnic reconciliation. The study is therefore comparative and qualitative in nature to best allow for such an assessment.

In comparing the South African and Namibian transitions a politico-institutional approach as laid out by Bratton and Van de Walle (1997) will be followed. Their argument is that domestic politics take on greater importance in the establishment of state and government in transitions than macroeconomic and international factors. Domestic politics instead constitute the context in which political structures and processes are shaped and precipitated. Economic and international factors take on secondary characteristics and roles, i.e. their importance is not diminished and still have some influence to a significant degree; especially in the case of the Namibian transition. As Bratton & Van de Walle (1997:41) express it, “A country’s political prospects derive directly from its own inherited practices.” However, it has to be emphasized here, that the politico-institutional approach serves to illustrate the South African

transition. As will be illustrated in Chapter 2 of this thesis, the Namibian transition was influenced more by international intervention than domestic politics. The framework is still useful for an interpretation of the Namibian transition, however, in that Namibian politicians did have a certain amount of influence on the shaping of new political institutions. As Friedman (1998) pointed out, the way in which transitions to democracy are achieved is often believed to shape the polity which they produce.

An institutional approach to the two transitions best serves to analyse the outcome of both. Institutions (political, civil and economic) structure political battles and their outcomes. For both countries, it is evident that a set of political, social and economic institutions was agreed upon and maintained. As Fukuyama (2004:17) argues, "...well-functioning public institutions require certain habits of mind, and operate in complex ways..." He argues that the dominant trend in world politics for the past generation has been the critique of "big government" and the attempt to move activities from the state sector to private markets or to civil society. However, in the case of South Africa and Namibia, big government was the only viable actor in correcting racial and ethnic imbalances in socio-economic development created through a century long Apartheid legislature.

As stated, however, the core aim is to determine the effects of such state building on democratic consolidation, in particular on reconciliation as an essential component of democratic consolidation. Democratic consolidation, according to Leftwich (2000:135), "...is where all major political actors take for granted the fact that democratic process dictates government renewal." He elaborates by stating that a democracy is consolidated where the people, political parties and groups pursue their interests according to peaceful, rule-based competition, negotiation and cooperation, and where there is agreement that the succession of one government by another is decided by these means. He identifies five conditions for democratic survival and consolidation. These are legitimacy of the political system; adherence to the rules of the game; policy restraint by the winning parties; poverty as an obstacle to democratic consolidation; and ethnic, cultural or religious cleavages as constraints on democracy (Leftwich, 2000:136-145).

According to Schedler (1998:91-2) democratic consolidation is in its very nature a murky concept to define. To classify a democratic regime actually depends on the viewpoint from which one approaches the concept and where one would like to end; to come to a conclusion. He therefore defines democratic consolidation into four categories. These range from authoritarian regimes, to electoral democracies, to liberal democracies, to advanced democracies. To assess the democratic consolidation of Namibia and South Africa with regard to reconciliation is necessary in that, as said previously, reconciliation is paramount in making democracy work in either country. However, it has to be made clear that although these definitions are in general sufficient they cannot be applied fully to either country since no country in the world fits any definition of democratic consolidation fully. The question is to what degree are both countries consolidating their democracies? The question is not whether either country is democratic or not, but rather how either country is striving to achieve some form of reconciliation to make their respective democracies work. Two aspects take on significant importance: the first is avoiding democratic breakdown and erosion; while

the second is completing and deepening democracy (Schedler, 1998:94-9). What are the governments of Namibia and South Africa doing to meet these two aspects of democratic consolidation within the context of reconciliation?

So why is this aspect to be analysed and not others? The historical context of both Namibia and South Africa determine the context of the current political manifestation. As pointed out by Bratton and Van de Walle (1997:44), political regimes are aggregates clusters of interlocking institutions. New political leaders oftentimes try to apply a consistent set of political rules across institutional arenas; regimes tend to cohere into mutually reinforcing syndromes of governance. They argue that state elites in Africa have sought political power primarily to obtain and defend economic benefits. Apartheid legislation was first and foremost an attempt at separate socio-economic 'development'. Access to economic resources was one central aspect in the struggle against the Apartheid and colonial regimes in South Africa and Namibia respectively. The same situation abounds in Namibia and South Africa, historically and currently. Although both liberation movements, the SWAPO and ANC, claim to have fought the suppressive regime for democracy and equal human rights for all, there is undoubtedly an economic aspect to the transitions. To assess democratic consolidation is to state that for the Namibian and South African transitions to democracy, to be regarded as real successes, is to determine whether or not there has been ethnic reconciliation; whether or not a politics built on ethnic identity has resulted in negative or positive aspects for democratic consolidation.

The framework to be used for assessing reconciliation will be taken from Gibson (2004). He defines reconciliation as a summary of four parts, which he contends can even be independent sub-concepts. Firstly, there has to be *interracial reconciliation* in which racial stereotypes are reduced to a minimum by building trust between people from different racial and ethnic groups. Secondly, *political tolerance* includes the commitment by people to tolerate political views and opinions other to their own. Thirdly, *support for the principles of democracy*, both abstract and applied, has to be present; meaning the upholding of the rule of law and a commitment towards universalistic rights. Fourthly, *legitimacy* is important in that it denotes the willingness by the public to accept the authority of the state and its institutions.

For both South Africa and Namibia, ethnic identity in politics was a central aspect in the transitions due to the fears the non-black minority had that the black majority would use state and government power to reverse historical repression. Much of the negotiations that took place, for either transition, were the attempt by the outgoing white minority government to limit the power and influence of the incoming black majority government so as to guarantee them that there would be no wide-spread repression and reprisal by the new government against the old (Slabbert, 2006:41-2). Both countries also share a common characteristic: both countries had principles of pluralism already built into the system. These existing bureaucratic-authoritarian regimes allowed for an easier transition to democratic political competition (Bratton & Van de Walle, 1997:179). The findings of Bratton and Van de Walle's (1997:225) study on transitions do indicate that precedents of political participation have a positive impact on the level of democracy. Regimes that had featured regular elections in the past were likely to extend the availability of political rights during the period of



transition. Electoral precedents that were formative in getting to democracy are also likely to be helpful in consolidating participatory regimes into the future.

Evidently, the logical assumption is that both transitions strove for the negotiation of political, social and economic institutions; to make these participatory and accessible for the entire populace of either country and to bring about the end of discrimination of one group by another based on politically and ideologically constructed racial and ethnic identities. The contemporary reality however does indicate that although there has been political and social emancipation of the previously disadvantaged groups in Namibia and South Africa, there still exists pervasive economic separation based on race and ethnicity. Although the black majority holds political power, the white minority holds economic power, in both countries. With SWAPO being forced by the international community to accept liberal market practices and democratic ideals during the Namibian transition; has this then impaired ethnic reconciliation comparative to the South African transition where the ANC rescinded, in the negotiations, of bringing about a revolution in the economic sphere as well? Following this logic, ethnic reconciliation should be greater in South Africa since the protagonist; mostly the ANC elites decided that national unity could only be achieved by distancing themselves from radical ideology, such a socialist market structure. As will be shown later, it matters to the ordinary people how democracy brings about equality and rectifies historically created socio-economic differences.

#### **1.4 Limitations:**

As mentioned above, the aim of the thesis is to establish whether or not there have been significant differences in reconciliation due to the varying nature of either transition in the framework of democratic consolidation. (Ethnic) reconciliation is the central aspect for the new Namibia and new South Africa on their path to consolidate their democracies. However, the scope of the thesis limits the analytical timeframe to the transitions themselves which will be covered in Chapters Two and Three respectively. No great focus will be placed on events preceding the actual transition phase. References will be made to events and issues that occurred pre-transition only to highlight the effects on the formation of the context that either transition took place in. There are a number of issues and variables, such as leadership, that can possibly have an influence on the nature of both transitions. These will be investigated further in subsequent chapters.

Therefore, the timeframe for the Namibian transition is from 1988 to 1990, from the point where the South African Apartheid regime truly committed itself to bringing about independence for Namibia, culminating in the creation of the Namibian state on 21 March 1990. Events prior to this timeframe are not necessarily ignored however, the scope is to assess the form the transition took and how this eventually affected the outcome of the transition. The emphasis here lies with *outcome*. The timeframe for the South African transition is from 1989 to 1994, from the point when F.W. de Klerk's took control of the NP party, to the culmination of all-inclusive elections on the 27 April 1994. Importance will be

placed on the nature of the transition, the negotiated aspects and how the various actors in the transition eventually influenced the outcome of the transition, focusing on the *negotiated* nature of the transition. The timeframe for the assessment of reconciliation in both countries will encompass the period after the completion of the transition to the present day.

Although the focus here is on the link between the nature of the transition and subsequent reconciliation, it is important to be aware of the fact that the transitions cannot be held solely accountable for the outcomes of reconciliation. There are a great number of intervening variables that will be considered within the context of reconciliation. Where other variables appear to have an influence on the degree of reconciliation besides that resulting from the nature of the transition, these will be accounted for and incorporated into the analysis, where possible. However, in-depth analyses of these additional variables falls outside the scope of this study.

### **1.5 Thesis Structure:**

Chapters Two and Three of this thesis will cover the Namibian and South African transitions respectively, starting with a short overview of either country and then, following a themed approach, an overview of both transitions to democracy to establish the similarities and more importantly the differences. The analysis of the transition will be approached from a political-institutional point (Bratton & Van de Walle, 1997:41), so as to ascertain an overall picture of the construction and negotiation of political, social and economic institutions.

Chapters Two and Three will also include a short overview of the social, political and economic history of both Namibia and South Africa, pointing out the differences and similarities of both countries preceding the transition of either nation. The aim here is to establish whether or not both nations faced similar problems and challenges in the social, political and economic spheres. In essence these two chapters will cover in detail the most significant events preceding and during the transitions of both nations. The aim is to analyze the importance and impact such events had on the transition processes and to determine if the similarities and differences.

Chapter Four will deal with the essence of the thesis. Further conceptualization of reconciliation will take place in the beginning of the chapter to point out the complexity of the issue. The approach pertaining to this chapter will be to assess the differences and similarities in ethnic reconciliation between Namibia and South Africa with a time frame of 10 to 15 years subsequent of the transition to democracy. The goal is to assess if there has been reconciliation in Namibia and South Africa and to what degree? It has to be acknowledged that this will be done in accordance with the interpretations of the Namibian and South African transitions respectively. The issue of internationally orchestrated versus internally negotiated will be expounded further in this chapter as well.

Chapter Five will form the conclusion to the thesis. An assessment will be made, drawing from chapters two and three in the context of the analysis of ethnic reconciliation of chapter

four. Eventually, a verdict will be reached whether or not there is significant difference in ethnic reconciliation in both countries and whether this might be due to the difference in transition style.

## **Chapter Two**

### **The Namibian Transition 1989-1990**

#### **2.1 Introduction:**

During the 1980s the African continent was viewed by the world as wracked by ethnic conflict, economic failure, political decay and social malaise. The insurgency war waged by SWAPO in Namibia (then called South West Africa – SWA)<sup>2</sup> had been going on for 25 years and South Africa had stalled Resolution 435 of the United Nations numerous times. Due to decades of South African imposed Apartheid rule, Namibia's society was split in two: the one side well educated, skilled, politically and socially influential and prosperous: the other side mostly destitute, having no access to the levels of social and economic prosperity as the other side. As in South Africa, these sides were racially and ethnically separated along white and black skin colour respectively. Namibia's struggle for democracy was in fact a struggle for independence since Namibia was Africa's last colony, administered since 1915 by South Africa. The struggle was waged mainly by the South West African People's Organisation (SWAPO), but included many groups and individuals from both sides of the superficial racial divide. Namibia's independence seemed to many to be a hope for change at the end of the Cold War for a more Africa-friendly world order (Bauer & Taylor, 2005:205).

The Namibian transition to democracy is a very unique one in that the UN and other international organisations negotiated mainly with the South African administration, with Namibian actors' influence limited to petitions, commentary, demonstrations, strike actions, military and civil actions against the oppressive South African regime. In presenting an overall picture of the transition, the timeframe to be used will be from 1988 to 1991. This allows for representation of the major events shortly before and during the transition that eventually gave rise to the structures and institutions that characterized Namibia and still do today. However, to show how the situation in 1988 came to be, a short historical overview is necessary.

#### **2.2 Historical Overview:**

Namibia had been a German colony from 1884 to 1915 and was administered as a settler colony which eventually led to tensions between the German settlers and the indigenous people, mainly the Herero, and Nama-Damara. A number of wars erupted from 1904 to 1907 that were conducted with brutal efficiency and malice. About 80% of the Herero, 50% of the Nama and 30% of the Damaras were killed. At the end of these wars, land and livestock of the defeated people was redistributed to the German and new Boer Settlers. After World War I, having defeated the German colonial troops, South Africa took control of the German colony after being handed the mandate to administrate the colony by the League of Nations with the goal of eventually leading the territory to independence. The South African

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<sup>2</sup> Namibia's previous designations were 'German South West Africa' during the colonial period (1884-1915) and 'South West Africa' during the South African occupation (1915-1989).

administration, however, continued with the practices used by the German colonial administration of native reserves and native commissioners to administer the indigenous people. Legislation was introduced that facilitated a migrant labour system from the north of the country to the emerging towns and commercial farms (Bauer & Taylor, 2005:209-10).

In 1946, Namibia became a trust territory under the United Nations after the dissolution of the League of Nations. South Africa, however, tried to incorporate Namibia into the South African Union as a *de facto* fifth province, which was rejected by the UN General Assembly. A few years later, with the rise of the National Party (NP) government and its Apartheid policies, South Africa extended Apartheid legislature to its now *de jure* fifth province during the 1950s and 1960s. A policy of separate development was put in place and the native reserves were changed into ethnic homelands, although none of these homelands was ever granted nominal independence as had occurred with the homelands in South Africa. South Africa's *de facto* incorporation of Namibia into its territory was never accepted by the Namibian population and neither by the international community. By the 1940s and 50s, Namibian leaders began petitioning the United Nations for an end of South African rule. By the end of the 1950s, the first Namibian nationalist movement had emerged, the Ovamboland People's Organisation (OPO) in 1959. This organization eventually became SWAPO in 1960 (Bauer & Taylor, 2005:211).

The forced removal of residents from the Namibian Old Location township in 1959, which resulted in shooting and deaths, gave the South African administration a reason to imprison and ban nationalist leaders. In 1962, SWAPO decided to take up an armed struggle against the South African administration of Namibia and started an insurgency war into Namibia from bases inside and outside of Namibia; the organisation having been inspired by the ANC's endeavour to fight the Apartheid regime with military means. During the 1970s three events changed Namibia's future. A general strike of migrant labourers in 1971-72 caused an imposition of emergency regulations in the north of Namibia, Owamboland in particular which gave considerable power and leeway to the security forces and establishment. The exodus of thousands of young Namibians in 1974 was caused by school boycotts, brutal punishment by tribal courts and the new proximity of SWAPO camps in Angola and Zambia. The third important event was the collapse of the Portuguese colonial administration in 1975, which opened up Angola to SWAPO. This gave the movement considerable advantage in waging their liberation struggle by being allowed to erect bases for Namibians in exile and military bases for training insurgents just north of Namibia's borders (Bauer & Taylor, 2005:211). It also has to be noted that many of the Apartheid laws were abolished in 1978 due to pressure on the South African administration from mainly the white community in Namibia. Their argument was that these laws were a hindrance for economic growth (Lush, 1993:4-5).

The South African administration reacted by declaring martial law and withdrawing civilians from the northern border in Owamboland, Caprivi and Kavango. South African Defence Force troops were stationed in the north and Namibian volunteers were drafted for the creation of ethnic military units to fight the externally nationalist movement to restore order in the north of the country. Against this backdrop, South Africa twice attempted an internal

settlement of the Namibian situation by creating an interim government in 1980 and a government of national unity in 1985. The government of national unity lasted until 1989 when an internationally sanctioned and monitored transition began. National diplomatic efforts were directed at ending South Africa's colonial rule of Namibia and the collapse of the Soviet Union greatly increased international commitment to bring about peace in Angola and Namibian independence. It is against this historical background of legislated ethnic separation and war between ethnic and racial groups that the transition was to take place (Bauer & Taylor, 2005:212-3).

### **2.3 The Transition: an Overview**

In 1988, the situation was comprised of a historical separation of whites from black in that this separation was legislated to such an extent that white Namibians enjoyed social and economic prosperity and a functioning democracy, from which the majority black Namibians were excluded. However, even the white enclave did not have the democratic option of electing the executive as this was done by the South African government by appointing an Administrator-General. By 1988, strike actions taken by industrial and migrant labourers were becoming increasingly violent and often clashed with security forces all over the country. The number of 'successful' terrorist acts by the SWAPO had been increasing since the beginning of the 1980's. A number of civil groups had been established along racial lines such as the Afrikaner-Weerstandsbeweging and a number of political parties were founded based on race and language due to the civilian population feeling that change was coming soon. For the South African administration the main problem lay in the security of the Namibian northern border and the large number of Cuban troops in Angola (Dierks, 2002).

The first draft of a constitution by the transitional government of unity was rejected by South Africa in 1987 and it seemed as though political negotiations for Namibia's independence had come to a halt. Negotiations between Angola and the USA regarding the withdrawal of Cuban troops had not resulted in significant change. In January 1988, a series of military battles took place in the south-eastern corner of Angola. They were caused by a MPLA-Soviet-Cuban assault on UNITA-held territory and bases, UNITA being given substantial support by South Africa<sup>3</sup>. The MPLA troops failed in their assault on Mavinga and then lost the battle at the Lomba River. About 6,000 SA troops together with UNITA forces commenced counter-operations to conquer Cuito Cuanavale, but they found strong resistance. In January and February as well, SWAPO successfully carried out terrorist attacks against military and civilian targets in Windhoek, Oshakati and Owamboland (Dierks, 2002). On the 4 May 1988, about 50,000 Cuban, Angolan and PLAN<sup>4</sup> troops succeeded in pushing the South African Defence Force (SADF) back at Cuito Cuanavale. Estimates placed the cost of the war for South Africa at not less than US\$ 2 billion a year, and it was becoming

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<sup>3</sup> UNITA and MPLA were the main contenders in the Angolan civil war. UNITA were supported by South Africa and the USA, while MPLA and FAPLA were supported by Cuba and the Soviet Union.

<sup>4</sup> PLAN – People's Liberation Army of Namibia. SWAPO's military wing.

increasingly unpopular among South African conscripts and their families. The impact of sanctions and huge disinvestment that had taken place in the 1980s had finally taken a major toll on the South African economy. Chester Crocker of the USA quoted an estimated 17% decline in the South African Gross National Product (GNP) from 1987 to 1991 (Dierks, 2002; Leys & Saul, 1995:36-37). South Africa's will to defend Apartheid was weakening, as was its control over Namibia. All these events forced South Africa to begin serious negotiations on the implementation of Security Council (SC) Resolution 435, despite the fact that South Africa and UNITA still both claimed victory at the battle of Cuito Cuanavale.

Although the transition process had been forcibly moved along; by the beginning of June 1988, 75,000 school students boycotted schools throughout the country in protest of the South African army and police repressions. By the end of June the National Union of Namibian Workers (NUNW) organised a general strike in support of the students. More than 60,000 workers supported the strike (Lush, 1993:152-154).

The most important event that jeopardised the transition was the outbreak of hostilities during April 1989. A ceasefire had entered into effect and SWAPO combatants were supposed to gather at UNTAG points in northern Namibia for repatriation, as was stipulated by Resolution 435. However, the SADF and South African administration manipulated the situation to make it seem as though SWAPO was executing plans for a large-scale invasion of northern Namibia. The intensity of the fighting increased considerably during the first days of April when it became clear that there was no ceasefire. In the following days and weeks of April 1989 the South African counter-insurgency forces could not be restrained. In 1998 the South African Truth and Reconciliation Commission referred to the suspicion that grave crimes were committed by those forces at that time. It was alluding to reports of the summary execution of many SWAPO prisoners (Report of the Truth and Reconciliation Commission 1998, Vol. 2). The April 1989 disaster was made worse when South African troops which, according to Resolution 435 were to be restricted to base at Oshivelo and Grootfontein, left their bases with the approval of UN Special Representative Martti Ahtisaari, to stop the SWAPO troops. Heavy fighting ensued, with 300 SWAPO, both soldiers and known local SWAPO supporters, and 27 South African soldiers killed. SWAPO's representative at the United Nations, Theo-Ben Gurirab, was outraged, speaking to Martti Ahtisaari of the UN hands covered in Namibian blood (Lush, 1993:89-92).

Shortly afterwards, SWAPO stated they were ready to accept a new ceasefire and await the UN's response. The burden lay with Ahtisaari (who had requested the use of the South African troops) to get the South African military to adhere to the ceasefire conditions. The Namibian Human Rights Centre informed UNTAG about events in the north of Namibia during the first four days of April 1989. It was a chilling account, suggesting the arrival and congregation of PLAN forces in a peaceful manner and their being set upon by the South African security forces. Bodies were then piled together in heaps and left to decompose. SWAPO felt betrayed by UNTAG and ordered its troops to go into hiding, thereby stopping the demilitarisation process. On the 7 April, the Administrator-General Pienaar unilaterally suspends the independence process. However, the UN Secretary-General ordered the early mobilisation of three UNTAG-battalions from Finland, Kenya and Malaysia. SWAPO

President Sam Nujoma recalled all troops to return to Angola, however, fighting continued until the end of April (Dierks, 2002).

From the outset, pro-SWAPO demonstrations staged in Windhoek to welcome UNTAG were crushed by the South West African Police. The demonstrations continued, however, in Katutura<sup>5</sup>. With between 10,000 and 15,000 participants, these were the largest demonstrations ever held in the history of Namibia. On the 17 May 1989, the Administrator-General appointed the Judicial Commission for the Prevention of Intimidation and Election Malpractices with Bryan O'Linn as its chairman. On the 22 May, the Administrator-General passed the necessary legislation and took the appropriate administrative measures to ensure the envisaged free and fair process leading to Namibian independence. The first one was Proclamation AG 11 which provided for the "Establishment and Powers of the Commission for the Prevention and Combating of Intimidation and Election Malpractices". The Namibian transition to independence had started off with considerable political setbacks, with the uncertain military situation and political leaders unwilling to cooperate.

### **2.3.1 International Manipulation of the Transition:**

To better illustrate the internationally orchestrated nature of the Namibian transition, events preceding the transition and during the transition will be illustrated below to show how Namibian actors, such as political parties and civil society groups, were left out of decisive negotiations that significantly altered the course of Namibia's transition.

The striving for the creation of a sovereign nation of Namibia was borne out of the League of Nations' goal of ridding the world of colonies and the suppression of one people by another. The UN assisted and maintained control in every aspect of the Namibian transition and at its height had up to 8,000 personnel from 120 countries stationed in Namibia to effectively build up a democratic society and government in co-ordination with international expectations. A UN task force was established, the United Nations Transitional Assistance Group (UNTAG) to take charge of and implement the transition process. Though it had elements reminiscent of other UN field operations, which have monitored elections and law and order and patrolled borders with peacekeeping forces, it also had numerous novel aspects. It did not fit into the traditional mould of peacekeeping operations nor did it follow the pattern of the United Nations previous endeavours in the decolonisation process.

As Dobell (1998:81) argues, the transition process in Namibia was an uneven one in that the previous incumbents (the South African appointed Administrator-General<sup>6</sup>) still held considerable control over the formation of the new state and significant discretionary power over the rules of the game. SWAPO did not play a significant role in the shaping of the

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<sup>5</sup> Katutura is the biggest township in Windhoek. Black Namibians had been forcibly resettled there after the SA Administration destroyed the 'Old Location Township' in 1959.

<sup>6</sup> At the time of the Transition the AG was Louis Pienaar. Laws were passed by the Administrator-General.



transition rules and it would, on coming to power, inherit pre-existing institutions originally devised to serve different purposes. Included in those were a predominantly white civil service and a political opposition groomed for decades by the South African administration. SWAPO's ability to implement reforms after the transition was severely limited. Prior to independence, society in Namibia was characterised by inequality and fragmentation. Apartheid in education, training and culture led to differentiated access to employment and hence to wages. (Bauer & Taylor, 2005:213).

Prior to the April 1989 ceasefire failure and the commencement of the transition, the first draft of a constitution by the transitional government of unity had been rejected by South Africa in 1987 and it seemed as though political negotiations for independence had come to a halt. Negotiations between Angola and the USA regarding the withdrawal of Cuban troops had not resulted in significant change, however, a number of SWAPO activists had been released who had been detained on charges of terrorism (Dobell, 1998:73). The UN had affirmed that all outstanding issues relevant to the implementation of Security Council (SC) Resolution 435 had been resolved on their side and the Security Council authorised the Secretary-General to proceed with arrangements for a ceasefire between South Africa and SWAPO, following which administrative and practical steps were to be taken for UNTAG's deployment. SWAPO had created the Namibian Press Agency to cover the liberation struggle and the transition from outside Namibia (Dierks, 2002). However, the potential for escalating conflict in southern Angola between South Africa /UNITA and Cuba/MPLA halted internal constitutional developments in Namibia as negotiations around UN Resolution 435 and related matters began between Angola, Cuba and South Africa, with US mediation and with support from the Soviet Union (Bratton & Van de Walle, 1997:144).

The outcome of the Battle at Cuito Cuanavale forced the South African administration to meet with Angola and Cuba for a number of negotiation rounds in London, later Cairo, then in New York; where the agreement on "Principles for a Peaceful Settlement in South West Africa, Angola, Cuba and South Africa" were established; and finally in Geneva which led to the 'Geneva Protocol' which stipulated that SC Resolution 435 would be implemented on 1<sup>st</sup> September 1988. Angola and Cuba signed a bilateral accord to govern the Cuban withdrawal from Angola. However, the South Africans again delayed the negotiations with a new demand that Angola ceases assisting the South African ANC (Dierks, 2002; Dobell, 1998:74).

By August of 1988, South Africa had voluntarily committed itself to a *de facto* cessation of hostilities, and the ceasefire was observed by SWAPO while South Africa completed the withdrawal of its troops from Angola. From August to December 1988 the Brazzaville meetings took place between Angola, Cuba and South Africa under the chairmanship of the US and with Soviet observation. Again the South Africans tried to delay the peace process by demanding an all-party conference in Namibia before Resolution 435 came into force. In view of the fact that SWAPO was not a party to the Geneva Protocol, it was provided that, "Angola and Cuba shall use their good offices so that, once a total withdrawal of South African troops from Angola is completed and within the context also of the cessation of hostilities in Namibia, SWAPO's forces will be deployed to the north of the 16th parallel."

This indicates, as pointed out by Dobell (1998:72) that for one, Namibia did not rank highly on the Reagan administration's foreign policy hierarchy and two, the South African administration's attempt at minimising SWAPO's role in the transition. Dobell (1998:72-3) argues then that the Namibian settlement was a result of a combination of dramatic changes in the international environment and a shift in South African policy towards the country, rather than being directly bound to SWAPO's struggle<sup>7</sup>.

By the end of 1988, on the 13 December, South Africa, Angola and Cuba signed the Brazzaville Protocol, which recommended that the UN Secretary-General set 1 April 1989 as the deadline for the implementation of Resolution 435. The protocol also established a Joint Monitoring Commission. On the 22 December, South Africa, Angola and Cuba signed the New York Treaty<sup>8</sup> at the UN Headquarters, which finalised the agreements reached earlier in Geneva. Angola and Cuba also signed a bilateral agreement on the Cuban troop withdrawal from Angola, which paved the way for Resolution 435 to be implemented. The parties also confirmed that the Joint Monitoring Commission would monitor the implementation of the agreements. The US and Soviet Union both participated as observers and facilitators (Dobell, 1998:72; Leys & Saul, 1995:36).

By January of 1989 after many previous attempts the UN Security Council managed to agree that implementation of Resolution 435 would begin on 1 April 1989. However, UNTAG's military component was substantially cut from 7,500 to 4,500 troops. Fortunately, the UN Secretary-General's military adviser, proposed that UNTAG keep the original ceiling of 7,500 troops, but in the first instance only 4,650 would be deployed. By the 18 January, the civilian component of UNTAG had been established with 300 professional personnel for the political, electoral and administrative offices at headquarters in Windhoek and the 42 regional and district political field offices. A second group of about 180 came for the registration process (Dierks, 2002).

In February of 1989, Resolution 632 of the UN Security Council was passed to enforce the implementation of Resolution 435. By the date of 1 April 1989, UNTAG forces were to be in place, including those to man the reception points at which PLAN soldiers were to be confined to base. South African troops were to be restricted to bases. In particular, the Council was at last freed from constraints preventing UNTAG from sending preparatory staff into the country. However, by the end of February, new problems in the implementation of Resolution 435 came to the forefront. The Non-Aligned Movement questioned whether UNTAG was permitted to purchase in South Africa despite the existence of sanctions, in spite of the fact that UNTAG could not have survived in Namibia without purchasing from South Africa. Only the hint that independent countries like Zambia and Zimbabwe were massively dependent upon South Africa, despite the sanctions, resolved the situation (Leys & Saul, 1995:172-173).

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<sup>7</sup> As pointed out in the reference to Bratton & Van de Walle's transition framework on p. 6 of this thesis.

<sup>8</sup> Also known as the Tripartite Agreement

By the end of February, the first key-personnel of UNTAG arrived in Namibia's capital, Windhoek. The transitional government of unity was dissolved by itself and the Administrator-General Louis Pienaar assumed control over all governmental affairs in Namibia. By 14 March 1989, the UN Secretary-General, Pérez de Cuéllar, proceeded the arrangement for the formal agreement on a ceasefire between SWAPO and South Africa as had been envisaged in Resolution 435. However, the UN had to make a major concession to the South Africans during the final stages of negotiation of the UNTAG Status of Forces Agreement. They agreed with South Africa that it could refuse visas to UNTAG staff if and when they felt like it. Consequently the South Africans denied visas to many UNTAG staff, especially press people. Martti Ahtisaari exercised strong pressure on the South African representative in Windhoek, Jeremy Shearar, to get this ban lifted (Dierks, 2002). On the 31 March, the Special Representative for UNTAG, Martti Ahtisaari, arrived in Windhoek to take over the functions of the interim government together with the Administrator-General. He was received at the Windhoek International Airport by pro-South African forces. SWAPO gave an order to stay away from the event. SWAPO supporters would rather delay their demonstrations until the real implementation of Resolution 435 commenced on 1 April 1989.

On the 1 April 1989, the implementation of Resolution 435 commenced, initiating the holding of UN-supervised free and fair elections for a Constituent Assembly. The ceasefire between SWAPO and SA came into effect. UNTAG was not yet fully deployed with fewer than one quarter of the envisaged - already reduced - 4,650 UNTAG troops present in Namibia and not strategically deployed as yet, especially not in the north. As mentioned already, on that day, the independence process faltered, as an estimated 600 PLAN soldiers entered Namibia from Angola and clashed with SA-led security forces in northern Namibia. The incident was used by the South Africans to motivate the Special Representative for UNTAG, Martti Ahtisaari (after receiving an ultimatum from the South Africans of only half-an-hour to think it over), to release South African troops out of their restricted bases (Leys & Saul, 1995:106-111). On the other hand many Namibian sources showed that PLAN soldiers had always been in northern Namibia. One witness, Johannes Kutumba, was the only survivor of 28 PLAN soldiers who were killed during April 1989. Kutumba reported that his unit has been in hiding in northern Namibia since December 1988. Klaus Dierks (2002) reported later that he personally had been inside PLAN camps within Namibia before the 1 April.

The decisive clause in SC Resolution 435 stated that, "Provision for SWAPO forces inside Namibia at the time of ceasefire to be restricted to base at designated locations inside Namibia to be specified by Special Representative after necessary consultation". With regards to SWAPO bases in Namibia, all available evidence pointed to the reality that although PLAN soldiers frequently crossed from Angola into Namibia, and stayed for longer periods in the bush and among the people, they returned to Angola once their tasks had been carried out. They did not have "bases" in Namibia, in the sense of permanent installations containing personnel and technical infrastructure. The South Africans maintained that PLAN had come to carry out offensive actions against South African security installations. There were supposed plans for large-scale mine-laying, the cutting of water pipelines and the

infiltration of the white-owned commercial farming areas around Tsumeb (Leys & Saul, 1995:134). The chief of the South West African Police (SWAPOL), maintained that the PLAN forces did not care about the proposed ceasefire. These South African accusations were never found to be substantiated. Two taken PLAN prisoners-of-war - who had seriously been assaulted by the South Africans - were interrogated by Daniel Opande and Ed Omotoso from UNTAG. The answers the two prisoners had given were consistent and held up under detailed questioning. Each said that "they have been ordered by his commander to enter Namibia peacefully and not to engage the South African security forces, because a ceasefire came into effect on 1 April 1989 and that there was to be no more fighting" (Dierks, 2002).

An attempt to resolve the breaking of the April 1989 ceasefire was made when representatives of South Africa, Angola and Cuba in the Joint Monitoring Commission, with US, Soviet, and UNTAG observation, met at Mount Etjo to salvage the independence plan. The parties agreed that SWAPO troops should be assembled at 16 assembly points and withdraw from Namibia to the 16th latitude in Angola, under guarantee of safe passage. All assembly points would be under UNTAG supervision and be operational by noon on 11 April 1989. However, the Mount Etjo Agreement was in jeopardy because South African troops continued to fight and block the PLAN combatant's withdrawal to Angola. Very few PLAN fighters showed up at the official assembly points due to the highly visible South African army mechanised infantry units camping alongside the unarmed UN peacekeepers which arrived in the country during the weeks of 17 April to 1 May 1989 (Leys & Saul, 1995:33-35).

On the 26 June 1989, after complex negotiations, UNTAG and the Administrator-General finally reached an agreement concerning the qualifications for voter registration. On the 30 June, The Administrator-General passed Proclamation AG 19 for the Registration of voters (Constituent Assembly Proclamation); and official election campaigning started on the 1 July (Lush, 1993:182-183). There were however, major differences in expectations of election procedures between UNTAG and the Administrator-General. Reactions throughout Namibia were hostile to a draft proclamation made by the Administrator-General which indicated that South Africa wanted to heavily influence the first elections. UNTAG even seriously considered to postpone the elections in October 1989. One key difference between the two parties was that UNTAG wanted political party agents to be allowed at polling stations and at the count, and to be allowed to be present at all stages of the polling. This was to help ensure not only that the voting would be free and fair, but also that it would be seen to be so by the Namibian people. This was opposed by the South Africans, who even tried to influence the establishment of the Constituent Assembly. The attempt of the draft proclamation had shown renewed proof of South Africa's embittered determination to dominate the constitution-making process in Namibia and to retain control up to the last moment, and possibly beyond (Lush, 1993:183-186).

On the 21 July 1989, UN Secretary-General Pérez de Cuéllar visited Namibia. He was disturbed about the continued violence, especially in the northern regions. One of the UN Secretary-General's main priorities was to meet with all the parties and meet with them all together. Everybody came; the representatives of ten political parties, large and small, and all

the Namibian press to record the unprecedented meeting. Pères de Cuéllar declared inter alia to the political parties, "Sooner or later, UNTAG and the South Africans will depart. You, as the representatives of the Namibian people, will achieve your long-delayed inheritance of independence. You will also shoulder the full responsibilities of independence and of nation-building ...." Pères de Cuéllar's suggestions were adopted by all parties. One outcome of the meeting was the "Code of Electoral Conduct" of 12 September 1989 (Dierks, 2002; Lush, 1993:207).

On the 10 October 1989, Martti Ahtisaari declared the creation of a Constituent Assembly tasked with the creation of the constitution for an independent Namibia and to establish initial government structures for the new country. Subsequently, the Administrator-General passed Proclamation AG 49 for the Holding of an Election for a Constituent Assembly. However, on the 20 October, a young South African civil servant, reported a big, heavily funded disinformation campaign against UNTAG and the Security Council Resolution 435 by the South Africans. On the 1 November 1989, South Africa made a final attempt at disrupting the Namibian independence process. South African troops were placed on alert after reports of a SWAPO troop presence on the Angola-Namibia border. South African Foreign Minister Pik Botha alleged that South Africa had been monitoring UNTAG's communications for several days and had clear and unambiguous proof that UNTAG had been aware of SWAPO plans for a mass invasion from Angola into Namibia more or less on the eve of the elections. Very quickly and after experts had checked the "evidence", the threat turned out to be a hoax and crude forgery; a case of deliberate misinformation by "anti-independence" forces (Lush, 1993: 238-239).

### **2.3.2 Limited Internal Negotiations:**

Although the process was mainly externally driven, there was also an internal aspect to the Namibian transition. A number of events regarding Namibian security forces; the Administrator-General; the formation of the new Namibian government; and the creation of a number of state institutions will be explored to illustrate the 'internally negotiated' part of Namibia's transition.

A major breakthrough came in the beginning of October 1988 when a "Consultative Conference" was held between SWAPO and progressive Namibians in Kabwe, Zambia. Prominent exiled SWAPO leaders were present as well. However, Bryan O'Linn, Chairman of the Namibia Peace Plan 435 (NPP-435), did not take part because the CDA (Christian Democratic Action for Social Justice) leader had not been invited by SWAPO. The conference had an over proportionate representation of white Namibians. This event took on a quite important significance in that the South African Foreign Minister, Pik Botha, and the head of the South African National Intelligence Service, Neil Barnard, argued the need for the earliest action to resolve the Namibian question, which was destabilising the region and seriously complicating the major issue which South Africa itself would have to face. Ten years later Botha spoke of the "decisive effect" which the Namibian Peace Process and

Namibia's independence had had on the abolishing of Apartheid in South Africa (Dobell, 1998:74-76).

On the 1 June 1989, the South West Africa Territory Force (SWATF) fully stood down after having been remobilised after the events of 1 April. Resolution 435 had required the demobilisation of the SWATF and of what was called "citizen forces" and "commandos" which should have had been completed by 1 April 1989. These forces numbered 11,158 and their arms and equipment were deposited in drill halls and were guarded by UNTAG infantry. The SWATF consisted of 21,661 personnel of all ranks. Its members, however, believed themselves to be on indefinite leave, rather than demobilised. They kept their uniforms, reported twice a month and received their salary from South African senior officers, all in civilian clothes. UNTAG believed this as a breach of the Settlement Plan, dismissing South African arguments based on the danger of future SWAPO incursions. The issue was not resolved until the November 1989 elections, when the possibility of creating a national army for Namibia began to be examined (Leys & Saul, 1995:199). The eventual demobilisation was an internal negotiation between UNTAG and the Administrator-General as shows of good faith by the South African government towards the peaceful progress of the transition.

On the 8 May 1989, the Administrator-General passed Proclamation AG 14 for the "First Law amendment (Abolition of Discriminatory or Restrictive Laws for purposes of Free and Fair Elections)". By the 12<sup>th</sup>, the Administrator-General declared a general amnesty for all Namibians living abroad, lifted prohibitions on political activities and repealed or amended 46 discriminatory laws (AG 16 of 1989). This enabled the return of Namibian exiles. UNTAG only had its official networks in place by mid-June. These networks consisted of five such, which were the military; the UN's civilian police; the UNTAG administration; the electoral division; and finally the regional and district coordination network. Other organisations were monitored closely by UNTAG, such as the United Nations High Commission for Refugees (UNHCR) and the RRR (Repatriation, Resettlement, Reconstruction) Committee of the CCN (Council of Churches of Namibia), which did nevertheless operated autonomously. UNTAG kept links to events in Namibia through its network of primary and secondary reception centres throughout the country. During UNTAG's peak they had more than 8,000 personnel from 21 countries (military), 25 countries (police) and 80 countries (civil) in Namibia (Leys & Saul, 1995:171-173).

In the second week of June 1989, the repatriation of Namibian exiles had begun. The first group of senior SWAPO leaders returned from exile and SWAPO's first appeal for national reconciliation followed their return. Altogether 42,736 Namibians eventually returned from exile from 42 countries, including about 7,000 PLAN soldiers in civilian clothes with their commanders, far more than the 30,000 Namibians who fought against SWAPO in the South West Africa Territory Force and around 6,000 others who belonged to the South West African Police or para-military units such as Koevoet<sup>9</sup>. Most of the exiles returned from the

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<sup>9</sup> Koevoet was the para-military force created by the SADF during the beginning of the 1980's for combating SWAPO insurgents with guerilla warfare and tactics. Koevoet consisted mostly out of voluntary Namibians.

SWAPO Camp Kwanza Sul in Angola (Lush, 1993: 180-181). However, this event had remained un-covered by the local broadcaster; the South African controlled South West African Broadcasting Corporation. The broadcasters' partiality in favour of the South African colonial authority continued until well after the November elections. However, by the 18 June 1989, the South African Government withdrew their annual budget subsidy to the Namibian treasury. The outcome of South Africa's decision caused a serious deterioration in the country's infrastructure and the cause of the abolishment of many essential services. It was not possible to meet civil services salaries throughout the financial year ending on 31 March 1990. UNTAG warned South Africa that Namibia is its responsibility until independence (Lush, 1993: 182). These factors all contributed to the internal aspect of the transition as they mainly included SWAPO and SWATF forces being reintegrated into the civilian population. The Administrator-General feared a loss of control over law and order prior to the elections, with SWAPO attempting a last attempt at revolutionary takeover of the country. However, he did not consider the possibility of SWATF and Koevoet members disturbing the transition process.

Violence occurred on 23 August 1989, when some South West Africa police officers, including Koevoet soldiers, shot at SWAPO members during election meetings. To halt political intimidation in Namibia, the UN Security Council unanimously passed UN Resolution 640 calling for the demobilisation of all paramilitary groups and local units (SWATF, Koevoet). After much debate and negotiation between UNTAG and the Administrator-General, Koevoet is disbanded. They hand in their uniforms and weapons and returned to civilian life. On the 12 September Advocate Anton Lubowski, one of SWAPO's few white members and Acting Director of Finance and Administration in the SWAPO Election Directorate, was assassinated outside his home in Windhoek. Reportedly the South African Civil Co-operation Bureau; which has previously been accused of human rights abuses in Namibia; was assumed to be responsible for this murder (Lush, 1993: 215-217).

On the 14 September 1989, SWAPO President, Sam Nujoma, accompanied by others, returned to Namibia after 30 years of exile. He was greeted by thousands of SWAPO supporters at the Windhoek International Airport. However, UNCIVPOL (United Nations Civilian Police); the UN police force, only reached its final strength of 1,500 policemen from 25 countries on the 15 September 1989. Its special task was to control South Africa's "special operations" unit, Koevoet which still intimidated the local population in the north. Many Koevoet and SWAPOL (South West Africa Police) members were essentially there to enforce a colonial-Apartheid system, rather than to be upholders of a neutral system of law and order and to protect the people. Conversely, the strength of SWAPOL began to diminish after UNCIVPOL reached its full strength. By the time of the November 1989 elections, UNCIVPOL was effectively the only organised law-enforcing body in the north of Namibia. UNCIVPOL also provided first-line policing for the UNHCR's programme of returnee-return, being present at the critical points of entry, and at the primary and secondary reception centres. UNCIVPOL was especially active in monitoring SWAPOL as the election campaign and programme of rallies became more intense. By the time of the elections UNCIVPOL

attended about 100 rallies a week, with SWAPOL having appeared only sporadically (Leys & Saul, 1995:133-135).

On the eve of the elections, 6 November 1989, for the Constituent Assembly, UNTAG's spokesperson declared that UNTAG monitors, "...from Oshakati to Keetmanshoop, from Swakopmund to Gobabis, report that the country is exceptionally calm". On the 7 November 1989, elections for the Constituent Assembly took place. UN Special Representative Martti Ahtisaari declared that there was overwhelming voter turnout and that all regions reported a situation of overall calm. On the 11 November, Martti Ahtisaari declared the elections free and fair, commending Namibians for having demonstrated vast resources of calm, self-discipline and determination. (Dierks, 2002; Lush, 1993: 245-250).

However, there was a general break-down of law and order in the north with SWAPOL having been virtually passive. Many members packed their belongings and return to South Africa. The vacuum that developed in the north was troublesome. The Administrator-General's office was reminded by UNTAG that until independence South Africa has the responsibility for the maintenance of law and order. Various SWAPO members and the Joint Monitoring Commission met to discuss international support up until independence; the status of South African troops stationed in Walvis Bay (which still was under South African administration); and South African supported military units such as Koevoet. SWAPO also approach Commonwealth countries for support and assistance in the creation of a Namibian military and police force. Just before Christmas two committees were established to look at the creation of the nucleus of a national army, and at the integration and training of a new Namibian police force. On 12 December 1989 the Home Affairs Minister-Designate, Hifikepunye Pohamba, approved a training course for the future NAMPOL (Namibian Police). By the 28 December, the first group of UNTAG soldiers left Namibia. However, Sam Nujoma asked one Kenyan battalion to stay behind and assist in the establishment of the future Namibian Defence Force. Likewise, the British Government had pledged its support in the task (Leys & Saul, 1995:137-139).

On New Year's Eve the Constituent Assembly voted unanimously for Namibia to become independent on 21 March 1990 (officially announced on 29 January 1990). This symbolic date must be seen as a remembrance of the occurrences in Sharpeville, South Africa, in March 1960. On the 9 January, the Constituent Assembly unanimously adopted a new Constitution. This symbolically and materially ended an era of colonial oppression and resistance against foreign rule. It was adopted at an outdoor ceremony before the facade of the Tintenpalast (previous residence of the German colonial administrations). Article 133 of the new Constitution provides that the Constituent Assembly would become the first National Assembly of Namibia, the first President being the person elected to that office in the Constituent Assembly. On 16 January, the Constituent Assembly unanimously elected Sam Nujoma President of the future independent state.



### **2.3.3 Ethnic and Racial Tensions during the Transition:**

During the transition, inter-ethnic and racial divides became apparent and threatened to destabilise the transition process. Radical and extremist groups began forming to either counter the transition or bring about more radical aspects of the formation of a new government and state institutions. A number of racially characterised political parties, civil society groups emerged during this period. The following part illustrates the effects of a number of issues and actions that were racially and ethnically motivated.

During January 1988, the Supreme Court gave an advisory opinion that AG8 contradicted the Bill of Fundamental Human Rights as contained in Proclamation R101, however the SA Court of Appeal rejected the opinion. In March, another application was brought before the SWA Division of the Supreme Court whether the Proclamation on Representative Authorities according to the AG 8 Act of 1980 were not in contradiction to the "Bill of Fundamental Rights and Objectives" in the annex to Proclamation R101 of 1985. The court ruled in favour of abolishing of the AG 8 Act. However, the Action Front for the Retention of Turnhalle Principles (ACTUR) remained opposed to the abolition. The dispute in the transitional government of national unity was still not resolved by the 1 April 1989, when the implementation of Resolution 435 commenced (Dobell, 1998:70).

On the 8 May 1989, UNTAG demanded the suspension of a senior policeman as a result of a South African police raid by the Koevoet on a church hospital in the north where Koevoet broke into the place in search of SWAPO soldiers whom they thought had sought sanctuary there. The suspension was granted and a joint committee was proposed to which all problems about bias and intimidation could be sent, with the authority to call on the Attorney-General to initiate prosecutions.

Political violence increased at the end of September 1989 as voter registration ended on the 22<sup>nd</sup>. On the 28<sup>th</sup>, at Windhoek-Katutura there was a scuffle between SWAPO and DTA (Democratic Turnhalle Alliance; the major opposition party to SWAPO) supporters, the worst such incident since the beginning of that year. About 500 DTA people marched into the middle of the SWAPO area of the township, with clubs and sticks. Fighting broke out almost immediately with in the end assault weapons being used. Several people were injured, fortunately nobody was killed. The South West African Police (SWAPOL) was suspiciously absent. Violence continued well into October 1989, often between SWAPO and DTA supporters, particularly in the north. UNTAG managed to contain the violence by persuading all parties to sign a "Code of Electoral Conduct".

By the 24 October 1989, UNTAG had received reports from various sources about unexplained destabilising activities in the north. One example showed activities by the Ombili Foundation. This foundation supported Bushmen (San or Khoisan) activities in the north and had two objectives. One was to try to create and support a DTA presence in what was otherwise a SWAPO stronghold area through enticement and a show of force. The other was to conduct liaison with a large UNITA camp just across the Angolan border. The foundation was providing transit camps and general security for the supply route to this

UNITA formation from the Tsumeb-Grootfontein area. They also supported the readiness of South Africa supported Bushman contingents as a potential guerilla-type defensive entity (Dobell, 1998:90-92).

On the 9 January 1990, the Windhoek Municipality planned to celebrate Windhoek's centenary but angered those people who believed the festivities would be honouring colonialism, as Windhoek was much older than a hundred years in 1990. SWAPO declared that the liberation movement would have nothing to do with the centenary celebrations. This development later led to the cancellation of the planned centenary celebrations.

On the 14 January 1990, the South African Defence Force (SADF) asked the ex-soldiers of the Bushmen (San or Khoisan) military units under Koevoet, whether or not they want to move to South Africa. After a vote was taken, over half wanted to go to South Africa. Sam Nujoma strongly rejected the idea of relocating Bushmen of Namibian origin, but the first group was relocated to South Africa on 20 February 1990. On the 7 March 1990, at Omega (West Caprivi), members from the Tripartite Working Group on the Bushmen Issue met with Bushmen (San or Khoisan) elders, then with about 150 ex-soldiers of the Bushmen. The SWAPO delegation leader, brought a message from President Nujoma, personally, of reconciliation, protection and opportunities for all, without discrimination. The Bushmen were told that South Africa had its own problems, which were going to deepen. The Bushmen were advised to stay in Namibia in which they are genuinely welcome, rather than depart for some foreign country. However, Bushmen leaders pointed out that they had already taken their decision. They felt they were being pressured. They had chosen their future a year ago, and would not change their minds each time somebody from the new government visited them. At the Bushmen village of Mangetti Dune the same routine and much of the same discussion took place. The leaders, when asked why the Bushmen want to leave their native country, refer to incidents of discrimination and hostility towards Bushmen in Namibia. Because they had decided to leave, they had sold their houses and cattle, and there was now only option left to them; to leave Namibia for South Africa. By the 13 March, 1,340 Bushmen and their dependants; and one day later, 585 left for Smithsdrift in South Africa. The move was completed on 16 March 1990, five days before Namibia's independence (Dierks, 2002).

A number of incidents had taken place during the transition which were racially motivated. As mentioned earlier, the notorious South African Civil Co-operation Bureau (CCB) which in the past had been responsible for numerous human right abuses in Namibia such as the killing of PLAN prisoners of war, tried to disturb the peace process. Wouter Basson allegedly tried to poison the water supply system at the Döbra reception centre for returning Namibian exiles with cholera bacterium. Later (2000) it was established that he allegedly ordered the "poisoning" of more than 200 SWAPO soldiers. Another incident of such nature was an attack of the regional offices of UNTAG in Outjo. The attack was perpetrated by three South African right-wingers, who would later be called the "Outjo firebomb attackers". Two Namibians were killed in the attack. After initial arrest, the three South Africans managed to flee and escape to South Africa (Dierks, 2002).

Another such incident occurred when the newspaper 'The Namibian' reported that 500 white extremists of the former colonial dispensation planned to overthrow the new Namibian government. On the 5 August 1989, a bomb was thrown into 'The Namibian' newspapers headquarters. Later, at the end of August, beginning of September and on 12 October, ten white men are arrested in conjunction with the supposed coup. Before the court case for high treason could be opened on 8 October, most of them managed to flee to South Africa (Lush, 1993:174). Another ethnic incidence was the crisis that loomed in the Rehoboth area. The former South African policy of Apartheid had manifested in a demand by the political leadership of the Baster, under the Baster Captain Diergaardt, for autonomy for the Rehoboth area. During an unofficial Referendum, 84,1% of 9,289 Baster voters called for far reaching autonomy and special rights for the Baster group. The conflict escalated and, eventually, a visit of President Nujoma himself, on 3 November and a High Court decision influenced the Baster to recind their claims for secession (Dobell, 1998:114).

To illustrate the racial divide in socio-economic development; the first census after independence resulted in a Namibian population of 1,4 million. Further statistics showed that annual per capita income was R3,000 (1988), whereby whites had an annual per capita income of R41,250 while 55% of the mainly black population had to live with an annual per capital income of only R212. During the International Donor Conference for Namibia that took place in New York, President Nujoma appealed to the conference to grade Namibia as a "Least Developed Country", in spite of the relatively high average per-capita income, but rather in the light of the extreme skewed income relations between the rich, mainly white and the poor, mainly black income groups (Bratton & Van de Walle, 1997:237-239).

#### **2.4 Outcomes:**

On the 14 November 1989, election results were announced with SWAPO taking 57,3%, DTA 28,6%, UDF 5,6%, ACN 3,5%, and other parties taking 1% and less of the casted votes. Over 97% of registered voters of 701,483 went to the polls. SWAPO won 41 of the 72 seats in the Assembly (Dierks, 2002). The DTA managed to block a two-thirds SWAPO majority by winning 21 seats. Of the 23 electoral districts, the DTA won 14, SWAPO 8 (including the three largest - Ovamboland, the Kavango and Windhoek) and the UDF one. The high DTA poll was achieved by a concerted South African effort to transport thousands of white South Africans and Angolan UNITA supporters to Namibia in order to vote against SWAPO. The two party leaders, Sam Nujoma and Mishake Muyongo, accepted the voting results as free and fair. On the 15 November 1989, SWAPO President Sam Nujoma announced that SWAPO did not want to create a one-party state, but would rather work together with its political opponents to build the new state (Bratton & Van de Walle, 1997:207, 253).

On 21 March 1990, the Republic of Namibia was born, with Sam Nujoma as its first President. Nujoma was sworn in by UN Secretary-General, Javier Pérez de Cuéllar. 30,000 spectators in the Windhoek Sport Stadium viewed the great event. The independence celebrations were witnessed by representatives of 147 countries including 20 heads of state.

Leaders, whom international politics had previously precluded from official meetings finally met – F.W. De Klerk met with Yasser Arafat, Kenneth Kaunda and, Nelson Mandela who, just released from prison, made a precisely timed arrival, immediately before proceedings began. However, at the beginning of the proceedings turmoil erupted due to an incoming thunderstorm. Security people pushed some Prime Ministers into their seats. The turbulence resulted in some delays with independence being delayed by 15 minutes. The new proud flag of independent Namibia did not fly because there was no breeze; it drooped limply just as did the South African flag. The 78 members (including six appointed members by the President) of the National Assembly of the Republic of Namibia were sworn in (Dierks, 2002; Dobell, 1998:107). On the 22 March, the last South African Administrator-General, Louis Pienaar, was given an official farewell by President Sam Nujoma; and on the 28 March UNTAG's mandate came to an end. When it pulled back from its 236 premises, it did so with remarkable speed.

### **2.5 Attempts at Reconciliation:**

On the 4 May 1988, Sam Nujoma (President of SWAPO) announced in Washington D.C. a policy of national reconciliation, neutrality and non-alignment by a future SWAPO government in Namibia. In June of 1988, the SWAPO leadership (Sam Nujoma, Hage Geingob and Hidipo Hamutenya and others) and a delegation of whites from Namibia met in Stockholm to negotiate. Present was also the newly appointed UN Commissioner for Namibia. Shortly afterwards a conference was held in Bremen, West Germany, on "Education for Liberation", attended by SWAPO members to facilitate the process of turning the SWAPO liberation movement into a political party capable of governing the country after the completion of the transition (Lush, 1993:80-85).

By the end of March 1989, SWAPO, and especially its President, Sam Nujoma, proceeded to inform the PLAN soldiers stationed in SWAPO military bases of the ceasefire agreement which was to come into full effect by the 1 April 1989. He told them that from that day most of them would become civilians again and would return to Namibia to take part in the "political mobilisation of the masses and to vote for SWAPO". On the 2 July 1989, SWAPO's vision of Independent Namibia was published in its Election Manifesto which was based on the drafted Constitution of 1975. It made provision for a bill of fundamental rights, the structure of state organs, citizenship requirements and the fundamental characteristics of the future Namibian state under the principle of "justice and equality for all" (Lush, 1993:182-183).

On the 8 January 1990, the designated Minister for Finance, Otto Herrigel, announced, in his first official speech, that independent Namibia would follow a pragmatic economic course. Namibia intended to stay for at least three years in the Southern African Customs Union (SACU). Furthermore he proposed the establishment of an independent Central Bank (later Bank of Namibia). This showed SWAPO's commitment to abstain from radical economic

reform, thereby soothing fears of the white business community who controlled to a large extent the Namibian economy.

During the first session of the Constituent Assembly exactly one week after the elections, it was agreed that Namibia would be a multi-party democracy with an independent judiciary and a strong Bill of Rights which would protect civil liberties and oppose arbitrary expropriation of private property without justification. The first Speaker of the assembly chaired a Standing Committee which consisted of twelve SWAPO members and nine from other parties to draft the rules of procedure of the assembly which were adopted by the end of November 1989. The DTA proposed the acceptance of the SWAPO draft as the basis for drafting the Constitution. The constitutional draft was decisively designed by Hartmut Ruppel and the President of the NNF (Namibia National Front), Vekuui Rukoro. Namibia was the second country in Africa (after Cape Verde) to abolish the death penalty. The Bill of Rights was designed in such a way that the basic human rights clause cannot be changed, not even with a two-third majority in Parliament (Dobell, 1998:110-111).

A cornerstone of the national policy of the new independent Namibia was the policy of national reconciliation. The policy seeks to address the consequences of the legacy of Namibia's violent past, dating back to German colonial times, specifically the German Colonial genocide of the Herero people during the uprising of 1904-1907, the South African oppression and effects of the Apartheid system together with human rights violations committed during the liberation struggle. This policy of national reconciliation would also redress economic disparities in a peaceful fashion in order to achieve the fruits of the Namibian independence for all Namibians (Dobell, 1998:86-89).

The SWAPO Congress that took place in Windhoek, in the beginning of December 1991, saw a new Party Constitution and a new political programme being adopted. This programme paved the way for the change from a liberation movement to a political party. A new Central Committee was elected and, surprisingly, two white members managed their way into the highest party body for the first time. While approximately 50% of the government positions had been allocated to the Oshivambo speaking community (the largest ethnic group in Namibia), other Namibian communities were also represented. The key positions were filled by formerly exiled SWAPO members of the SWAPO Central Committee. The white and especially the German speaking community were noticeably over-represented. Two deputy ministers belonged to opposition parties (NNF and UDF). This setup of government indicated SWAPO's somewhat vague willingness to follow its own policy of "National Reconciliation" (Dobell, 1998:111-112).

To allow for a degree of power sharing with the opposition, the Cabinet approved newly consolidated political and administrative regional structures for the country. According to the recommendations of the Delimitation Commission, Namibia would be subdivided into 13 regions. These regions form the base from which to select the second chamber of Parliament, the National Council. In subsequence of the Cabinet Decision dated 17 August, the Government appointed Regional Commissioners for the 13 regions. In the spirit of the policy

of national reconciliation members of other political parties and former SWAPO detainees were also appointed (Dobell, 1998:129-130).

At the end of August 1992, the Regional Councils Act, the Regional Authorities Act and the Electoral Act were promulgated by the National Assembly, creating the basis for the establishment for the second house of Parliament, the National Council. The National Council consisted of two Regional Councillors for each of the 13 regions which were established by the Delimitation Commission in 1990. All voters in the local authorities had to elect their representatives, with the result that for the first time cities and towns like Windhoek got a majority black City Council and black majors.

In order to balance "the two Namibias", SWAPO made known a major infrastructure upgrading programme for the formerly neglected Ovamboland in northern Namibia. Special emphasis was laid on the cost-optimised and economically and financially feasibility of the programme, taking into account social problems like unemployment, gender balance and environmental arguments. To this effect labour-based construction methods were used to provide employment to many of the returning Namibian exiles and former PLAN members. The financing of these ambitious projects had to be realised from Namibian budget allocations and donor assistance from various countries. The realisation of the ambitious project in the subsequent ten years comprised one of the greatest successes of the SWAPO government (Dobell, 1998:86-89).

The Foreign Investment Bill created the foundation for a free market economy. Approved foreign investments were guaranteed and would be granted free access to foreign currencies. Foreign investments were protected and conflict resolutions follow international practices. However, in 1991, 1992 and 1993, the new government made no serious attempt at alleviating the inherited social imbalance between black and white communities (Dobell, 1998: 118-119).

The drought catastrophe of 1991 resulted in some hundred Damara who were resettled against their will in Otjohorongo in 1956 returning and camping next to the main road from Windhoek to the Daan Viljoen game park. They demanded the return of their ancestral land. Another such issue re-emerged when the Popular Movement 1904 (PM 1904) was founded in July 1988 as a political pressure group with the aim of repatriating all refugees who settled in Botswana in the aftermath of the Ovaherero-German War of 1904/06. Another aim was to bring about government dedication to the cause of returning confiscated land. In June 1991, the governments of Botswana and Namibia reached an agreement regarding the establishment of a Joint Commission to Repatriate Persons of Namibian Origin from Botswana. The target group to be repatriated were the descendants of Herero who fled during the Ovaherero-German War. Consequently the land issue became a hotly debated topic in the new National Assembly (Dierks, 2002).

Eventually, the long awaited Land Conference took place with 500 delegates in Windhoek during the last week of June 1991. The conference ended with 23 resolutions which had only recommending and not binding effect. The existing status quo in the sensitive land issue was

maintained. The existing imbalance in the land distribution was also kept. Demands for the return of land on ground of historical claims were excluded. Transfer of land was only possible for just compensation in accordance with the Namibian Constitution. The Cabinet appointed a Technical Committee on Commercial Farmland (TCCF) under the auspices of the Office of the Prime Minister. It had to investigate the implementation of the recommendations of the Land Conference of 1991. It was tasked to create a comprehensive, fair and transparent tax on commercial farm land (Dobell, 1998:122-125).

However, SWAPO sought to broker a new deal regarding the land issue by declaring that there would not be any large-scale nationalisation of the land. It was envisaged that a combination of state farms, cooperatives, peasant communities and commercial farming was to be established to broaden participation and increase agricultural production. White commercial farmers were urged to remain in Namibia and assured that in an independent Namibia under a SWAPO government, "... for them there would be better opportunities for comfortable and secure undertakings than a foreign country..." (Dobell, 1998:88). Rural economic development would be encouraged and employment opportunities created through the promotion of agro-industries and processing plants.

## **2.6 Assessment:**

The Namibian transition was turbulent at best and often time close of being scrapped entirely by either party involved. Due to malignant efforts of the South African administration, using shadow tactics and covert operations, the transition to independence was fraught with trail-and-error scenarios. A number of mistakes could have been avoided had the negotiating parties agreed on rules of the transition beforehand. As pointed out, SWAPO did ultimately not have significant influence in shaping the transition process, with the main negotiations and deliberations taking place between the South African Administrator-General and the UN envoy, Martti Ahtisaari. The SWAPO leadership eventually realised that a radical revolution before, during or after the transition was not a viable option. They also realised that, since the economy was controlled by the white community, any radical wholesale changes would most probably cause nationwide disaster and economic meltdown. The new majority SWAPO government awaited a grand task in correcting more than 100 years of colonial rule based on racial and ethnic segregation.

Although the SWAPO leadership committed itself to reconciliation and keeping to the rules of democracy as outlined in the Bill of Rights, there were virtually no bottom-up attempts at national reconciliation. Racial and ethnic tension was common before and during the transition and did not abate afterwards. Many Namibians from the white community feared for their socio-economic status and believed that SWAPO would instigate a Soviet-style socialist revolution. Other non-white communities saw the formation of the Namibian state as an opportunity for either demanding secession, such as the Baster in the Rehoboth area and the Caprivi communities, or by immigrating such as the Bushmen community. Instead, ethnic

reconciliation would have to be top-down, formulated and executed by the SWAPO government. The effects of this on reconciliation will be explored in Chapter Four.



## Chapter Three

### The South African Transition 1990-1994

#### 3.1 Introduction:

South Africa held its first ever fully inclusive democratic elections on the 27 April 1994. A short time before, such an event was thought to be unachievable; the peaceful manner of the transition from an authoritarian state ruled by the white minority to a democratic black majority state unthinkable. The first ever fully inclusive government brought together antagonists and protagonists in sharing power and control of the country. The ANC (African National Congress), the NP (National Party) and the IFP (Inkatha Freedom Party) joined together in a Government of National Unity (GNU) to dismantle the Apartheid state and bring about equality for all South Africans. The 1994 election was hailed as a miracle and in contrast to South Africa's very recent past, a great achievement that instilled a sense of optimistic enthusiasm about the future of South Africa (Mattes, 2002:22).<sup>3</sup>

As pointed out by Bratton and Van de Walle (1997:178), the collapse of military support for the ANC by the Communist East Bloc in the late 1980s, the increasingly ungovernable situation of the nation by the government to control political violence and mass insurrection, and international sanctions against South Africa, and its then government, created an impasse in which neither the NP government and the ANC could achieve its preferred political goals. The situation of the time forced both parties to negotiate a solution to the countries problems. After much negotiation and political manoeuvring, eventually the white minority accepted black majority rule under free elections and universal franchise and rights; and the black majority conceded proportional representation in government, job security for white civil servants and an amnesty for security forces that committed crimes against humanity under the old regime. To quote Omer-Cooper (1995:849), "Thus the new South Africa was born in far more joyous atmosphere than even the most optimistic had dared."

The 1994 election, the creation of GNU and the dismantling of Apartheid allowed South Africa to re-enter the international community after having suffered severe sanctions on the economic, sport, scientific and social levels. Sanctions had badly damaged the economy and had made the country ungovernable. Linked with internal resistance by the populace who had banded together in a number of anti-Apartheid movements and an armed struggle waged by Umkhonto we Sizwe (Spear of the Nation), the military wing of the ANC, and the Azanian People's Liberation Army (APLA), the military wing of the Pan-Africanist Congress (PAC). The combination of regional instability, global sanctions, labour shortages and declining resources and a weakening resolve of the Apartheid administration caused increases in the human and material cost of state repression; all contributing to the eventual negotiated nature of the transition (du Toit, 1995:194). For the South African Apartheid state, having been substantially weakened by both domestic and international pressure by the late 1980s and early 1990s, a negotiated settlement was the best opportunity for the authoritarian regime to end the stalemate and return the country to normal and peaceful conditions.

### **3.2 Historical Overview:**

From 1910 to 1948, political power was dominated by pro-British, English-speaking interests until the Afrikaner dominated National Party gained control over the state in 1948. The party had campaigned on a racial platform of separate development – Apartheid – and began implementing the policy directly after assuming government power. Apartheid was brutally oppressive and entailed economic, social and political programmes to advance the interests of Afrikaners and the white community in general. This system was rationalised by hypernationalism, a system of repression; and strict Calvinist religious convictions of the Afrikaner people (Deegan, 2001: 13-14). However, racial segregation policies had been in effect prior to 1948, some as early as 1894. The key pieces of pre-Apartheid and early Apartheid legislation are drawn together in table 3.1 The essential pillar of Apartheid was the notion of racial purity and separate economic and social development for the different racial groups in South Africa.

Non-white groups began to resist this form of institutionalised oppression early on with the founding of the ANC in 1912. The ANC at that time sought inclusion into the existing political system and eventually attracted a mass following. When it became clear that methods of peaceful resistance were being met with aggressive and brutal repression, the ANC decided to formally adopt a policy of armed struggle in 1961. Many of its leaders were caught and, charged with treason, imprisoned for life at the Rivonia Trail in 1964.

Table 3.2.1 Key Pieces of Pre-Apartheid and Early Apartheid Era Legislation

Pre-Apartheid Legislation	Year enacted	Function
Glen Gray Act	1894	Restrict black landholdings (principally the Cape)
Mines and Works Act	1911	Barred Africans from skilled positions
Native Lands Act	1913	Limited African landownership to 7% of land (all in “native” reserves)
Native Trust and Land Act	1936	Limited African landownership to 13% of land
Natives (Urban Areas) Consolidation Act	1945	Mandated carrying of passes in Urban areas for Africans
Early Apartheid Legislation		
Prohibition of Mixed Marriage Act	1949	Outlawed interracial marriages
Population Registration Act	1950	Classified South African by “race”
Group Areas Act	1950	Outlawed interracial communities and created racially defined residential areas
Suppression of Communism Act	1950	Granted State broad police powers to prevent “communistic” activity
Bantu Education Act	1953	Consigned African to menial education
Reservation of Separate Amenities Act	1953	Outlawed integration of public facilities
Native Labour (Settlement and Disputes) Act	1953	Made African Strikes illegal

(Adapted from Table 9.1 by Bauer & Taylor, 2005:243).

During the 1970s and by the 1980s, the resistance struggle had become more serious an issue for the NP government. Domestic mass action against Apartheid was met by state violence and the imposition of states of emergency even further curtailing the rights of blacks and other non-white communities. The Apartheid state developed a massive security apparatus designed to defeat dissent from black communities. This was met with mass mobilisation

throughout the country. Over time, the black urban townships became ungovernable. Also, a number of civil-society organisation emerged, for example the United Democratic Front (UDF), mobilising its members in boycott activities. Trade unions also contributed to the anti-Apartheid struggle by instigating campaigns of civil disobedience and strikes. The setting up of a Tricameral Parliament by the NP was an attempt at rearranging Apartheid in 1983. This Tricameral Parliament was however also boycotted by the UDF. Pragmatic reforms in the economy were introduced at the behest of the business community while the government tried to court the Coloured and Indian communities by offering the political concessions and bringing them into central government, excluding however, the majority black population. In the Tricameral Parliament each assembly had control over its own concerns. The NP envisaged a bloc of non-blacks to prevent the 'black-power onslaught' (Deegan, 2001: 44-60).

The end of Apartheid was manifest in its own design. An oppression of any people will eventually lead to resistance. The creation of the State Security Council (SSC) in 1972 and the implementation of the 'total strategy' aimed at restoring total state control were a result of the way in which the NP government perceived its position in South African society. Everything was viewed through a prism of security which meant that any anti-state action by the populace was a threat to its security. During the Botha administration, the SSC was upgraded and the South African Police (SAP) and South African Defence Force (SADF) were integrated and given wide-ranging powers; from riot control to the infiltration and prosecution of anti-Apartheid organisations. After the Soweto riots in 1976, the expenditure of the Department of Law and Order increased by 800% between 1975 and 1986. This use of indiscriminate force to subdue the ANC and other outlawed organisations caused an environment of violence and lawlessness. In February 1989 F.W. de Klerk was thrust into the limelight as the new NP party leader. He believed that the NP had to make fundamental changes as the mounting crisis was engulfing the nation (Deegan, 2001:61-68).

De Klerk eventually played an instrumental part in facilitating the transition to majority rule. In his now famous 2 February 1990 Speech, he promulgated the removal of a 30 year old ban of the ANC, PAC and the South African Communist Party (SACP) and ordered the release of Mandela and most of his compatriots by 11 February 1990. This marked the beginning of the end for Apartheid as a state system (du Toit, 2001:58). As Fredericks Van Zyl Slabbert (2006:16) points out, the intensity of the decision by De Klerk to unravel the Apartheid system came as surprise to most in the security establishment but most had seen that there was no military solution to South Africa's problem. There were concerns about internal revolt at the time and the solution to these concerns lay in political negotiations for a fully-inclusive democracy. However, many of the minority-white government and populace felt betrayed and their interests marginalised through De Klerk's actions (Slabbert, 2006:17).

By the beginning of 1989, South Africa's economy had been feeling the impact of economic sanctions and other anti-Apartheid measures by many of the country's major trading partners and their business entities. While such sanctions had not yet resulted in a deep recession, they had forced the regime to pay a high price for Apartheid, and over the next few years the country's economic survival came at the cost of reduced growth, rising inflation, high

unemployment and subsequently more social unrest. Economic sanctions by most of South Africa's industrialised trading partners had resulted in a loss of export income. The price of gold had dropped and the balance-of-payments had worsened considerably. Economic growth was only an estimated 2,7% in 1988. Apartheid had started to severely affect South African businesses negatively. The prospect of 'separate development' for the different racial groups had become an unattainable prospect by 1989 due to regional developments such as the advent of the Namibian transition; the outcome of the Battle of Cuito Cuanavale which placed the South African military operations in Angola at a disadvantage; as well as the end of the Cold War which ultimately meant the end of Soviet and Cuban support for the ANC – a crucial factor in the NP's decision to start negotiations with the ANC (Ottaway, 1993:134-135).

### **3.3 The Transition: an Overview**

The parties that formed the major contenders for power during the negotiations were the National Party (NP) government and the Africa National Congress (ANC). By the beginning of the transition, both parties, saw themselves to be at an advantage and perceived themselves as being able to win; the ANC due to its numerical superiority and the NP due to its control of the state apparatus. The balance of power eventually shifted to the ANC with many of the NP's demands being rescinded by having failed to gain concessions from the ANC. Negotiations had begun as early as 1985 when secret meetings were held between the imprisoned Nelson Mandela and NP justice minister Kobie Coetsee at the behest of then-President P.W. Botha. These talks were aimed at discovering each other's positions and beliefs.

The following three years of negotiations between mainly the ANC and the NP, with other parties joining in occasionally, were marked by repeated violent and politically motivated clashes, suspensions and occasional public accusations of other parties acting in bad faith of the transition. This period was overshadowed by a worsening security environment, growing community violence and accusations of the state instigating violence in the black community, specifically between the Inkatha Freedom Party (IFP) and the ANC (Bauer & Taylor, 2005:246). As the Apartheid state began to unravel in the early 1990s due to reverse demographics for the white population of South Africa, economic stagnation and increased black resistance; the NP elite became less interested in ethnic separate development and more interested in negotiating a position for themselves and the white community in South Africa (Giliomee, 1997:126-130).

By the end of November and beginning of December 1990, de Klerk issued a statement that the National Security Management System (NSMS) was to be disbanded and met with Nelson Mandela to discuss the country's political future. After de Klerk's, speech at the opening of Parliament, he announced among other measures, the suspension of the death sentence, the release of some political prisoners and the partial lifting of restrictions on the media and on some detainees. Consequently, Nelson Mandela was released from prison on the 11 February 1990 after 27 years (Sparks, 1995:107-8 & 120-123).

On the 16 December 1990, the ANC held its first national consultative conference inside South Africa in 31 years. The Conference, which lasted three days and was attended by 1,600 delegates, mandated the National Executive Committee to “serve notice on the regime that unless all the obstacles are removed on or before 30 April 1991, the ANC shall consider the suspension of the whole negotiation process” and announced that 1991 would be a “year of mass action”. It rejected a call to relax international sanctions against South Africa and approved the creation of “defence units” to protect townships residents. At the conference, Nelson Mandela was elected President of the ANC, replacing Oliver Tambo (Marais, 2001:86-87).

Exactly one year after the speech by de Klerk that ushered in the end of Apartheid, de Klerk made a speech at the opening of Parliament that legislation would be tabled for the repeal of the Land Acts of 1913 and 1936, the Group Areas Act of 1966 and the Development of Black Communities Act of 1984, as well as the Population Registration Act of 1950. The repeal of the latter would be accompanied by the adoption of temporary transitional measures. President de Klerk also declared his opposition to the idea of a Constituent Assembly and to that of an interim government (similar to Namibia’s transition). On the 16 June 1991, the ANC began an open-ended campaign of public protest with a day of rallies, work stoppages and threats of a crippling general strike until the government agreed to terms for the creation of an interim government and an elected assembly to write a new constitution. On the 17<sup>th</sup> the Boipatong township massacre took place. Armed attackers shot and hacked their way through the black township leaving more than 40 people dead and many injured, including women and children. Witnesses said that the violence was perpetrated by residents of a nearby hostel. Following the Boipatong massacre, the ANC suspended bilateral talks with the government and participation in CODESA negotiations, accusing security forces of collusion with the attackers (which was later found to be untrue) (Sparks, 1995:142-143).

By November 1992, de Klerk announced a proposed government timetable on a transitional process in South Africa which envisaged that a fully representative government of national unity would be in place no later than the first half of 1994. In January 1993, bilateral meetings were held between the government and both the IFP and the ANC. These meetings aimed to lay a foundation for negotiation between various interested parties by the end of 1993 and how power was to be shared between black and white. At the opening of Parliament, President F.W. de Klerk warned that South Africa would be plunged into a Yugoslav style civil war if democratic negotiations failed. Multi-party constitutional talks would be resumed in March. The ANC expressed deep concerns at the sincerity of the South African’s government’s commitment to peaceful negotiations when it was revealed that SADF had a budget of R4,38 million for its secret Defence Special Account sub-section the CCB during the previous financial year (Marais, 2001: 89-90).

On the 16 January 1994, the PAC suspended its armed struggle and its guerrillas disarmed. On the 2 February, President de Klerk announced that South Africa's first non-racial democratic elections would be held from 26-28 April 1994. However, on the 14 February, at a meeting in Durban City hall, Zulu King Goodwill Zwelithini told President de Klerk that he was prepared to set up a Zulu Kingdom. In a memorandum he presented to President de

Klerk, the Zulu King rejected South Africa's interim constitution. To defuse black and white threats of conflict, Nelson Mandela announced six constitutional concessions. Amongst them were a change from a single to a double-ballot system and provision for each province to determine its form of government. The ANC and the South African government made further concessions in an attempt to draw other parties into an inclusive constitutional settlement (Robertson, 1994:60-62).

### **3.3.1 Attempts at Influence by the International Community:**

In contrast with the Namibian transition, the international community's involvement in the South African transition was substantial but not significant. Most of the action taken by either the UN Security Council, the UN General Assembly, the Non-Alignment Movement and other actors, was limited to an advisory capacity. The reasoning by the NP and ANC was that they would have to negotiate the transition and resolve their differences themselves due to the severity of the situation. In addition, there was distrust of the international community from both sides (from the NP, of the UN which had for decades criticised the Apartheid state; and from the ANC of states like the USA and the UK, which until the mid-1980s had continued to support the NP government). For South Africa to make a peaceful transition, South Africans themselves would have to commit to peaceful negotiations and not rely on foreign influence that could possibly have negative effects on the transition process. Therefore, the South African transition was by and large internally negotiated and organised.

There are a few known events where the international community was involved in the South African transition. On the 22 March 1990, after meeting with F.W. de Klerk, the US Secretary of State, James Baker, reported that the South African President had assured him that the government had started an irreversible process and that it was going to follow it to its logical conclusion. The Reagan Administration pledged its support and guaranteed the abolishment of sanctions as soon as possible. The first inclusion of foreign elements in the transition process took place in December 1991 as the United Nations Secretary-General announced that Mrs. Sadako Ogata, High Commissioner for Refugees, and Professor Ibrahim Gambari, Chairman of the Special Committee against Apartheid, would lead the United Nations observer delegation to CODESA. In addition to the United Nations, the Organisation of African Unity, the Movement of Non-Aligned countries, the Commonwealth and the European Community were also observers at CODESA. In January 1993, The Commonwealth Observer Mission to South Africa (COMSA), a 15-member team, which consisted of police, military, legal and political experts further, advised the negotiating parties of the transition that South Africa's best hope of containing the political violence that had engulfed the country by then, was to move speedily toward democratic elections and a durable resolution of the country's political crisis.

International mediators Henry Kissinger and Lord Carrington, who had played a major role in the Zimbabwean independence talks, arrived in South Africa, but left within twenty-four hours because the parties were unable to agree on the terms of reference for the mediators. They left behind a little-known Kenyan negotiator, Washington Okumu, a friend of IFP

leader Buthelezi for over twenty years. Speculation remains over the role that Okumu played in convincing Buthelezi to participate in the elections after all, less than a week before the elections were scheduled to take place (Bouckaert, 2009 :250).

### **3.3.2 South Africans Negotiating their Future:**

As mentioned above, the South African transition was by and large organised and executed by the South African NP government and the major contenders for power, the ANC and to a lesser extent the IFP. South Africans wanted to demonstrate to the international community that they were capable of negotiating a peaceful transition to an inclusive democracy where universal human rights and a government of national unity had replaced Apartheid and the oppression of one people by another had ceased. The following is an account of the major turning points and the internally-driven nature of the process.

On the 2 February 1989, F.W. de Klerk took over the post of party leader from P.W. Botha, who still remained President of South Africa. The first serious attempts of reform were undertaken with the establishment of the Free Settlement Board to legalise multi-racial free settlement areas in carefully chosen zones in main cities and towns. On the 29 June 1989, F.W. de Klerk explained to the NP Federal Congress in Pretoria the Party's next five-year plan, outlining the aspect of giving black South Africans a say in running the country and at the same time maintaining white superiority. The NP adopted this five-year programme, which included a "reform" plan to give South Africa's black majority a role in national as well as local government. However, the government was not able to persuade any prominent black leaders to negotiate on the "reform" initiative, with the ANC claiming that it would consider nothing less than a one-man, one-vote system.

From the 2 to 4 May the ANC and the government held the Groote Schuur talks in which both parties reached an agreement on conditions for full-scale negotiations on ending political conflict in South Africa. At the end of the talks, the South African government and the ANC issued a joint statement entitled "the Groote Schuur Minute". The statement addressed the issue of the release of political prisoners; included temporary immunity from prosecution for selected ANC members; and that the government would seek to end the state of emergency. Both parties pledged themselves to end the climate of violence and intimidation and committed themselves to a peaceful process of negotiations and to establish effective lines of communications (Ottaway, 1993:173-75).

On 7 August 1990, the ANC and the South African Government issued a joint declaration (the "Pretoria Minute") in which the ANC announced that it would immediately suspend all armed actions, while the Government undertook to consider lifting the state of emergency in Natal as early as possible and to continue reviewing the security legislation and its application in order to ensure free political activity. The final report of the Joint Working Group (established at the Groote Schuur talks) on political offences was accepted by both parties. Both sides pledged to redouble efforts to reduce the level of violence in the country (Saul, 1993:102-105). Compared to Namibia, political violence between members of SWAPO and opposition parties was mainly caused by instigation of the South African



regime. As had been pointed out, South Africa covertly financed political opposition parties to create a climate of uncertainty and fear during the period 1989-90 in Namibia's rural and township areas.

Meanwhile, the security situation further deteriorated to the point where, on the 6 September 1990, two gunmen opened fire on a crowd of commuters in Johannesburg railway station killing 26 people. It was later alleged that South African Special Forces were responsible. On the 11<sup>th</sup>, a delegation of officials of the ANC, the United Democratic Front (UDF) and the Congress of South African Trade Unions (COSATU) met with President de Klerk and discussed the issue of violence. After the meeting, ANC Deputy-President Nelson Mandela, who led the delegation, warned that "the failure of action on the part of the Government threatened the peace process". As a measure to curb politically motivated violence during the negotiations and to resolve the factional fighting between the IFP and ANC, both parties met during the middle of September in Durban to discuss ways of ending the violence in Natal and the townships. By the 8 October, after a meeting between Mandela and de Klerk, a joint statement is issued that outlined the acknowledgement that different perceptions of the violence of the two parties concerning the causes existed (Saul, 1993:106). As one can see, the parties involved in the negotiations tried to contain and curb the political violence by calling on their members and supporters to cease hostilities. During the Namibian transition, the military wing of UNTAG took over a similar responsibility, by providing security and police work.

On the 29 January 1991, a summit meeting was held in Durban between the ANC and the Inkatha Freedom Party. The meeting was addressed by Zulu Chief Buthelezi and ANC then-Deputy President Nelson Mandela. In a joint statement, both parties expressed their commitment to political tolerance and called on the security forces to play an effective peace-keeping role. On the 12 February 1991, following a 12-hour meeting in Cape Town between President de Klerk and ANC Deputy-President Nelson Mandela, they announced that they had resolved differences on the interpretation of the Pretoria Minute. Under the new agreement, the authorities undertook to expedite the return of exiles and the release of political prisoners while the ANC conceded to end the recruitment and training of cadres for its military branch Umkhonto we Sizwe. On the 22 June 1991, a church-sponsored peace conference for the first time included the government, ANC, IFP, PAC the Azanian People's Organisation (AZAPO) and representatives of the South African Communist Party, as well as other parliamentary parties and trade unions. A preparatory committee was formed which included working groups that would study the possibility of adopting codes of conduct for political organisations and the security forces as well as mechanisms for enforcing a peace agreement, and the reconstruction of areas affected by violence (Sparks, 1995:153-154).

On the 22 July 1991, following an emergency meeting of its National Working Committee, the ANC called, among other things, for the dismissal of Law and Order Minister Adriaan Vlok and Defence Minister Magnus Malan; the establishment of a multi-party commission of inquiry into the authorities' involvement in the violence and the secret funding of political activity, as well as the public dismantling of all special counter-insurgency forces. On the

23<sup>rd</sup>, The Inkatha Gate<sup>10</sup> scandal claimed its first victim, when the personal assistant to Chief Buthelezi (President of the Inkatha Freedom Party and Chief Minister of Kwa-Zulu), resigned after admitting that he acted as a middle man who organised covert funds paid by the Security Police for two Inkatha rallies. De Klerk announced on the 29<sup>th</sup> that Vlok and Malan would be replaced by Hernus Kriel and Roelf Meyer (who later became one of the key figures in the negotiations) respectively. The former two would occupy other ministerial positions. On the 30<sup>th</sup>, de Klerk announced that all special projects and secret funds designated for political purposes are to be ceased and investigated.

On the 15 August, the South African government, and the ANC and IFP agreed on a draft National Peace Accord which they described as a firm foundation on which peace in South Africa could be achieved. The accord included a Code of Conduct for political parties, a Code of Conduct for the police and the security forces, provisions for socio-economic development, and a complex set of enforcement mechanisms. This National Peace Accord was signed in Johannesburg by 23 political parties and organisations including the ANC, the IFP and a number of political parties, trade unions, religious and civic organisations, as well as the government on the 14 September. Many others endorsed it, including the Pan-Africanist Congress of Azania (PAC). It included a Code of Conduct for security forces and political parties; and established a National Peace Committee and a Commission of Inquiry Regarding the Prevention of Public Violence and Intimidation to monitor implementation of the Accord.

On the 27 October 1991, at the end of a Patriotic United Front Conference held in Durban and attended by some 90 organisations, participants adopted a Declaration in which they called for a Constituent Assembly to draft and adopt a democratic constitution; a sovereign Interim Government/Transitional Authority; and an All Party Congress/Pre-Constituent Assembly Meeting, brought together by independent and neutral conveners, to be held as soon as possible. On the 30 November, at the end of a two-day preparatory meeting chaired by two judges, 19 political and other organisations decided unanimously that the first meeting of a Convention for a Democratic South Africa (CODESA) would be held near Johannesburg on 20 and 21 December 1991, to discuss constitutional principles; constitution-making body or process; and transitional arrangements. Participating delegations also agreed on a nine-point agenda for the Convention, the establishment of a steering committee to facilitate its convening; and on invitations to various international organisations to observe its proceedings. The PAC, however, disassociated itself from the final statement. Several PAC proposals, such as neutral international conveners, the holding of CODESA outside of South Africa and the opening of CODESA's sessions to the media, were rejected by the other parties (Sparks, 1995:133-136).

On the 20 and 21 December 1991 CODESA held its first meeting. Seventeen of the nineteen parties attending the Convention signed a Declaration of Intent, whereby they committed themselves to multiparty politics. Tension arose out of ethnic differences when Chief

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<sup>10</sup> A scandal where it had become known that the NP government had been covertly funding the IFP to perpetrate political violence against its rival the ANC. The IFP leadership denied these allegations.

Buthelezi of the IFP did not attend the first session of CODESA, as the decision taken by its Steering Committee not to invite Zulu King Goodwill Zelethini amounted to an insult. The PAC also did not attend (Ottaway, 1993:157-59).

In February 1992, the ANC had submitted its constitutional blue-print to CODESA. It suggested a two phase transitional period of multiparty rule for fifteen months, to be followed by a coalition government for up to five years. However, Defence Minister Roelf Meyer said that the ANC's proposals on joint control of security forces and on a role for the international community in the supervision of the transition were not acceptable to the NP government. The ANC President, however, called for an independent international monitoring force consisting of the UN, US and Soviet delegates to help curb violence in South Africa, saying that the government had abdicated itself from its duties. The South African government submitted its proposal for an interim constitution for South Africa to CODESA on the 23 April (Ottaway, 1993:168-69).

By the 12 May 1992, an agreement was reached in Working Group III of CODESA on the establishment of a multiparty Transitional Executive Council (TEC), which could make decisions by an 80% majority. Participants in Working Group I agreed that all security forces were to be placed under the control of the transitional governmental structures. However, CODESA talks ended in deadlock on the 16 May 1992 due to the ANC threatening mass action if the government did not compromise on constitutional issues. The second round of CODESA (II) talks ended without any significant progress being achieved. Failure to resolve the deadlock on issues related to the constitution-making process prevented the consideration of other issues. The ANC decided on mass action to press for the establishment of an interim government and elections for a Constituent Assembly (Marais, 2001:91-92).

To break the stalemate that had engulfed CODESA II, President de Klerk offered to lower the margin of approval needed for changes in South Africa's constitution from 75 per cent to 70 per cent. This issue, among others, had brought the talks to an impasse. Agreement was reached between the South African Police, ANC, SACP and COSATU on the principles outlined by a panel of experts on how mass demonstrations should be handled. The IFP declared it was unable to agree to terms restricting the carrying of cultural weapons. On the 27 July 1992, church leaders launched a major initiative among business, labour, government and political groups to restart negotiations and help create a more favourable political climate. The ANC organised a general strike on the 3 August aimed not as an insurrection but the peaceful removal of de Klerk from power; the immediate transfer of political power to the people; installation of an interim government; and free and fair elections to a Constituent Assembly. The ANC requested the United Nations to send observers, with which the UN complied. From the 3 to 5 August 1992, millions of workers joined the ANC in a nation-wide general strike (Sparks, 1995:135-136).

On the 21 August 1992, ANC Secretary-General Cyril Ramaphosa met with Constitutional Affairs Minister Roelf Meyer to discuss possible compromises on ANC pre-conditions to the resumption of negotiations and the revamping of the National Peace Accord (Sparks, 1995:137-138). On the 26 September, a bilateral summit between delegations of the ANC and the South African government, led respectively by Nelson Mandela and President de

Klerk, were held in Johannesburg. A joint Record of Understanding was published, which laid the basis for the resumption of negotiations. Agreement was reached, in particular, on the banning of dangerous weapons throughout the country; the fencing of a number of hostels; the release of all remaining political prisoners before 15 November 1992; and the need for an elected Constituent Assembly with a fixed time frame and adequate deadlock-breaking mechanisms. However, the IFP rejected the deal brokered between the government and the ANC as illegitimate; the concept of a Constituent Assembly was rejected as a decision was taken to brake off talks with the government.

On the 5 March 1993, delegations from 26 parties and organisations held a two-day multiparty planning conference ending a 10-month negotiation deadlock. In a resolution adopted by all the parties, except the Conservative Party which abstained, they agreed to start new multiparty negotiations not later than 5 April 1993. The only major political parties not present were the Azanian People's Organisation (AZAPO) and the Afrikaner-Weerstandsbeweging (AWB), who had refused to participate in multi-party talks. On the 1 April, representatives from 26 South African political parties and organisations resumed multiparty negotiations marking the start of serious deliberations on the transition since the collapse of CODESA I and II. These multi-party negotiations had a broader representation than CODESA. The negotiations result in 23 of the 26 parties involved in the talks at the World Trade Centre to adopt a Declaration of Intent on the setting of an election date for a transitional government. On the 13 May, the South African government granted diplomatic immunity and privileges to about 100 UN, Commonwealth, European Community and OAU observers.

In June 1993, the election date for South Africa's first democratic election was set for 27 April 1994, at the multi-party talks held in Kempton Park. Nelson Mandela and IFP leader Buthelezi met and pledged to work together. They intended holding joint rallies in war torn areas of conflict. The PAC agreed in principle to halt hostilities. However, the Concerned South African Group (COSAG) stormed out of the Multi-Party Talks. Following the incident the government and the ANC made concessions, allowing COSAG to return to the talks. The President's Council closed after an existence of just over twelve years (Sparks, 1995:225). By July, the key points of the interim constitution had been outlined.

A constitutional compromise was agreed on at the Multi-Party Talks. The negotiators decided on regional administrative structures for the country and on binding constitutional principles; the constitution itself to be drawn up by an elected constitution-making body. The Plenary of the Multi-party Negotiating Process adopted by consensus, 27 constitutional principles which, along with a Bill of Rights, were to be included in both the interim constitution and the final constitution to be adopted by an elected Constituent Assembly. On the 3 September, an outline of the purpose and function of the TEC was announced and Parliament met to approve four new laws. Parliament voted 211-36 in favour of the Transitional Executive Council Bill which oversaw the transition to democracy. Independent electoral and media commission bills are also passed. Parliament met again in November to approve a new constitution. The interim constitution was eventually approved by nineteen of the twenty-one parties participating in the Multi-Party Talks (Robertson, 1994:48-51). In the case of

Namibia, only after the November 1989 elections and the formation of the Constituent Assembly a week later, were negotiations held regarding the format and content of the Namibian constitution.

On the 18 November 1993, leaders of 20 political parties at the Multi-party Negotiating Process endorsed an interim constitution and an electoral bill. They also reached a package of agreements for the transition. On the 2 December, Multi-Party negotiators agreed to the reincorporation of the TBVC states (Bophuthatswana, Ciskei, Transkei and Venda). On the 6 December, the Transitional Executive Council (TEC) began its work. At its first session, the TEC adopted a resolution of the Multi-party Negotiating Council requesting that the United Nations, the Commonwealth, the European Community, the Organisation of African Unity and individual governments provide a sufficient number of international observers to monitor the electoral process. The TEC also appealed to the United Nations to coordinate all international observers and to ensure that their deployment was effectively coordinated through close cooperation with the Independent Electoral Commission (Robertson, 1994:52-55).

### **3.3.3 Ethnic and Racial Tension during the Transition:**

As illustrated in the previous section, the South African transition process was marred with ever-increasing ethnic and racial tensions that often escalated into clashes between ANC and IFP supporters and between the police and security forces and township rioters. In addition, a number of extremist groups and organisations tried to promote minority interests at the expense of other groups. These groups were exclusively race based. Existing groups, such as the Afrikaner-Weerstandsbeweging (AWB) had intensified their resistance to the negotiation process and had increased terrorist activities. Some of the extreme-right groups, mostly white Afrikaner organizations, reacted with anger to the reforms by F.W. de Klerk and attacked the United Kingdom Embassy in Pretoria. On the 21 February 1990, The Star newspaper reported that Defence Minister, Magnus A. Malan, knew as early as 1987 of a secret "hit squad" made up of police officers which was used to kill opponents of Apartheid. The allegations posed a growing embarrassment to de Klerk, who faced demands for the dismissal of the Defence Minister (Sparks, 1995:161). In a related development, the activities of the Civil Cooperation Bureau, the military unit involved in the assassinations, were suspended pending the outcome of a judicial inquiry. The Minister also claimed that Anton Lubowski, the SWAPO white official killed by assassins in Windhoek in September 1988, was an agent of the South African Defence Force.

On the 24 February 1990, more than 100,000 people attended a rally in Durban addressed by Nelson Mandela, who urged his followers to end the factional warfare that had taken more than 2,500 lives in the last five years in the Natal region. However, by March, violence erupted in South African 'homelands' and Ciskei fell in a military coup. The ANC military commander Joe Modise, stated that the organisation could consider the suspension of the armed struggle but not the laying down of arms, to facilitate negotiations (Deegan, 2001:76-78). On the 26 March, 17 people are killed and 380 wounded after police opened fire on anti-

Apartheid protestors in the township of Sebokeng who were protesting high rent rates and for the ending of racially segregated local facilities.

In the beginning of June 1990, President F.W. de Klerk announced that the four-year old state-of-emergency was to be lifted in three of South Africa's four provinces, with the exception of Natal and the homeland of KwaZulu where security forces were to be increased to maintain order and stability. However, the far-right carried out further fire-bombings of the offices of the Minister of National Black Education and the offices of Deputy Constitutional Development Minister, Roelf Meyer. The ANC condemned the tolerant attitude of the South African Security forces regarding the violent activities of far-right and extremist groups after a bomb exploded in a Johannesburg bus and taxi terminal wounding more than 25 persons. An extreme-right group, who called themselves "the White Wolves" claimed responsibility for five other bombings carried out during the first days of June, including one against a liberal politician and another one against a synagogue (Alexander, 2002:50-52).

On the 15 August 1990, after three days of intense fighting between supporters of the IFP and ANC, SADF troops were deployed to prevent further deaths after an already estimated 150. On the 16 August, Mandela and de Klerk hold emergency talks in Pretoria regarding the violence in the townships. However, on the 17<sup>th</sup>, The ANC as well as COSATU issued statements accusing elements of the South African security forces of orchestrating the conflict in the townships. By the 24<sup>th</sup>, more than 500 people had died in eleven days of fighting. Mandela accused the South African Police of encouraging factional fighting (Saul, 1993:102-105).

By March 1991 the first group of political exiles returned to South Africa and the government released forty (mainly ANC) political prisoners. Amongst these, is Piet 'Skiet' Rudolph, a prominent right-winger facing charges of planting bombs and theft of arms and ammunition. Authorities granted indemnity from prosecution to 2,605 anti-Apartheid activists and members of far right groups. The indemnity included 1,819 members of Umkhonto we Sizwe. Throughout April and May 1991, de Klerk made numerous attempts at appeasing the ANC by offering them positions in cabinet. A broad consensus was reached between the government and the ANC to stop violence in the Townships. However, on the 12 May, IFP supporters rampage through Kagiso township killing at least 22 people.

On the 10 June 1991, speaking before journalists, a retired army major, Nico Basson, said that the South African military had supplied weapons (such as AK 47 assault rifles) and covert assistance to IFP in order to weaken the ANC. He also disclosed that the South African military had previously carried out similar activities in Namibia to discredit the South West Africa People's Organisation. IFP leader Chief Buthelezi denied these allegations. The government later admits to having funded the IFP and its associated trade unions<sup>11</sup> (Sparks, 1995:153-154).

On the 9<sup>th</sup> August, a bloody confrontation took place between members of the right wing AWB and government security forces in Ventersdorp. Around the same time, Umkhonto we

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<sup>11</sup> The Inkatha Gate Scandal.

Sizwe, the military wing of the ANC, held its first conference in South Africa after thirty years and called for a formal ceasefire in the country (Ottaway, 1993:181-82). However, on the 28 January 1992, the leader of the AWB, Eugene Terre'Blanche, and nine other members were arrested for staging a riot on 9 August 1991 when President F.W. de Klerk was addressing a meeting in Ventersdorp. A study by the Human Sciences Research Council shows that violent attacks by whites against blacks had increased sharply in the two years since President de Klerk announced the first measures towards the end of Apartheid.

In April 1992, the Human Rights Commission (HCR) of South Africa stated that the level of violence in the country had reached unprecedented levels during March 1992, with 437 persons killed and 898 injured, and that "the extreme level of violence was undoubtedly the result of forces working to destabilise the referendum and the peace process". In April as well, the Conservative Party (CP) caucus agreed to hold talks with the National Party on setting up a white state (Volkstaat), but expelled one of its Members of Parliament, who had advocated immediate participation in CODESA (Marais, 2001:91-92).

The issue of violence in the townships and South Africa in general had also not been resolved up to that point in time. The second report of the Commission of Inquiry regarding the Prevention of Public Violence and Intimidation, had been released. It indicated that the Commission had received no evidence yet of a third force implicated in the violence, but denounced the government's failure to take sufficiently steps to prevent criminal conduct by members of the security forces and the police. It also accused the ANC and the IFP of resorting to violence and intimidation in their attempts to gain control over geographic areas. On the 7 September 1992, the ANC led a march against the Ciskei government and Ciskei security forces fired on ANC demonstrators marching towards the capital of the homeland, killing 29 of them and wounding more than 200. On the 9 September, President de Klerk stated that it was not possible to negotiate constitutional issues before the question of violence had been dealt with satisfactorily. He called for a meeting at leadership level to be convened urgently with the ANC to discuss the violence and other obstacles to the resumption of negotiations. By the 21 September, President de Klerk and Mandela agreed, at a peace summit, to resume constitutional negotiations that were suspended in June 1992 (Sparks, 1995:137-138). Unfortunately, political violence did not subside when, on the 28 September, four white South Africans were killed and seventeen injured when armed persons stormed into a golf club in King Williams's Town.

However, political violence did not decline in 1993. South African Communist Party General Secretary and member of the National Executive Committee of the ANC, Chris Hani was shot dead outside his home on the 10 April. In May, the Afrikaner Volksfront was officially founded in Pretoria. It was to articulate the interest of right-wing groups and had the support of twenty-one organisations, such as the Conservative Party and Afrikaner Volksunie. Clive Derby-Lewis, a former Conservative Party MP and a member of a Presidential advisory council, is formally charged with the murder of Chris Hani. Former South African military and police commanders meet to form a 'Committee of Generals' to resist Pretoria's handover to majority black rule. On the 26 June, the Afrikaner-Weerstandsbeweging members attack the

World Trade Centre where the Multi-Party Talks are being held (Friedman & Stack, 1994:309-310).

In March 1994, leading up to the April elections, renewed outbreaks of political violence swept the country. Widespread revolt gripped Bophuthatswana as demonstrators which demanded the reincorporation of the nominally independent homeland into South Africa clashed with police forces. South African troops in armoured vehicles rolled into the capital of Mmabatho after some 50 people were killed and hundreds were injured during violent clashes in the homeland. In the homeland of Ciskei, a mutiny by police and defence forces led to the resignation of Brigadier Oupa Gqozo who had previously gained control of the homeland through a coup. The TEC immediately sent representatives to take over control of the homeland, and posted troops at its borders. Violent clashes occurred between Zulu IFP supporters protesting against the forthcoming 1994 April general election and the ANC's security guards protecting the ANC headquarters Shell House. President de Klerk declared a state of emergency in Natal, in the hope of quelling the violence and ensuring a fair election there in April (Sparks, 1995:149-151).

Fortunately, two days after the IFP agreed to participate in South Africa's first non-racial elections, security officials and independent monitoring groups reported that political violence had dropped dramatically in the country (Friedman & Stack, 1994:312). On the 23 April 1994, the government, the ANC and the newly formed Freedom Front party signed an agreement establishing a framework for a separate state for whites. The AWB rejected the agreement. Regrettably, a car bomb exploded in downtown Johannesburg killing at least nine people and leaving ninety-two injured. The bomb, which left a waist-deep crater in the street, had been placed in a car parked mid-way between the national and regional headquarters of the ANC (Friedman & Stack, 1994:312).

Another source of ethnic tension encompassed Operation Vula. Operation Vula had been an attempt by the ANC to strengthen the underground inside of South Africa by infiltrating senior leaders, trained in urban guerrilla warfare, into South Africa. Operation Vula was also intended to increase co-ordination between the political and military struggle and strengthen the ANC's control over its non-government rivals such as the UDF and the IFP. Operation Vula attracted significant funds and large quantities of arms to supplement the ANC's struggle against the Apartheid regime. This influx of funds and arms, with the infiltration of leaders who could train underground ANC's combatants greatly increased township conflict between the ANC and IFP in Kwa-Zulu and Natal during the period of 1990 onwards (Jeffery, 2009:191-193).

### **3.4 Outcomes:**

South Africa held its first democratic general elections from 26 to 29 April 1994. Nineteen political parties participated in the election and 22 million eligible South Africans voted. On the 27 April, South Africa's interim constitution entered into force and the new flag was raised. On the 6 May, announcing the final results of the election, the Chairman of the International Election Committee, Judge Johan Kriegler said that the April 26-29 elections



were substantially free and fair. Admitting that the election was flawed but that this was peripheral, he said "we were able to establish the will of the people with reasonable accuracy". The final results of the three major parties were as follows: the ANC received 62,6%, National Party 20,4%, IFP 10,5%. The Democratic Party (DP), the Freedom Front (FF) and the PAC each received less than 3% of the vote while the remaining parties received less than 0.2% each. In terms of the Interim Constitution, the distribution of seats in the 400-member National Assembly was as follows: ANC 252, NP 82, IFP 43, FF 9, DP 7, PAC 5, and the African Christian Democratic Party 2. The ANC won 7 of the 9 provinces, losing the Western Cape to the NP and KwaZulu/Natal to the IFP. On the 10 May, Nelson Mandela was inaugurated as the new South African President (Deegan, 2001:106-112).

In the end of May 1994, Cyril Ramaphosa, Secretary-General of the ANC, was elected chairman of the Constituent Assembly which was to write a new constitution for the country within two years. Opening the first session of the first non-racial parliament, President Nelson Mandela adopted a conservative reform policy. President Nelson Mandela, in his State of the Nation Address to Parliament, announced that South Africa would subscribe to the Universal Declaration of Human Rights and acceded to human rights conventions of the United Nations (Deegan, 2001:113). Justice Richard Goldstone called for the establishment of a "truth commission" on Apartheid atrocities because "victims would not be able to forgive without openness". He said it was essential to expose the past as part of the healing process. President Nelson Mandela said that in order to promote national unity he was willing to bring into government those who remain outside. In a meeting with PAC leader Clarence Makwetu, President Mandela asked Makwetu to present him with a list of PAC members and indicate in which government structures they would wish them involved. Makwetu said the PAC had asked that 6,000 members of the Azanian Peoples Liberation Army (APLA) be incorporated in the National Defence Force and that the figure could reach 10,000. Mr. Mandela also met with the leader of the DP, Mr. Tony Leon (Grundy, 2000:40-43).

### **3.5 Attempts at Reconciliation:**

During the negotiations, several attempts were made by both the NP government and the ANC leadership at showing good faith in seeing the transition through to its end. Due to the number of stalemates and deadlocks in the negotiations, the NP government pushed the negotiations along by dismantling Apartheid, while the ANC committed itself to ending military incursions, ending political violence and propagating peace and reconciliation to the nation. The aspect of ethnic reconciliation became the pivotal characteristic in the South African transition, unlike the Namibian transition where the formation of an independent Namibia and the end of colonial rule was the central aspect. What followed were the NP governments' attempts at reconciliation, albeit limited to power-sharing between the white and black communities. The ANC had dedicated itself to a South Africa for all of its inhabitants in line with the Freedom Charter. The ANC leadership had frequently called upon its members and supporters during the transition to cease political violence and spread a climate of reconciliation across racial and ethnic divides.

For example, by the middle of 1990, the Ministry of Education announced that the government had decided to abandon the principle of segregated state education. From January 1991, white state schools would be allowed to accept black children, provided that the majority of the parents of such schools give their consent. The government also announced the abolishment of racial segregation of state hospitals, which however only included a small percentage of state hospitals that were reserved for whites only. On the 15 October 1990, the 1953 Reservation of Separate Amenities Act as well, as other acts that make the distinction of people based on race were abolished (Deegan, 2001:114-115).

On the 5 June 1991, the South African Parliament adopted the Abolition of Racially Based Land Measures Bill, which will repealed the Group Areas Act 1966, the Black Land Act of 1913, the Development Trust and Land Act of 1936 and the Black Communities Development Act of 1984, with effect on 30 June 1991. A provision in the new Bill would, however, allow neighbourhood committees to set "norms and standards", such as population density, maintenance and cleanliness, in their residential communities. This shows that de Klerk's government was making concession regarding black political empowerment and at the same time ensuring further white domination of the areas already under white control. On the 17 June, the South African Parliament voted to repeal the Population Registration Act of 1950. The population register would, however, be maintained until a new constitution had been negotiated.

The white community mostly also supported the transition process when on the 24 February 1992, de Klerk announced that a referendum was to be held on the 17 March requesting a mandate to pursue constitutional reform from the white electorate. By the 18 March, in the referendum for whites only, 68,7% voted "Yes", compared to 31,3% who voted "No". 86% of the white voting population participated in the referendum. On the 18 November 1992, the Existing white business and community organisations slowly but surely started to adept to the changing environment of the transition, as for example, the Afrikaner Broederbond adopted a new constitution, which would allow women and all race groups as members, as long as they all speak Afrikaans. It would henceforth be known as the Afrikanerbond.

The single greatest attempt at reconciliation during the transition was the inclusion of a Truth and Reconciliation Commission. This formed part of the so-called "Sunset Clause". The TRC was established though an act of Parliament, the passage of which was supported by all political parties except one. A critical factor contributing to the legitimacy of the TRC was the involvement of the public and key figures during the negotiations, such as Desmond Tutu and a number of publicly selected commissioners. The TRC was established to achieve a general purpose and several specific objectives. The overall goal was to promote national unity and reconciliation in a spirit of understanding which transcends the conflicts and divisions of the past. The more specific goals were to establish a complete picture of the past by creating a collective memory; facilitate the granting of amnesty; to establish the fate and whereabouts of victims and restoring human civil dignity; and the final goal was to produce a report the three afore mentioned issues and make recommendations on how to develop a political culture that would be respectful of the human rights of all citizens (Gibson, 2004:11).

The commission was given legal powers in the form of search and subpoena powers and that the GNU had rejected any notion of blanket amnesty suggesting a serious attempt at dealing with crimes against humanity committed during Apartheid (Daniel & Ramdeen, 2006:194). The commission set out to uncover the horrors of the Apartheid security state, its gross human rights violation and state suppression to 'heal' the nation by uncovering the truth in an attempt of reconciliation. The underlying notion of the commission was that truth would lead to reconciliation, the forgiving of afore mentioned human rights abuses by a minority towards a majority. The effects the work of the commission had on reconciliation, will be further explored in section 4.6

### **3.6 Assessment:**

South Africa's transition to an all-inclusive democracy was eventually achieved only through major concession made by the two major negotiating powers, the NP and ANC. Although a number of different political parties and civil society groups, including the church, were included in the negotiations, the behind-the-scenes negotiation between the NP and ANC (greatly helped along by Cyril Ramaphosa and Roelf Meyer) were quintessential in creating a framework and understanding in which the multi-party negotiations took place in. The NP eventually conceded its claims of control of the state by the white community and agreed to the ANC's demand of an all inclusive democracy where every South African had the same rights as the next. Unlike the Namibian Transition, the South African transition was almost void of international influence. The international community merely acted as observers and occasionally reminded the NP government that a reverting of the transition would not have been possible. The South African transition was in a sense a miracle in that it was mostly peacefully internally organised and executed.

As stated earlier, the most prominent attempt by the South African elites of assisting the public in coming to grips with the Apartheid history was the Truth and Reconciliation Commission formed in 1996. As argued by Gibson (2004), however, the TRC did not have a significant influence on reconciliation. As will be shown in Chapter 4 of this thesis, although uncovering the horrors of Apartheid, the TRC did not bring about a change in perceptions and attitudes between different ethnic groups. However, consideration has to be given that the Commission did have its merits and influences on the national consciousness regarding reconciliation. These will also be further discussed in Chapter 4.

## **Chapter Four**

### **Reconciliation – Making the Past work for the Future**

#### **4.1 The Transitions Compared:**

The South Africa that emerged after 1994 was at the same time celebrated across the world as a miracle, but also seen by cynics as a potential disaster. The GNU was confronted with enormous difficulties. The need for reconciliation and consensus meant that the Tripartite Alliance had to work together with other political organisations. The ANC felt that the government would have to play a crucial mediatory role and act as a force between conflicting racial and ethnic interests. The spirit of the government at that time was one of reconciliation in providing a culture of negotiation and understanding. The new democratic parliament was filled with people either returning from exile or imprisonment. It was a very mixed environment and meant that the new South African leaders would have to set the tone and pave the way for the public to follow in the spirit of reconciliation. The governments' strong emphasis on nation-building and reconciliation forged a climate of cooperative law-making ahead of petty party politics. This transitional phase was essential in steadying the country and the GNU was important in providing a framework for diffusing potential problems.

The asymmetrical nature of South Africa's development under Apartheid produced a developed and underdeveloped world society, polarised along racial and ethnic lines - an industrialised, urban, technological and white society; running in parallel with an impoverished rural, largely black hinterland. Fifty years of economic policies that favoured the white minority created an economy characterised by serious structural weaknesses. The affluent and privileged few were deeply divided from the extensive poverty and social deprivation of the majority. The economy and society had to be transformed if, as the ANC asserted, the country was to achieve non-racialism, development and equality (Deegan, 2001:115).

For South Africa, according to Taylor and Vale (2000:401), the fact that the transition was pact-driven and the reasons for which it produced consensus rather than conflict, are crucial for an assessment for where South Africa stands today. Due to the compromises made during the negotiations of the transition it bode well for nation-building which was in line with the non-exclusivist, non-racialism of the ANC's Freedom Charter. As mentioned earlier, interracial perceptions in South Africa carried a lot of negative connotations. Many believed that negative beliefs and stereotypes would cause great social friction and result in violence perpetrated by one group against another based on perceived ethnic differences. Especially the white, Coloured and Indian communities feared that the new black majority ANC government would instigate a system of reversed Apartheid that would threaten their socio-economic development as well as personal security. However, most of these fears were irrational and unsubstantiated since the ANC had conceded to NP demands of rescinding radical and revolutionary action once coming into power. One of the functions of the GNU was to block any such attempt the ANC might seriously consider by the NP and IFP. Since no

radical changes to the status quo were made during the duration of the GNU, fears of reversed Apartheid repression by the ANC government began to ebb (Breytenbach, 2006:175).

As illustrated in Chapter Two, the Namibian transition was different in that it was for independence from South African colonial rule. Self-determination became the overriding aspect in the Namibian transition with South Africa relinquishing control and the UNTAG introducing an all-inclusive democracy void of racial and ethnic segregation. The parties that eventually occupied the government were instructed by the UN to follow democracy as the only option and any deviation would result in reprimanding by the international community. This was similar to what South Africa had experienced during the 1980s. Then again, the majority of the incoming Namibian political elite in 1990 committed itself voluntarily to democracy and its principles. However, due to a lengthy national liberation struggle against South Africa's Apartheid-based rule in Namibia, led by SWAPO from 1966 and culminating in a December 1988 agreement brokered by the UN and the major Western powers, most of the Namibian population felt left out of the very important issue of state formation during the transition. The formation of the new Namibian government and its institutions was negotiated between the outgoing South African colonial administration and the UN. Namibian civil society and political elites from both sides of the racial divide did not nearly have as much influence on the transition as did the respective actors in the South African transition.

In November 1989, relatively free and fair national elections democratically catapulted SWAPO into the position of majority political party in the country's transitional Constituent Assembly, in which MP's from six other parties also won seats. That Assembly ironed out a new constitution and became the National Assembly at independence. Since then, Namibia's democratic framework of government has remained remarkably stable despite lingering racial antagonisms and political concerns. This stability in large reflects the continuing commitment to a free and fair electoral process, a rule-abiding Parliament, vibrant local and regional councils, well-organised and active civil groups, and an army that is loyal to civilian rule. Nonetheless, underlying social and economic divisions remain unsolved and could provoke significant political problems in the near future.

However, popular criticism has focused, among other issues, on the perceived lack of progress toward meaningful land reform, and on an apparent intensification of political centralism within SWAPO and the SWAPO controlled government and cabinet. Alongside this is an increasingly dismissive attitude of party leaders towards critique from both within and outside the party. In 1999, these factors contributed to the creation of a new political party from the ranks of SWAPO (Forrest, 2000:108). The new party, the Congress of Democrats (COD) became the official government opposition but has since 2006 been marred by infighting. A very similar situation abounded in 2005 within SWAPO that also led to another formation of a new political party, the Rally for Democracy and Progress (RDP), also mostly constituted of disgruntled ex-SWAPO members. The RDP is poised to become the official government opposition in the November 2009 elections since they have campaigned on SWAPO's failure in addressing the socio-economic imbalances between the 'two Namibia' (Lindeke, 2009).

Despite the complaints by some political activists regarding the centralisation of power, the SWAPO government has thus far largely adhered to the protection of the personal and civic freedoms stipulated in the constitution. Accusations by the opposition of SWAPO moving towards 'dictatorial' rule and 'tribalism' policies underlines the extent of Namibia's comparatively tolerant polity. Nonetheless, the deeply ingrained racial, ethnic and class divisions remain problematic and could engender further serious conflicts if economic development efforts falter dramatically. The continuing vitality of Namibia's political institutions cannot alone sustain the progress thus far made towards reconciling the country's social classes and political factions (Forrest, 2000:110).

#### **4.2 Context and framework:**

Having outlined the major differences between the South African and Namibian transitions, the pertinent question of this thesis is what the effect of either an internationally (Namibia) versus an internally (South Africa) orchestrated transition has been on reconciliation? To summarise the reasons given in the previous chapters, due to the varying nature of the two transitions, there could have (hypothetically) been a differentiation in reconciliation in the cases of Namibia and South Africa. The argument is that since the Namibian transition was organised, implemented and enforced by an outside organisation (the UN) in Namibia, hypothetically there should be greater tension between ethnic groups in Namibia than in South Africa, since there was no formal attempt at ethnic reconciliation. In South Africa, the entire transition process was internally organised and implemented, meaning that South Africans (although elite driven, ordinary South Africans were to a greater extent involved in the transition than ordinary Namibians in their transition) themselves constructed and shaped their new state and government. Another matter concerning a possible difference would be that while South Africa had created a Truth and Reconciliation Commission in line with the ANC's national reconciliation policy; Namibia did not. This aspect will be explored later.

Bratton and Van de Walle (1997:81) distinguish between a number of governmental and political systems that abounded in Africa. In particular, Namibia and South Africa resembled what they called, "settler oligarchies". A settler oligarchy resembles the bureaucratic-authoritarian regimes constructed by Europeans in those parts of the colonial world where settlers gained de facto control of the state. This is generally accompanied by exclusionary democracies. The dominant racial group, the white European settlers, used legislation to deny political rights to ethnic majorities by hierarchically organised coercion. These exclusionary democracies do, however, function as proper democracies within the settler enclaves; with features like elections, leadership turnover, political opposition, independent courts and some press freedoms. Access to the political process was limited to mainly white and maybe other selected ethnic groups.

As mentioned above, according to Bratton and Van de Walle (1997: 178), Namibia and South Africa were the last settler oligarchies in sub-Saharan Africa. These settler oligarchies had a unique characteristic in that "...the protagonists were deeply divided along racial and class

lines into airtight corporate blocs.” After the transitions, the contenders (ANC and SWAPO) took control of political power but economic power remained with the predominantly white communities. Since neither side could govern the nation on its own, a compromise had to be reached, ultimately resulting in the transitions. However, a very important difference between the two transitions has to be made here, as demonstrated in Chapter Two for the Namibian transition: in the end, SWAPO took almost complete control of the government, although not a clear political majority. The South African transition on the other hand resulted in a government of national unity as shown in Chapter Three. Both protagonists negotiated to *share* power. The NP did not concede full political, nor economic power to the incoming ANC government. The ANC restricted itself on some of its more radical policies and ideas.

The essence of the above paragraphs can be summed up as follows: taking the criteria for reconciliation (as outlined by Gibson in Chapter One) into account, there should hypothetically be differences in three of the four criteria between Namibia and South Africa; these being *political tolerance*, *support for general principles of democracy*, and *legitimacy*. Why should this be the case? With SWAPO assuming almost complete control of the government, with only minimal opposition, what was to ensure that SWAPO and its followers (and conversely the opposition and their followers) would be politically tolerant; supportive of democratic ideals; and would claim legitimacy?

Reconciliation is hypothesised to contribute to democratisation because reconciliation is not an end in itself; it is a necessary step for democratisation in South Africa’s and Namibia’s case. Once people from different racial and ethnic groups have reconciled i.e. done away with superficial racial and ethnic identities, democratic consolidation can take place. Gibson (2004:5-7) argues that democratisation and democratic consolidation is not possible without reconciliation, since the core of reconciliation is tolerance. Democracy works best when it is rooted in a society which holds similar interests, values and attitudes. The majority populace has to be supportive and vigilant of democratic ideals and principles, which reconciliation can bring about. Gibson argues that when democratic institutions are only supported when they produce a favourable outcome it makes them weak and inefficient. It should be that democracy, the rule of majority, in which political and state institutions serve the majority of society, are bound to change and adapt to changing social circumstances.

Before reconciliation can be further conceptualised, a definition of identity (racial and ethnic) has to be made to clarify the issue of how ethnicity and race play a significant role in the South African and Namibian contexts. Using the most widely known definition of social identity theory by Tajfel and Turner (1979:33), they postulated the hypothesis that group status amongst other groups is often achieved through conflict. Any group that wishes to advance its position in society relative to other groups will do so by competition for scarce resources such as wealth, political power and prestige. Therefore, any group in conflict with another group seeks to differentiate itself in the form of identification and positive attachment to any certain value-laden group characteristic that is different from another groups’ characteristic. This creates an in-group and an out-group. The in-group is one’s own group one belongs to, while the out-group is any other group to which the in-group is compared to. Furthermore, intergroup competition enhances morale, cohesiveness and cooperation

amongst members of the in-group (Tajfel & Turner, 1979: 34). Social identity is therefore a way individuals strive to maintain and enhance their self-esteem through identifying with positive or negative group characteristics.

Democracy is seen as the best suited political system for human nature. It best allows for variations and commonalities in any country to co-exist, therefore it allows for a truly inclusionary and competitive regime. According to Mattes (2003), democracies are fragile and more difficult to sustain than non-democratic regimes, such as authoritarian or socialist-communist regimes, for example Cuba. But nonetheless, democracy is the preferred regime due to the single fact that it recognises human rights and seeks to protect and improve on these. So why have neither Namibia nor South Africa reverted to an authoritarian regime style with the majority suppressing the minority?

The answer may lie in the statement by Dahl (quoted in Bratton and Van de Walle, 1997:39) that "...a distinction is made between political competition and political participation". What is meant by this is that political competition is the extent of permissible public opposition to government policies. To what degree is political power concentrated in the hands of small political and economic elites in monopolistic regimes, or the opposite, to what degree is power dispersed amongst numerous institutions and groups in pluralistic regimes? Political participation on the other hand is defined as the breadth of popular involvement in the public sphere on equal terms for all. Inclusivity and exclusivity is measured along the public's participation in decision making. However, a political regime is also constituted by its institutions which set constraints on behaviour of the regime in the form of rules and regulations. These institutions also need to have the capability of enforcing political norms, rules and regulations onto the regime (Bratton & Van de Walle, 1997:40). However, according to Bates (2008:97-128) African democracies are more likely to fail and become authoritarian style regimes if there is a conjunction of a number of factors; such as a collapse of publicly supported institutions which includes the support for the rule of law; government mismanagement; elite predatory behaviour; and politics characterised by regionalism and ethnic rivalry.

### **4.3 Extended Reconciliation Criteria:**

The following discussion will serve to further distinguish between the four criteria of ethnic reconciliation mentioned in Chapter One, before applying them to the Namibian and South African cases. *Interracial perceptions*<sup>12</sup> deal with the breakdown of negative perceptions of out-groups. This means that increased contact between groups that identify in ethnic differences can lead to greater tolerance of 'the other'. Breakdown of interracial perceptions find their basis in interracial contact theory. Gibson (2004:18) contends that a breakdown of barriers across race through interaction and communication is essential for the success of

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<sup>12</sup> Gibson's (2004:4) term is *interracial reconciliation*. However, for this thesis, a slight adaptation is made in that emphasis is place on perceptions and not the overarching concept of reconciliation as outlined in Chapter One.



reconciliation. The key factor of the contact hypotheses is that increased contact between two groups which are culturally and ethnically different, might serve to overcome negative perceptions by showing members from one group that stereotypes often do not apply and that people from 'other' ethnicities can be trusted. But it can also have the effect of enhancing the perception of group differences, further enforcing group antagonism, if the contact between different groups is a negative experience. To expand the concept is to argue for a minimalist and maximalist version, in which the development of a political culture that respects human rights is necessary. There has to be a development of universal consensus of basic democratic rights and human rights for all, widespread support for the rule of law and political institutions and their legitimacy. Interracial contact theory where he argues, as mentioned before, that increased contact between groups will help increase understanding and break down racial animosity may result in increased political tolerance where the severities of the perceptions of threats are reduced and the interconnectedness between groups is increased.

The essence of reconciliation entails the fundamental realignment of relationships between groups and the breakdown of distrust, stereotypes and inequality; so that balance is restored, thereby averting future social and political distortions and upheavals. Much work has been done on this aspect within both the South African and Namibian contexts. In particular, various studies have been done to assess the relationship between different ethnic groups and their perceptions of one another in South Africa and Namibia (Gibson & Gouws, 1997; Gibson & Gouws 2003; Bratton, Mattes & Boadi, 2005; Bratton & Mattes, 2001; Mattes, 1995). The overall nature of these studies was to assess the perceptions that various ethnic and racial groups have of one another after the end of Apartheid and whether or not they have changed for better or worse. Perceptions and attitudes are important in reconciliation in that they shape the relationship between groups.

Interracial reconciliation is of importance because of historical conditions. In both South Africa and Namibia, the transition to democracy was a transition from white minority rule to black majority rule. Furthermore, the separation of social groups based on ethnicity and race, was formally legislated in both countries. In no other country has this separation been so deeply legislated and enforced at state and nation-wide level. The systematic separation of races gained international notoriety as Apartheid. Although South Africa's attempt at implementing Apartheid in Namibia during the 1960s and 70s never truly manifested, there was also, and still is, widespread inequality between racial groups in the country. The essence of this separation of ethnicity and race was the attempt at separate development for the various race groups. From the very start of colonisation, Eurocentric views have caused differentiating economic development between the European and Asian settlers; and the indigenous black populations (Bauer & Taylor, 2005:208-14 & 241-8).

The result is that discrepancies in economic development gave way to inequality in wealth, political, social and intellectual development and influence between the various race and ethnic groups in both South Africa and Namibia. Therefore, the importance lies within reconciliation theory. In any given society, the relationship between various cultures and groups are always in balance in terms of economic and political power each group holds. However, if these balances become distorted, revolution occurs until the balance is restored.

Such revolutions can take on various aspects, either being overtly violent or a peaceful transition. Such political revolt and occasionally violent action refers to all collective attacks within a political community against the political regime, its actors – including competing political groups as well as incumbents – or its policies. All such acts of violence pose a threat to the political system in two senses: they challenge the monopoly of force imputed to the state in political theory; and, in functional terms, they are likely to interfere with and, if severe, to destroy normal political processes (Gurr, 1970:4).

No one can write about South African and Namibian politics without referring to race. It forms a very salient part of the context of both countries. However, the concepts of race and ethnicity are considerably laden with emotions and are immensely subjective depending on which field of study the context is viewed from. For the field of study of political science and this thesis, ‘race’ is defined as the historical origin of the group. This definition relies on the racial categories created during Apartheid. Although some might argue that such classifications are only superficial, the use of these categories is unavoidable in the South African and Namibian context, due to the fixity they have come to acquire both in popular conscience and official business, private and public. The racial group terms used during Apartheid were black, Coloured, white and Indian (South Africans of Asian origins). These classifications persist even today, but in slightly more politically correct versions of ‘African’, ‘Caucasian’, ‘Coloured or Mixed’, ‘Asian South African’; and the addition of ‘Other’.

Ethnicity, on the other hand, refers to sub-groups/sub-categories of a specific race during Apartheid. Ethnicity referred to the language and/or cultural sub-group of the race, for example, Xhosa and Zulu are ethnic groups of the ‘African’ race. During Apartheid, emphasis was placed on differences, even between those of the same skin colour and same ‘race’. Apartheid legislation was built on these classifications and had entrenched itself in society. Even 15 and 19 years after the transition to inclusive democracies, these classifications are still used in South African and Namibia respectively. Apartheid continues to shape political reality in both countries (Gibson, 2004:26-27). Ethnic reconciliation then, means to resolve past differences and bring together historical protagonists; the protagonists being the various *ethnic* groups that were created during Apartheid and still exist today. Although *race* is overarching of *ethnicity*; there are perceived differences among and between the various groups, within and between black and white races, there exist different ethnic groups.

The reality of the South African and Namibian society is that the economic and political relationship between various groups is fundamentally tied to race and ethnicity. As long as one group is relatively deprived of economic and social power compared to another group, the balance of powers in that society is not yet restored. Relative deprivation is associated with perceptions. As long as the majority black population in Namibia and South Africa perceive themselves to be at a disadvantage relative to the white and other ethnic groups, the relationship between them is distorted and unbalanced, which can be a cause for future social and political upheavals. The greater the frustration over economic and social inequality; the greater the aggressive response of one group towards another will be (Gurr, 1970:25-33).

The structural and ideological inflexibility of the white minority government and its institutions in South Africa and Namibia caused a social and political revolution that culminated in a transition to democracy. The important aspect is that the tension between the various ethnic groups, especially between white and black, has not faded, nor disappeared after the transitions. The persistence of Apartheid beliefs and perceptions between the different ethnic groups is still strong and slow to change. There still is much rivalry and grievance present in South African and Namibian societies today. The attempt then is to explore whether or not ethnic reconciliation has taken place due to the nature of either transitions.

*Political tolerance* in this setting then means the attitude of 'putting up' with those people that hold different ideological, social, cultural and political viewpoints other than one's own. However, essentially one can only be tolerant of that which one despises; is not fond of. One can hardly tolerate that which one likes. There is a dichotomy in that one is either tolerant or not. Political tolerance is often ascribed to the views and ideologies an individual holds and the level of political sophistication. This means that political tolerance increases when an individual has a higher level of education, and the person has come into contact with political viewpoints and cultural norms different to the personal one. Being educated allows the person to formulate, comprehend and discern the differences and similarities between one's own and the opponents' differences; and hopefully reassess personal opinions and attitudes to become more tolerant of the other. To be educated is to have the ability to gather, analyse and comprehend information and discover where one's self-interests truly lie (Erikson & Tedin, 2007:174). In the context of South Africa and Namibia; to be tolerant means to eschew racial and ethnic stereotypes; remove any association placed on these; and allow members from other groups the same political, social and economic rights and privileges that the in-group enjoys. Political tolerance then means to abject from taking negative actions against another group for reasons of race and ethnicity.

It is argued that *support for the principles of democracy* (henceforth referred to as *political support*) is subject to the level of political tolerance an individual has. Political support for democratic ideals is made up of social and political trust; efficacy is the cognitive or belief component of support; it is the extent to which a person believes his or her political activities will influence government decision-making. It can therefore be argued that, for a government and state - and subsequently their institutions - to function properly, a certain level of support is necessary for the institution to operate without the continued consent of the people; meaning not having to hold a referendum on every issue (Erikson & Tedin, 2007:177). The levels of support are crucial in that they act as a barometer indicating how government and the state are performing in accordance with the expectations of the populace. If support levels are low, social disruption might occur. If individuals as a collective do not believe they are able to influence government and the state, they will logically not be supportive of democracy. In the context of South Africa and Namibia this means that if the people, or a group of people, feel marginalised and unable to change the situation, support for democratic ideals will most probably decrease as the group tries to find another way of reaching their desired aims and goals. Racial and ethnic marginalisation can cause negative consequences for reconciling the nation.

The above mentioned, ties directly into the issue of legitimacy of state institutions. *Legitimacy* in this sense means the perception the populace holds of the righteousness an institution has to execute its mandate. The perceived legitimacy is influenced by how an institution relates to the people. Legitimacy contributes to the compliance with unpopular political and legal decision. For the South African and Namibian contexts, the new regime has to have a certain level of legitimacy in the eyes of the disempowered for them to support the new regime. If institutions, such as the police, suffer from a legitimacy deficit, they are unlikely to be effective agents of democratisation and ethnic reconciliation (Gibson, 2004:19). In essence, legitimacy is the belief in the legality of political objects; that it is right and proper to accept and obey the authorities and to abide by the requirements of the regime. Often, subordinate and/or disadvantaged groups do not perceive the regime to hold great legitimacy. Due to the transition to majority rule in South Africa and Namibia, the subordinate groups have been reversed; those disadvantaged during Apartheid now hold political power while those previously in control of political power are now relegated to being an ethnic minority.

Therefore, one can argue that a reconciled South Africa and Namibia are societies which eschew racial stereotyping; are politically tolerant; subscribe to a universal set of beliefs; and recognise the legitimacy of political institutions. To arrive at such a level of reconciliation, Gibson (2004:17-19) points to the previously mentioned four criteria that in their sum are greater than their single parts. Political support for the post-colonial and post-Apartheid governments from all sectors of society gives legitimacy to the new regimes' political institutions and how these relate to the citizens they govern. In addition, the perceptions citizens hold of such institutions also impact on reconciliation between previous antagonists.

#### **4.4 Applying the Reconciliation Criteria: The South African and Namibian Contexts:**

##### 4.4.1 Interracial Perceptions:

In a study done by Habib and Naidu (1999:190), it was shown that the South African 1999 elections were very much a placid affair with the outcome largely predetermined. The only serious political contestations emerged in the Western Cape and KwaZulu-Natal where provincial government relied on the swing vote of the Coloured and Indian communities, respectively. Although these communities made up only nine and three percent of the national electorate in 1999; they did however make up 55% and 13% of the electorate of the Western Cape and KwaZulu-Natal respectively. Illustrating the voting behaviour of the Coloured and Indian communities during the 1994 and 1999 national elections, and the 1996 regional elections, Habib and Naidu (1999:191) argued, according to the racial census theory that issues and interests run parallel to factors such as race and ethnicity. However, they also argue that there is generally no 'bloc' Coloured and Indian vote in either of the two aforementioned provinces. It is quite possible that often, within the Coloured and especially the Indian community, class interests preceded racial and cultural interests. Often the Coloured and Indian community members with higher socio-economic development voted along racial and cultural lines while those members with lower socio-economic development voted along

class interests. In other words, the latter were concerned with employment and economic stability. The result was that overall, the majority of the Coloured and Indian communities voted for either the New National Party (NNP) and DP (and its successor the Democratic Alliance) since they perceived these parties' economic policies more sound than the ANC's policies for economic development. Affirmative Action and BEE policies by the ANC enticed the lower class of the Coloured and Indian community while the upper classes voted for the opposition (Habib & Naidu, 1999:196-197). What one can extrapolate from this is that the ANC and the opposition parties were willing to utilise existing perceived racial and ethnic differences in political campaigning. This however, did not have considerable impact on the Coloured and Indian swing vote in that they did not necessarily identify with ethnicity.

Rightly, Mattes (1995) argued that the racial census theory did not apply itself rigidly to the South African context. More than often, most South Africans identified with everyday issues that did in some way or another relate to race and ethnicity, but which did not become the overriding factor in decision-making. Most respondents in Mattes' study confirmed that economic and class interests were dominant and that race and ethnicity only played a minimal role in every-day decision-making. However, the study also showed that race and ethnicity were an informal 'shortcut' when people were confronted with relatively complex situations and came into contact with cultural norms different from their own. Stereotyping through perceived racial and ethnic differences seemed to simplify the complexity of the South African context.

On the other hand, a study done by Ferree (2006) suggested that racialised party images played a critical role in shaping South African voting behaviour a decade after the 1994 elections. These perceived party images (the ANC being the Xhosa party, the IFP the Zulu party and the DA the party for the white minority) may have interacted with evaluations of the incumbent party's performance. However, high uncertainty levels and actual cross-over voting actually shaped performance evaluations. This suggested that South African voting could not be explained purely *vis-à-vis* politics-as-usual. Performance evaluations mattered, but they were not intimately related to voters' beliefs about the racial credentials of parties. Although political parties used racial credentials as a central factor driving attraction of voters in South Africa; the study showed that racial identities in South Africa had a surprisingly low prevalence and did not explain patterns of cross-over voting. Many voters who conformed to the racial pattern, voting for the party that reflected their own ethnic identity, nevertheless did not identify in racial terms.

Owing to class and race being deeply intertwined in the Namibian context due to decades of Apartheid-style economic and social development, much of the racial reconciliation lies with the attempt by government and foreign donor organisations to bring about increased socio-economic development for the lower classes in Namibian society: the majority black population. For both practical and political reasons, the decision was made to maintain the existing economic system. SWAPO had realised, as was the case with the ANC in South Africa, that the retention of white business skills and expertise was essential in keeping the economy stable and growing. Whilst on one level this decision was understandable, at other levels it has done almost nothing to redress one of the most glaring inequities of the colonial

system: that of disproportionate expenditure of public funds on the towns, to service in the first instance a large urban elite. These economic elites are the majority whites and the slowly increasing number of middle class blacks. Progress however, has been slow, and differences between the affluent white classes and the destitute black classes are as evident as before independence, with however an emerging black middle class (mostly government and civil service employees) (Leys & Saul, 1995:164).

The government's caution in effecting profound change within the political economy led to public charges which showed that national reconciliation was a one-sided process that benefited the white settler community far more than the poor black majority. This bitterness was most strongly felt by the thousands of repatriated exiles who struggled with little success to re-enter the labour market and reintegrate themselves fully into Namibian society during the beginning of the 1990s. Within the private sector there was a marked antipathy of employing returnees, who were often seen by potential employers (white owned businesses) as representatives of the ruling party. The 'land-question' also remained highly problematic: unequal access to productive land and to water is a central feature of Namibia's colonial inheritance. In the context where both these resources are scarce, some 75% of potential arable land by mostly white commercial farmers is a major source of the inequalities of incomes (Leys & Saul, 1995:165). The differences in socio-economic development between the white, Coloured, black and other communities are quite apparent in Namibia. The percentage of poor white is minuscule compared to that of the black population of which about two-thirds are rural based and over half are classified, by the Namibian government, as living in poverty. The socio-economic development of the Coloured and other communities (such as the Nama-Damara) is also of higher quality than for the black community, due to the Coloured community being favoured for economic development under the South African Apartheid administration. The authorities that negotiated the Namibian transition (wholly non-Namibian) did not truly consider the differences of the various social groups in Namibia. The focus lay mainly with bringing about democracy rather than 'revamping' Namibian society.

As Dobell (1998:107-110) points out, SWAPO had a similar policy of national reconciliation to the ANC's one. The reasons for this were the economy's dependence on the white business community; the adoption of the 1982 Constitutional Principles (which advocated universal human rights); the need to integrate former enemy armies into the police and National Defence Force; and to swiftly rebuild the nation after three decades of insurgency warfare which had split communities and divided families. The national reconciliation policy of SWAPO was in general to avoid retribution on a large scale by either party. Economic reconciliation would come at the cost of social and political reconciliation. Civil society, however, was not capable of significantly challenging the government to bring about racial social stratification in terms of socio-economic development during the 1990s. However, a very important fact has to be reiterated, namely that a large number of black Namibian political exiles that left Namibia during the 1970s and 80s were sent to and did obtain skills and expertise in all fields by studying in former Soviet countries as well as Cuba. By the beginning of the 1990s, the black community in Namibia had significant knowledge and

expertise at hand to integrate more quickly into the 'white' economy than had happened in South Africa after 1994 since the number of returning exiles in proportion to the existing professional white business community was higher than in South Africa, where only a small number of exiles returned with political and business skills. There was therefore, a far greater intermingling of people who had different ethnic and racial identities, thereby making cross-cultural experiences possible in Namibia. As was pointed out earlier, this contributed to a breakdown of negative racial stereotypes and attitudes. This effect was however limited due to the different socio-economic development with class interests being overriding for the majority of the population, although characterised by race and ethnicity.

#### 4.4.2 Political Tolerance:

Do the above mentioned studies then show that identifying with race has rescinded in South Africa and Namibia; meaning that people no longer identify with ethnicity as strongly as in 1994? By taking political tolerance into consideration, this phenomenon can be verified. The reasoning is that if South Africans do not place as great importance on ethnic identities as was the case in 1994, then they should also be more tolerant of political views from other groups. The approach to political tolerance studies builds on the work done by Sullivan *et al.* (1982). Their definition of political tolerance is as follows, "...as the willingness to allow all groups, irrespective of their political viewpoints, to compete for political power through legal and peaceful means..." (Gibson & Gouws, 2003:41). The South African context is culturally, racially and ethnically heterogeneous which has considerable influence on the perceptions of the average South African. History has caused a disproportionate development of political consciousness and most South Africans were never taught the basic principles of democracy. Political intolerance is pervasive in South African society and carries much emotional meaning. According to Gibson and Gouws (2003:45-6), to tolerate is to allow political activity to ones political enemies, with an addition of apathy; the political enemy must be despised, loathed and/or disliked. The key definition of a liberal democracy is that all political movements and active groups have institutionalised opportunities for competing for political power within the existing framework of democracy that was established during the negotiations. To deny such to a group or person then is to be intolerant. The research done by Gibson and Gouws (2003:52-5) used the content-controlled method in which respondents were asked to select their four most-disliked groups and then answer whether or not they would allow them certain civil liberties. The results indicated that the most disliked groups were on the extreme periphery, usually those groups that advocated extreme political measures and opinions; such as the AWB, and to a lesser extent the PAC. However, in the South African context, racial and ethnic polarisation also gave rise to or enhanced political intolerance towards ideologically different groups.

South Africans have relatively high levels of intolerance compared to other studies done in other countries and intolerance is of a pluralistic nature, meaning that it is spread over many groups instead of being focused on one or two specific groups. This indicates that South Africans are more inclined to not tolerate different political opinions and views over the entire spectrum of the South African population; which means that political tolerance in South Africa is still bound to ethnic stereotypes. To what extent the average South African

has internalised democratic principles is evident in that the average South African is intolerant of those groups that have a different ethnic identity than their own. As mentioned above, from the selected most-disliked groups, all had ethnic characteristics different to those of the respondents' own group. The fact that political intolerance in South Africa is pluralistic means that any group other than their own, no matter the difference, is not tolerated as should be the case in a consolidated democracy. For South Africa, if one group is intolerant of many other groups then group identity is based on ethnic differences. There are however not that many economic and politically different groups, merely superficially created ethnic and racial groups. The South African transition did not then, in respect to the above mentioned, have considerable influence on the tolerance levels of people from different ethnic groups towards each other. Beliefs of the 'other' are still grounded primarily in Apartheid ideology and stereotyping. The Namibian society shows no difference in toleration levels regarding the assumed differences in ethnicity and race expounded during the South African administration era. Namibians are as intolerant of one another as South Africans are, based on stereotypes of racial and ethnic differences (du Pisani, 2003:129-132).

According to Bratton, Mattes and Boadi (2005:100-102), economic factors relating to a free market economy in a democracy rank highly in Namibia and South Africa. Unemployment is highest on the development agenda. These responses, they argue, are due to anxieties by the unemployed (fairly high in both Namibia and South Africa with 29% and 31% respectively) centred on the condition of the national economy and the quality of the government's macroeconomic management. Only in Zimbabwe is the fixation on economic issues higher. A distinct difference emerges between Namibia and South Africa, in that Namibians value education higher than South Africans; with 21% of Namibian respondents ranking education highest. On the contrary, South Africans rank crime prevention highest on the social issues rank. South Africans of all racial groups fear becoming a victim of crime, however, this fear is higher among white and Indian groups than among black and Coloured groups. In contrast, crime barely registers as a concern for Namibians, and they do not connect crime to race, as is the case in South Africa. Considering the differences in transition style, South Africans fear crime more due to a sense of loss of power by the previously advantaged and a loss of trust in the power and influence of the security forces such as the police by the majority population. This differs from Namibia, where the entire society was compulsorily shifted from colonial rule to a democracy. As for economic self-reliance; there is no significant difference between Namibians and South Africans, with just over half choosing to be self-reliant for economic development than rather relying on government to provide economic advancement (Bratton, Mattes & Boadi, 2005:105).

To improve the levels of tolerance in conjunction with existing geographical separation of the different groups of people, the Delimitation Commission in Namibia was specifically directed by the constitution to undertake demarcation without any reference to the race, colour or ethnic origins of the inhabitants. This latter consideration was specified in the constitution owing to Namibia's goal of creating a unified democracy out of a highly unequal and divided past. To further the goal of a unified democracy, the arrangement of public disclosure of private donations or membership fees for political parties was introduced. Namibia is an



exception in this regard in Southern Africa. Annual public funding to represented political parties was introduced in 1997, but failure to disclose foreign donations may result in a fine or imprisonment. This latter provision was introduced following the 1989 elections when the DTA received substantial funds from the South African NP government. No foreign funds have been disclosed since the introduction of the amendment (Pottie, 2001:138-141). According to the Freedom House report for 2009 (Puddington, 2009) Namibia received a downward trend arrow due to the ruling party's harassment and intimidation of the new opposition party (RDP), including the disruption of the group's meetings and rallies.

#### 4.4.3 Political Support:

Why then should support for democratic ideals be important in South Africa due to the negotiated nature of the transition? According to a study done by Bratton and Mattes (2001:447), democratic consolidation occurs when citizens and alike conclude that no alternative form of regime has any greater subjective validity or stronger objective claim to their allegiance. In other words, the type of regime is the most legitimate. However, they argue that in any new regime, where democracy is a novel experience, citizens often fall back on a performance based judgment of the regime; meaning the people support democracy for what it provides to them. In their study they developed the theory that South Africans hold an instrumental view of democracy, rather than an intrinsic view; meaning they equate democracy with what it does for them. The South African survey revealed that black South Africans more often choose economic benefits over political ones; including housing, jobs and a decent income over political rights such as the freedom of speech, regular elections and minority rights.

The exact opposite was true for the non-black South African population. They did however recognise that these difference in political support among the South African population lay with socio-economic development rather than with an internalisation of democratic values. Accordingly, they exposed that most black South Africans were able to provide meaningful responses to questions regarding their understanding of democratic values. Evidently, the ANC's concession on the economy during the transition has resulted in less political support as a third of the population thought the economy was performing poorly under democracy and over half would give up regular elections for better economic prospects. South Africans in general were unsatisfied with the way the transition was handled with regards to economic aspects by the ANC as well as the ANC's lack of service delivery (Bratton & Mattes, 2001:458 & 461). Would there then have been a difference in political support for democratic ideals had the South African transition been executed and implemented by an outside organisation?

Not according to Mattes (2002:34), who argues that the proportional electoral system was an important aspect in establishing inclusivity for the numerous civil and political groups in South Africa during the transition; but had become flawed in limiting the voters' control over their elected representatives, who are elected on the party-list system without any grassroots accountability to voters. It might therefore have contributed to the trend of a dominant-party system and institutional centralism in South Africa, i.e. the party executives are invariably

linked to the state rather than the grassroots structures that should dominate the policy-making process which goes hand in hand with erosion of parliament. Either way, had a foreign organisation implemented the transition to democracy, a proportional electoral system would also have been implemented but could have resulted in a difference since there would not have been negotiations where the incoming political elite (the ANC leadership) had to renounce radical ideologies.

As Breytenbach (2006:177) pointed out, Mandela attempted to reconcile the nation by working from a “four nations” perspective (these being black, white, Coloured and Indian) which helped in working towards a common goal of reconciliation allowing for dealing with divisive issues such as Afrikaner concerns, Zulu nationalism, militant youths, big business, and ANC radicals. The institutions set up by Mandela were of a corporatist nature, such as the GNU and the National Economic Development and Labour Council (NEDLAC) which strived for co-operation between the state, the market, and civil society. Mbeki’s presidency, however, brought with it the concept of an African Renaissance in which the country was divided into two nations, the one rich and white, the other poor and black. For Mbeki, nation-building meant the strengthening of the newly forming black bourgeoisie in not only the state and parastatal sectors, but also in the private sector. For non-blacks, this state intervention into the private market has the potential to erode trust in the government. However, Mbeki actively encouraged rapprochement with the IFP, in-line with his two-nation approach. Mbeki also moved government closer to the black consciousness movement by bringing in AZAPO members into key government structures. The preferential treatment that the black community received under Mbeki’s leadership did not contribute much to decreasing inter-ethnic animosity. Especially the white community felt that they had been marginalised. Furthermore, the more ethnically conscious Mbeki became the more the general populace did as well, especially the black South Africans. The top-down effects of nation-building had taken on negative effects for ethnic reconciliation in the change of leadership from Mandela to Mbeki (Breytenbach, 2006:178-179).

Evidently then, the support for the rule of law is also a component of political support in that the support for the rule of law indicates the publics’ willingness to follow the rules of the government in the context of democracy. To abide to the law is to be supportive of the regime type. South Africans’ perception of the rule of law, according to a study done by Gibson and Gouws (1997) showed that few people endorsed the idea of unequal treatment of citizens by the institutions administering law. Virtually no one endorsed arbitrary deviations from the rule of law based on ethnicity and race. Among the respondents to the study, there was greatest agreement that one was obliged to follow even those laws made by the political opposition. However, just over half agreed that an emergency situation allowed for the suspension of the law and just under half of the respondents thought it was legitimate to manipulate the law without actually breaking the law. The interesting part of the study is that it indicated that white South Africans overwhelmingly support the rule of law, and Asian South Africans as well. Black South Africans were distinctly less likely to adhere to laws made by a government controlled by an opposition party. The negotiated nature of the South African transition did not have a reconciliatory effect in this regard for black South African

as they had suffered the most under Apartheid and were thus reluctant in following a government that was not ANC-led. Another aspect to the unwillingness to support the rule of law lay in the perceived inability of state institutions in fighting crime (Gibson & Gouws, 1997:180). If the police was perceived as being unable to combat crime, the majority of South Africans would take the law 'into their own hand', as was seen with the xenophobic attacks across South Africa in May 2008, where those involved argued that the police was unable to stop the 'lawlessness' of the foreigners. This also shows that perceived ethnic and racial differences can exaggerate negative stereotypes of groups (Gibson & Gouws, 2003:72-73).

Political support in Namibia is relatively average compared to Southern Africa. However, since the majority of Namibians, rural and urban have at least a primary education and the more affluent socio-economic classes have secondary and tertiary education, it enables the majority of the population to form relatively complex political opinions. Civil society action groups and interest groups that place pressure on government have increasingly been more successful in the 2000s than in the 1990s. According to Afrobarometer data, interpreted by Bratton, Mattes and Boadi (2005:67) and their own study (2005), 66% of Namibians have a basic understanding of democracy and possess a basic awareness of democracy and what it entails. However, the second most given answer was a resounding, "Don't know". Comparatively speaking, however, about 91% of South Africans had a basic understanding of democracy. This shows the difference of transition styles in that due to the involvement of the South African populace in the transition process and the relative non-involvement of the majority Namibian populace during the transition, greater emphasis is placed on support for democratic principles in South Africa than Namibia.

As for popular understandings of democracy, Namibians view democracy as very positive and almost no politically aware person presented a negative definition. Bratton, Mattes and Boadi (2005:69), however, warn that such an optimistic association of democracy could lead to democracy becoming an ideologically unassailable symbol that nobody wishes to openly oppose. However, the percentage of South Africans preferring democracy over a non-democratic regime was greater than compared to Namibians. Responses to the democracy facilitating 'peace and unity' were not higher in Namibia than in South Africa; even comparably the same as the rest for Africa where violent civil conflicts had only recently taken place (Bratton, Mattes & Boadi, 2005:70-73). The rejection of an alternative regime, such as military rule, one-man rule, one-party rule, or authoritarian rule was for Namibia an overall average of 60%, ranking lowest compared to other African countries in the study. South Africa scored an average of 66%, third-lowest on the list of African countries (Bratton, Mattes & Boadi, 2005:77). Just over half of the Namibian population would reject military rule and even fewer would reject one-man rule. Tolerance of the concentration of power in the hands of the President/executive, suggests an extremely fragile democratic commitment by the populace. Namibians are therefore more willing to accept a non-democratic regime, emphasising the lack of emotional involvement in the transition process and the formation of Namibian democratic institutions.

As Bauer (2001:53) argues, the development of the Namibian democracy during the 1990s had been accompanied by a notable concentration of power within the executive branch of government and considerable evidence of an opposition to democratic political practices among some Namibian leaders and citizens. In addition, while Namibia could at least boast of peace and stability for much of the first decade of independence, this had been shattered by the unpopular decision of a few SWAPO leaders in government to involve Namibia in two regional wars; and by an armed secession attempt in the Caprivi region. These developments had led to significant human rights abuses and violations by the Namibian security institutions (police and military) in much of northern part of Namibia, especially the Caprivi region. However, an awareness of previous experiences is evident in the public discourse around the concepts of democracy and civil society, for example in the media and among members of non-governmental organisations, political parties, and some in government. The concern that the current government is repeating past mistakes, is both implicit and explicit in statements and documents of the COD and RDP. Namibia's unique circumstances might also favour an active and growing civil society. Civil society, where it had emerged, had done so in the context of considerable anger at, and alienation from, the SWAPO government. In Namibia, the struggle over the last few decades was against a largely foreign and now vanquished opponent. Moreover, the struggle against white minority South African rule did not generate the same level of boycotts and uprisings in Namibia as it did South Africa. Instead, in Namibia, outright guerrilla war and international diplomacy were the primary means by which the struggle was waged. To date, with few exceptions, there does not appear to be the same anger and alienation against those in state power in Namibia. Rather, there appears to be an eagerness on the part of many organisations to engage the state, despite resistance from some political leaders to such engagement and the considerable inexperience of many of the groups. Much of the media, meanwhile, remain unfazed in their commitment to freedom of expression (Bauer, 2001:54-55).

The SWAPO government however, even after nineteen years of democracy, still frequently uses liberation struggle rhetoric to entice the poorer sections of Namibian society to support the party. However, Namibians are in general satisfied with democracy as a regime structure. Namibians scored an overall 64% for being satisfied with democracy; 26% being unsatisfied and 10% being neutral. This level of 'satisfaction' refers to the way in which respondents perceive democracy to be working in their country. Namibia scored higher on the 'satisfaction' scale than South Africa, which only reached 52% of respondents satisfied with democracy; however having 45% unsatisfied with democracy in South Africa (Bratton, Mattes & Boadi, 2005:82). We can see here that the negotiated nature of the South African transition; the concession made by the major parties and their constituencies; might be partly responsible for the lower levels of satisfaction with democracy in South Africa than in Namibia, where democracy was the *only* option for a transition from colonial rule. However, in both Namibia and South Africa, willingness to entertain authoritarian alternatives to the democratic regime are also above average for Southern Africa; especially for the white minority population; as for the rest of the Southern African countries in the study (Bratton, Mattes & Boadi, 2005:89). Bratton, Mattes and Boadi (2005:90-93) indicated that, for South Africa and Namibia, this seemed to be an expression of regret for an old regime amongst

persons who previously possessed the levers and spoils of power, but have now lost out under the new regime. Under closer inspection, satisfaction for democracy; and therefore its institutions; by South Africans has fluctuated since 1995 and has increased only very gradually. Pro-democratic feelings were mixed at the time of the transition and had only slowly won over new adherents. However, South Africans expect the quality of their democracy to decline in the near future. Contrary, Namibians expect the quality of their democracy to increase in the near future due to the formation of stronger political opposition. This however is limited to the affluent class of Namibians, regardless of race and ethnicity.

#### 4.4.4 Legitimacy:

The above mentioned then leads to the question of legitimacy of state institutions. If the institutions that abound in contemporary South Africa were agreed upon during the negotiations by the political elite who they subsequently voted into power, then the South African populace should consider these state institutions as legitimate. Breytenbach (2006:179-180) points out that Mandela's legacy of nation-building and national reconciliation came at the cost of effective government; something which Mbeki strived to correct under his presidency. Under Mandela, the strategy of consensus-making and cooperation resulted in the GNU and NEDLAC and brought about an increase in the centralisation of institutions under ANC hegemony. Eventually, political opportunism illustrated the absence of a serious political opposition from a collective opposition in government. However, under Mbeki, centralised government resulted in the loss of representativity or accountability, since neither the administrative branch nor big business or organised labour were ever directly accountable to the electorate which made them elitist and barred the rise of mass-based grassroots politics.

Under Mbeki, Mandela's RDP (Reconstruction and Development Program) was replaced by a more capitalist-market orientated GEAR (Growth, Employment and Redistribution) policy. GEAR was a typical neo-liberal market framework which appeased the mostly white business community but brought with it confrontation with the mostly black workers unions under leadership of COSATU. Even though the GEAR policy did produce more economic growth than the RDP, it was still insufficient for employment growth for the unemployed, mostly black South Africans. Transformation and Black Economic Empowerment (BEE and Broad-Based BEE) have benefitted mostly the elites and urban bourgeoisie; in a country where two-thirds of the populace is still rural based and habitually destitute (Breytenbach, 2006:181). Evidently, anger by poor blacks aimed at the wealthy whites has increased since the transformation because the ANC government had failed to incorporate the majority poor blacks into the economic empowerment policies. Conversely, whites are angered at being disadvantaged by such policies like Affirmative Action and Broad Based Black Economic Empowerment (BBBEE), which some claim to be 'reverse Apartheid'. Breytenbach (2006:182-182) argued that under Mbeki almost everything shifted. Mandela's nation-building was shifted to the left alienating some while co-opting others; decision-making government institutions became more centralised; and economic policy was shifted further right angering the leftist unions and socialist elements in government and society. Institutions such as the IEC, the judiciary, media freedom and a growth in civil society, have their

premise in the negotiated nature of the transition and have strengthened due to the leadership styles of Mandela and Mbeki, but on the downside, the electoral system now feeds into one-party dominance while fragmenting the opposition. The positive growth of a free media and civil society organisations offers a much needed 'checks-and-balances' to the evermore centralising government.

Jung and Shapiro (1995:272) have argued that a serious flaw in the interim institutions as negotiated as part of the transition in South Africa was the absence of an institutionalised opposition. They argued that democratic systems rely on such and it was doubtful that any regime can survive in the long term. They contended that such opposition requires both the permissiveness of freedoms of speech and association, and the presence of institutions and practices that make it possible for counter elites to organise themselves so as to be able to contest for power. The GNU of 1993 was antithetical in the development of such opposition. The GNU was short-lived due to this. Furthermore, the ANC, as the ruling party since 1994, had failed to adapt to 'normal' politics and still remains a liberation movement. Although, political power was consolidated and execution of mandate moved ahead under Mbeki, a great number of central ANC members still regularly use liberation rhetoric to justify their positions in government and privileges to the masses of ANC followers.

However, an ever increasing trend has become noticeable since the 2004 elections. The number of strikes and civil actions aimed at service delivery by the government have increased considerably and the time in between each such action has become shorter. Election promises made by the ANC have failed to materialise and the poor, mostly black township, masses have taken to the barricades to demonstrate their anger at the failure of basic service delivery such as electricity, water and basic infrastructure. It could potentially be argued that the ANC's inability to implement more radical economic policies that could bring about changes in socio-economic development between ethnic groups is the reason for the slow pace of change. However, as was pointed out, the ANC realised during the negotiations that they did not have viable existing plans and policies for the national economy in 1994 and that any radical change of the existing economic status quo would cause a mass exodus of white skills and business and potentially cause a collapse of the economy, as had happened in Uganda after Idi Amin expelled the Asian business community. The ANC therefore had no other choice but to concede to the NP that the economic status quo of 1994 would be maintained with only very little gradual change, such as the opening of the economy to all South Africans regardless of race and ethnicity. However, because the negotiations failed to address the imbalance in human and economic capital between the white and black communities, the opening up of the economy to the majority South Africans did not substantially change much for the socio-economic development of black South Africans since they did not have the skills and expertise, nor the financial capital to bring about significant socio-economic development in their own communities. Reluctance by the white business community to incorporate the black majority into the economy further showed that ethnic animosity had not subsided years after the negotiated transition.

As Suttner (2004:769) puts it, "Whether democracy is consolidated depends also on the extension and deepening of democracy, the involvement of people in politics during and

between elections, the viability of participatory democracy and the existence of autonomous organisations of civil society, and organs of direct democracy.” They may relate to the state but may simply be organs of self-empowerment in relation to issues that matter to people, organised in street committees and similar structures. This was a common phenomenon in the 1980s but exists unevenly in the present period, partly because of the ANC’s ambiguity over pluralism and that some of its members sense that involvement in social movements would be construed as ‘disloyal’ to the ANC party. This involvement in self-empowering organs of direct and participatory democracy is important not only as a manifestation of pluralism, but as extending the range of meanings given to democracy and to the opening clause of the Freedom Charter which reads, ‘The People Shall Govern!’ One of the reasons why coups were so regular a feature in the early decades of independent Africa is that ordinary people were demobilised and felt they had no stake in the political system. It is important to create movements for popular participation extending much wider than periodic voting. That is the most powerful way of consolidating democracy in the broadest sense. Beyond this, if consolidation refers partly to the public seeing itself as stakeholders, socioeconomic transformation is an important way of developing that sense. The extent to which excluded and marginalised sections of the population have their concerns addressed also impacts substantially on the sustainability of democracy. Undoubtedly, current unemployment and inequalities are part of the wider obstacles that need to be confronted in the process of maintaining this democratic order.

That it is even possible to assess a decade of democracy in South Africa is a testament to the country’s success in overcoming a legacy of polarisation and seemingly intractable political conflict. That this relative success has been achieved while affirming the rights and dignity of all South Africans serves as a reminder that a stable democracy is more than just a well-crafted conflict management mechanism. South Africa’s record of government responsiveness and accountability, though far from perfect, demonstrates that democratic contestation and constitutional government provide a solid institutional platform for developmental governance, especially when combined with an active civil society. At the same time, any democracy in which a single political party is overwhelmingly dominant has structural vulnerabilities. Institutionalised limits on government authority must be self-enforcing; that is, the government must find it to be in their own political interests to abide by them (Alence, 2004:89-90).

All else being equal, a government enjoying the support of a very large majority faces stronger temptations to transgress formal limits on its authority, possibly contributing to democratic erosion. What is to keep the ANC from eroding democracy to ensure its continued dominance of the government? For one, the ANC is already doing so by centralising government which allows the ANC leadership to have most of the important decision making in the vicinity so as to exercise more influence on the outcome. This trend was very noticeable under Mbeki. How this will continue under Zuma is yet to be seen. Evidently then, the negotiated nature of the transition and Nelson Mandela’s leadership of nation-building and reconciliation did contribute to ethnic reconciliation in that the top-down approach during the 1990s did result in some ethnic reconciliation across the perception barrier. However, South Africans remain politically intolerant and there is reason to believe

that this might not change considerably if the racial and ethnic characteristics of the socio-economic divide are not altered soon. However, radical change would only antagonise the white community which is needed in South Africa for their business and intellectual skills and expertise.

On the up-side, due to the negotiated nature of the transition, support for the democratic principles seems to be widespread in South African society. The majority of South Africans believe they are able to influence government decision making by keeping to democratic rules and regulations, i.e. elections, referenda, public participation and the formation of civil action groups to pressure government. The legitimacy of the new South African government institutions seems unsteady at best. The negotiations did not contribute significantly to persuading the wider South African populace in the authority of the new ANC government. During the 1990s, many of the previously-advantaged felt that the ANC government was working in a manner of eschewing ethnic and racial differences. This, however, has changed during the 2000s where an ever increasing tendency by the ANC government to employ ethnic and racial differentiation in political rhetoric and the execution of government policy has become apparent, such as Affirmative Action and BBBEE policies. There still is discrimination based on ethnic and racial differences.

How then can the ANC government preach ethnic reconciliation and nation-building on the one hand and on the other implement racially discriminatory economic and social policies? Ultimately, the negotiated nature of the transitions, combined with Mandela's leadership style brought about some ethnic reconciliation during the 1990s, but was in danger of being reversed by Mbeki's leadership and a change in attitude of the ANC leadership due to the absence of a strong political opposition. South Africans are only a little more ethnically reconciled today than they were in 1994. However, this is not to suggest that a different transition style; i.e. as in the Namibian case; could have made a more positive difference. It has to be emphasised that the negotiated nature of the South African transition was the best possible option for South Africa at that time.

However, political and state institutions in Namibia also suffered a loss of legitimacy due to the fact that the ruling SWAPO party was able to change the constitution in 1999. The SWAPO leader, and President of Namibia at that time, Sam Nujoma, was able to change the constitutional provisions that prevented him from running for re-election and continuing his rule. He succeeded in changing the constitution to enable him to compete in the elections for a third term. The constitution was amended by an act of Parliament. Nujoma, who began his second term in 1994 with 76% of the popular vote, decided to push for an amendment that would allow him to run for a third term in 1999. A two-thirds parliamentary vote in favour of amending the constitution was successful since SWAPO formed the majority in the Parliament (Posner & Young, 2007:133-135). This case illustrates that SWAPO leaders possess the power to shape outcomes to suit their preferences, even when those preferences conflict with formal limitations on what they are legally permitted to do. The effort to extend Presidential term limits is a further reflection of executive ambition. In weak institutional settings without an effective legislature or judiciary to provide checks and balances, Presidential control tends to foster many of the same problems that characterized earlier



systems of personal rule, including a lack of government accountability and transparency. The lack of political restraint by SWAPO diminishes the legitimacy of its government and in overall the legitimacy of state institutions. Political support therefore decreases as well, as the minorities in Namibia slowly realises that the government is moving away from the tenants of democracy as laid out during the transition.

#### **4.5 Assessment:**

In a study done by Lindberg (2006), he argued that it was also noteworthy that elites in so many diverse countries across Africa seem to adjust their behaviour and strategies as a result of repeated elections. Fear and mistrust among former combatants and political rivals in places like South Africa and Namibia have slowly been replaced by mutual coexistence, acceptance, and peaceful competition. Even longstanding ethnic rivalries that constituted major divides in these countries seem to have over a few electoral cycles lost their potential for generating violent conflict. While it may be too early to pass definitive judgments on more long-term social processes such as these, it appears that democratic frameworks for political competition and participation lead to greater levels of acceptance and peaceful coexistence.

A 2002 Afrobarometer survey of public attitudes suggests that Namibia's democracy faces serious challenges. While most Namibians believe they are benefiting from democracy, some evidence – such as the sizeable number who would support civilian authoritarianism in the form of a strong President – also suggests that while support for democracy is widespread, it is not deep. Although there are no clearly definable social groupings that can be labelled “anti-democratic” or “non-democratic,” two important factors account for much of the variation in opinions and attitudes: the urban-rural divide, and partisanship. The urban-rural divide captures many of the socioeconomic inequalities present in the country and has a significant influence on almost all variables. A clear divide also emerges between supporters of the ruling party and those who back the opposition. Namibia still appears to be a country with serious political divisions. This reality, coupled with the lack of depth in the support for democracy, presents a potentially serious obstacle to democratic consolidation. But Namibia also exhibits a number of elements conducive to the consolidation of democracy, including high levels of legitimacy, high levels of trust in representatives, and a strong belief that the system is responsive to the needs of the citizenry (Keulder, 2002).

In recent years a few incidents have raised concern about Namibia's prospects for achieving ethnic reconciliation in the context of democratic consolidation. First, the constitution was amended to allow the incumbent President, Sam Nujoma, a third term in office. Second, in the Caprivi region a small group of secessionists challenged the territorial integrity of the country, and in the short confrontation to subdue the group, the Namibian security forces committed a substantial number of human rights violations, some of which are still subject to investigation. Thirdly, several senior officials in the government and the ruling party, including the President himself, had launched scathing verbal attacks on segments of Namibian society and the international community that have not only raised questions about the status of the policy of national reconciliation, but also bordered on accusations of hate

speech. Together with a number of assaults on opposition supporters during the 1999 and 2004 Presidential and national assembly elections, this is perhaps the clearest indication that Namibia lacks a democratic value system.

#### **4.6 The TRC as a Tool for Reconciliation?**

A possible difference in reconciliation between South Africa and Namibia is the Truth and Reconciliation Commission (TRC) in South Africa, and the absence of such a commission in Namibia. In its most basic form, the commission in South Africa was seen as a tool to be used to come to grips with the Apartheid past. The setting up of the TRC was a result of the negotiations between the Apartheid government and the ANC, in that conditional amnesty was to be granted to all those involved in Apartheid atrocities so as to prevent the ANC a 'witch-hunt' of such persons after the transition. As with any issue there were those that applauded and commended the success of the TRC and those that criticised and detracted from it. Those arguing in favour of the TRC<sup>13</sup> point out the great success it has had in reconciling the different ethnic groups, while those arguing against the TRC<sup>14</sup> point out that the revealing of the truth had only caused further inflammation of hatred and embitterment of opponents making them far less likely to be willing to coexist in a new democratic regime.

In the by far most extensive study and assessment of the TRC, Gibson (2004) took a critical look at the commission's workings and its supposed 'successes'. In the case of the TRC, it was argued that reconciliation was a relationship that is created between victims and perpetrators, between beneficiaries and those exploited during Apartheid. It was aimed at bringing the opposing sides together and creating common ground with which a united society could build a successful future on (Gibson 2004:5-7). 'Truth' was therefore an imperative to reconciliation in that it was used to create a common and shared memory for society and the nation. Gibson's (2004) study on the TRC focused on the micro-level of reconciliation where the individual with his/her experiences of Apartheid were central. This level of reconciliation is grounded in the individual, from either side to accept the blame, offer apologies and give forgiveness. Gibson does so justifiably because the definition of reconciliation at the macro-level is intrinsically flawed. It is defined as reconciliation between those that profited and those who were injured under Apartheid, but as being essentially a non-racial ideology of reconciliation. In a country such as South Africa (and to a lesser extent, Namibia), where the entire system of Apartheid was grounded in superficial ideologically created racial and ethnic differences, race and ethnicity cannot be simply ignored in favour of simplifying ideology. The religious overtone of the TRC might have also caused some confusion in certain settings. Often it led to the mistaking of forgiveness with reconciliation.

But due to the fact that there are almost no studies that explore the empirical side of the TRC, no definite answer can be given of the success of the TRC, or if the TRC had even achieved

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<sup>13</sup> See, for example, Goldstone (2000); Allen & Allen (2000); Dyzenhaus (2002).

<sup>14</sup> See, for example, Kaminer *et.al.* (2001); Gibson (2004); Norval (2002); Hamber (2002).

its goals. 'Telling the truth' did not create reconciliation. Gibson (2004:329-332) argued that individuals must willingly support equality in a society that has historically been divided along racial, ethnic and cultural line. Political tolerance also has its source in the support for democratic values. For a person to be tolerant of another, the individual must want to. Merely agreeing that the rule of law and equality are important does not automatically result in the following through by individuals. Individuals of one group might want equality within their own group but not for another group, possibly a minority. What can be an explanation for this might the fact that threat perceptions are not easily restrained and take a considerable amount of time to fall below threshold levels, meaning to cause political intolerance.

However, Gibson argued that political intolerance is not influenced by group identity. He argues that there is no significant connection between social identity theory and political intolerance, meaning that the individuals' decision to identify with a group does not necessarily result in intergroup conflict. Nevertheless, group identification is the precursor for intergroup relations and as soon as an item of competition is introduced into the relationship, conflict is inevitable. Such items can be scarce resources such as wealth, and ideological items such as language, culture and religion. Conflicting groups always share common characteristics or share a common space. In the South African and Namibian context, group competition was both over scarce resources, such as economic power, and ideological reasons, such as the supposed superiority of one race over another. This has certainly not changed after the advent of democracy.

However, the greatest drawback of Gibson's study is the lack of socio-economic measures. The lack of including the socio-economic aspect in reconciliation and therefore democratic consolidation limits the validity of the study. Other studies (Bratton & Mattes, 2001) have shown that support for democratic principles by the majority of the South African public is instrumental. This means that those individuals who are deprived of economic security, are more likely to view democracy as a tool to gain economic security and equality. Democracy means to them a change from socio-economic oppression under the Apartheid state. Would a previously disadvantaged individual feel reconciled to a previously advantaged individual if the socio-economic situation did not change for the previously-disadvantaged individual? Since the basic ideology of Apartheid was 'separate development', but ended in exploitation and unequal development, reconciliation for many South Africans and Namibians could mean equal socio-economic development. The gross human rights violations and abuses that took place were limited to a small number of the oppressed under Apartheid. The majority of the oppressed suffered economically.

Even though the TRC was successful in bringing about reconciliation in the form of a shared understanding of Apartheid cruelty and condemnation of such by the majority public, it is not clear whether or not reconciliation was actually achieved. As Gibson (2004:329) notes himself, his study is limited in that it is not a longitudinal study and only represents one point in time. Although a shared understanding and history was created by the TRC, it did not much to spread political tolerance, since it, as argued before, needs to be diffused to the general public over time and from a both top-down and bottom-up approach. A supporting argument to Gibson's interpretation would be to point out the value the TRC had for the

individuals who experienced human rights abuses under the Apartheid regime. In a studies done by Kaminer *et. al.* (2001) and Norval (2002) that assessed the relation of the TRC on the psychiatric status and level of forgiveness among survivors of human rights abuses, they concluded that there was no significant association between TRC participation and psychiatric status or forgiveness levels. They conclude that truth commissions should form part of, rather than be a substitute for, comprehensive therapeutic interventions for survivors of human rights abuses.

The TRC has, however, also received considerable praise and recognition for its groundbreaking approach to reconciliation. Judge Richard Goldstone (2000: viii-x) points out that the question of having to deal nationally with human rights abuses only became relevant during the last three decades or so. The TRC in South Africa had in a certain sense brought about justice by publicly exposing the truth with perpetrator and victims involved in the process, it brings much needed solace to the victims and initiate the healing process. By receiving full public acknowledgement of the human rights abuses and crimes against humanity during Apartheid; a permanent record of history had been created. Goldstone argues that the public interest in exposing and recording the human rights abuses has a number of advantages such as the prevention or curbing of denials and revisionism; the prevention of recurrence; the removal of perpetrators from public office; and by individualising the guilt of perpetrators thereby averting collective guilt being ascribed to groups. The greatest achievement the TRC can claim is to have brought about recognition of the formerly advantaged group that human rights abuses had occurred and that amendments are necessary to reconcile the nation. Goldstone however, concedes the point that uncovering and recording the truth will not necessarily prevent the recurrence of human rights violations.

The TRC also had its own dilemmas to solve. As Wilson (2001:8) points out, the problem lay with first differentiating and then choosing between on the one hand, individual human rights in the name of justice or sacrificing individual human rights in the name of national unity and reconciliation. The final compromise of the transition was to grant amnesty for perpetrators of human rights abuses. Wilson (2001: 9-10) also points out that the best possible course for the creation of a non-racialised country to emerge was to create a spirit of Ubuntu, an African expression of community based on reciprocity, respect for human dignity, community cohesion and solidarity. Ubuntu was to define restorative justice and prevent revenge; to reinforce a new culture of human rights not driven by vengeance or legally sanctioned retribution.

A TRC, or a similar commission would not have made any significant change in ethnic reconciliation in the Namibian context due to the following reasons. Firstly, there is no overall consensus that the South African TRC contributed to easing ethnic and racial tensions. Secondly, the Namibian context was different to the South African one in that it was claimed by SWAPO that the South African colonial administration, the South African Defence Force, and the South African security apparatus were responsible for human rights abuses during the liberation struggle. The involvement by the SWATF was insignificant in that the Namibian citizens recruited into the South African military were indoctrinated by the South African military. However, Dobell (1998:372) does point out that a commission

executing an inquiry into the SWAPO 'Spy issue' would be beneficial. In addition, SWAPO is being accused of widespread mistreatment of suspected dissidents during the early 1980s; with some demanding full confession and apology from the perpetrators. It is important to note that such a commission, although modelled on the South African TRC, would not be as racially characterised as the South African TRC was, with the majority perpetrators being white South Africans who had enforced Apartheid and maintained the state security apparatus. The SWAPO 'Spy issue' involves members of SWAPO who had been suspected of collusion with the South African colonial administration during the 1980s. Dobell (1997:373) also points out that SWAPO's reconciliation policy was far more cautious than the ANC's. In SWAPO's opinion, resurrecting the past would not serve a constructive purpose. A successful transition, it was argued, required cooperation among former enemies. Delving into past injustices would only incite a desire for vengeance and distract a still-fragile nation from the paramount tasks of reconstruction and development.

## Chapter Five

### Conclusion

#### 5.1 Summary of Findings and Areas for Future Research:

As was demonstrated in the previous chapter, although the path to ethnic reconciliation in the context of democratic consolidation has been somewhat different for Namibia and South Africa, *there seems to be no significant difference in levels of ethnic reconciliation*. There still exists, after more than a decade of democracy for South African and almost two decades for Namibia significant ethnic animosity, albeit based on unequal socio-economic development over the time period for each country respectively. It seems as though hostility between different groups based mainly on the superficial racial and ethnic differences that were created during Apartheid has made way for hostility centred more on socio-economic differences.

The level of social development; these being intellectual, business skills and technical expertise; for the previously advantaged community in both South Africa and Namibia are still to a great extent superior than the social development of the previously disadvantaged under Apartheid. While socio-economic issues have become the overriding concern for both South Africans and Namibians, socio-economic differences between individuals and groups are still largely tied to ethnicity and race. The antagonism of the majority poor black population in both South Africa and Namibia towards the minority affluent white population will shape public discourse and political decision-making for a considerable part of the near future.

A further similarity that Namibia and South Africa share, although a cheerless one, was that the UN and UNTAG left Namibia with considerable speed after having brought about independence for the country. For South Africa, international pressure was off but uncertainty remained as to how South Africa would develop. The Namibian people were left to their own devices, similar to the South African situation, who had chosen to follow the path to democracy on their own. South Africa was considerably better equipped for the advent of a majority democracy than the Namibians. Prominent Namibian political leaders and business people lobbied foreign governments and international organisations for financial and technical support for the first years of democracy which were also the most formative of the newly independent republic. Although both countries adopted very similar democratic systems, there were a few notable differences, with differences between the South African electoral system and the Namibian one being noteworthy. South Africa is a liberal electoral democracy which embodies respect for civil and political liberties, for example, by tolerating press criticism. Such liberties are upheld by relatively effective legislative and judicial institutions which act fairly independent within a largely rule-governed process. In contrast, Namibia is a normal electoral democracy, where legislative and executive offices are also filled by popular election but lack the security of civil and political liberties as in a liberal electoral democracy. Political minorities are sidelined from the protection of the constitution and justifiably complain of neglect or even repression (as was the case in Namibia with the Caprivi secession movement). Freedom of speech is also more compromised in Namibia than

in South Africa, through the domination of the media by government. The number of private media companies in comparison to government owned institutions is lower in Namibia than South Africa. The greatest difference in the two electoral systems is that in Namibia, more power lies with the executive with significant decision making powers unavailable to other elected officials. This is certainly true for Namibia under Nujoma, but South Africa has also shown signs of government centralisation of the executive under Mbeki (Bratton, Mattes & Boadi, 2005:16).

As Friedman (1998) pointed out, the way in which transitions to democracy are achieved is often believed to shape the polity which they produce. He stressed that although the uncertainty among political protagonists is the optimal guarantor of democratic institutions, i.e. the less those who draft the rules know about the likely outcome of their choices, the more likely is it that they will choose democratic mechanisms. He argues that this approach was inapplicable to the South African case and therefore, perhaps, to other pact driven transitions. A key expectation underpinning the settlement was that the outcome of majority rule was certain, that the National Party therefore sought to negotiate a constitution which diluted its effect and guarantee continued white dominance. But inadequate information prompted it to choose options which were not optimal both for its own interests and for democratic consolidation. The NP's aim was to the very last minute a deal on power-sharing, guaranteeing rights for the numerically ethnic minorities. In the case of the Namibian transition, there was a complete absence of this scenario. The Namibian parties and actors during the transition were not involved in the shaping of transition process, merely as players waiting to be instructed by the UN and UNTAG.

Certainly the nature of the political regime prior to the transition in Namibia was unlike that of any other African country attempting a regime transition in recent years and this surely accounts for much of the difference in Namibia's transition outcome. More important than Namibia's status as a 'settler oligarchy' was undoubtedly Namibia's status as a colony. In fact, Namibia's transition was a decolonisation – a transition from 100 years of colonial rule, first by the Germans and then the South Africans – to political independence and national sovereignty. It was not a transition from an indigenous authoritarian rule to an indigenous democratic rule. In addition, the mechanics of the transition itself are important and distinguish Namibia in some ways from other African countries. Perhaps most significantly was the international component of Namibia's transition. The actual hand-over of power in Namibia was the culmination of a year-long transition supervised by the United Nations and guided by United Nations Security Council Resolution 435. Indeed, independence for Namibia was achieved only after decades of diplomatic struggle at the United Nations where South Africa's occupation of Namibia was repeatedly contested, and a decades-long armed struggle between soldiers of the People's Liberation Army of Namibia and the South African Defence Forces. Ultimately, Namibia's managed transition was the result of a carefully negotiated settlement. This settlement had as much to do with events in neighbouring Angola and Southern Africa as a whole and, by extension, with the ending of the Cold War, as with events inside Namibia (Bauer, 2001:34-35).

It has to be conceded that there might exist variables that have an effect on ethnic reconciliation that have not been considered in this thesis. A pertinent one would be to point out the differences in population for South Africa and Namibia. South Africa has about 24 times the number of citizens than Namibia has. South Africa has a population of approximately 48 million while Namibia only 2.1 million; while South Africa's geographic area is only a quarter larger than Namibia's. This might seem to be significant but it is not really. As the Namibian population is considerably smaller than the South African one, so is everything else pertaining to it. The annual national budget is significantly smaller for Namibia than South Africa; any government expenditure is adjusted to the population size. This causes no significant difference because the socio-economic development stratification across the Namibian population is relatively the same. The white minority in both countries make up roughly 7-8% of the total population and still hold considerable control over the economy. The affluent white population forms the tax-basis in both countries as the formation of a black middle class has been slow.

A further reason why the difference in population is not important is that natural resources in Namibia are not capable of supporting a larger population. Water scarcity has, ever since the first historical record of Namibia, been a cause for concern for the populace. The industrial basis in Namibia is also not as diversified as in South Africa. The Namibian economy is largely based on the export of raw materials and subsistence agriculture, with a manufacturing industry almost completely absent. The racial and ethnic make-up of the populations is also roughly the same for Namibia and South Africa. Extensive immigration from South Africa to Namibia over a course of 100 years has produced almost the same ethnic stratification, except for two differences. The one being that the largest ethnic group in Namibia is the Ovambo community forming about 50% of the population, and the second being the extensive influence the German community has in Namibian politics and the economy due to its ties with Germany, which is the country that makes the largest financial and economic aid donations to Namibia; more than any other donor nation and/or organisation. However, the above stated is based on assumptions and further research has to be done to establish with certainty whether or not differences in population make-up between the two countries has a significant influence in shaping democratic consolidation.

The main finding of this study suggests that *the differences in the transition style - the one being internationally orchestrated and the other being internally negotiated- seems not to have had any significant affect on national reconciliation.* The reason for this is that although in both transitions the actors were restricted to adhere to democratic rules (this was imposed by the international community in the case of Namibia and part of the negotiated dispensation in the case of South Africa), 19 and 15 years after the transition in Namibia and South Africa respectively, the ruling parties have entrenched their one-party dominance and both show increasing tendencies of rolling back the democratic advances made since the transitions. Both countries have dropped in Freedom House's ratings according to political rights and freedoms such as freedom of speech and discrimination of minorities based on ethnic and racial differences (Freedom House, 2009). Also, there seems to be a tendency of both ruling parties to continuously hark back to their 'struggle credentials' in rectifying any decision that



alters society and is not well received by some or other portion of society. It is about time that both the SWAPO and ANC reform themselves from liberation struggle movements into political parties that serve the people and not the other way around as is increasingly becoming evident as increasing evidence of neo-patrimonialism surfaces.

## **5.2 Worrying Future Trends:**

There have been a number of incidences and issues that could potentially agitate the racial and ethnic tension in both Namibia and South Africa. There has in general not been any reversal of the differences in socio-economic development between black and white communities in both countries. A recent study has shown that neither Namibia nor South Africa have improved their overall Human Development Index, both ranking 129<sup>th</sup> and 128<sup>th</sup> respectively out of 185 countries (UNDP, 2009). The GINI-coefficient (the measure of inequality between rich and poor with a value of 1 being totally unequal) for South Africa temporarily reached 0.77 in 2001 and then dropped to 0.69 in 2008. For Namibia the numbers are 0.76 in 2001 and 0.69 in 2008. These two countries are two of the most unequal countries in the world today regarding the distribution of wealth and socio-economic development. If no serious attempt is made to rectify the issue within the context of an electoral democracy to which both countries subscribe, then cause for concern is justified.

Furthermore, press freedom, freedom of speech and civil liberties have continuously come under attack in both countries. Numerous times, the Namibian ruling party has used negative political rhetoric to denounce newspapers that dare to criticise and expose government failures in policies and corruption (Makundu, 2009). The elite cadres of SWAPO have, in the recent past resorted to negative political rhetoric during political speeches that borders on hate speech and racial discrimination and marginalisation of minorities. Ex-President Sam Nujoma has continuously called for the white minority to be forcefully removed from existence by loyal nationalist SWAPO members to entice the poor and economically disadvantaged portion of the population.

As for the ANC, increasing numbers of its senior cadres are using emotionally laden racial rhetoric to accuse minorities of acting in bad faith of national interests and attempting to undermine the stability of the country. Moeletsi Mbeki, brother of ex-President Thabo Mbeki, has pointed out that the ANC elites have used their positions in government to accrue enough political and economic power to instigate forms of Black Nationalism in which non-black minorities are not integral. He also points out that BEE was misused to enrich a handful of loyal ANC cadres rather than economically empower the previously disadvantaged masses. He argues that the predatory behaviour of political incumbents on state and government funds will eventually lead to a break-down of order and 'free-for-all' corruption will result (Mbeki, 9 September 2009). Furthermore, the ANC leaders have been reluctant to restrain ANC members that advocate the marginalisation of racial minorities, such as ANC Youth League Julius Malema, Winnie Mandela and Blade Nzimande, who openly call for the forceful and in

a democracy illegal, appropriation of economic assets belonging to white South Africans (Alberts, 2009; Ntabeni, 2009; Uys, 2009; Trewelha, 2009).

Evidently then, these trends towards negative racial relations have to be monitored closely. Civil society needs to be in a position to contest the issues in the equality and constitutional courts as it seems both the SWAPO and ANC leadership are currently reluctant to address the fear-mongering of some of their members. If left unchecked, continued political rhetoric that only further damages already fragile racial reconciliation efforts will be devastating to racial relations and reconciliation in general for both countries. In combination with developing government policies that work to decrease inequality and differences in socio-economic development, both the governments of Namibia and South Africa should also openly commit themselves to doing away with racial rhetoric and reprimanding their members for inciting negative emotions based on racial and ethnic characteristics.

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