NAMIBIAN DEMOCRACY: CONSOLIDATED?

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Declaration

I, the undersigned, hereby declare that the work contained in this thesis is my own original work and that I have not previously in its entirety or in part submitted it at any university for a degree.

Signature: [Signature]
Date: 19/1/06
Summary

Namibian independence was much delayed: it took place during the last years of decolonisation in Africa, at the end of the Cold War, and during the final phases of the third wave of democracy.

SWAPO prevailed in the first hotly contested elections. We all thought that the institutions of democracy were in place and that Namibia was going to lead the way for the new wave of consolidated democracies in Africa. Inclusiveness, using the classic terminology from Robert Dahl, was there to a significant degree, a “one-man-one-vote” –system was finally achieved.

Contestation also seemed to be well in place. DTA led the race before the results of Owamboland came in and though we all knew that its votes would favour SWAPO, no one knew whether it was going to be enough. Finally the results of the most populous region arrived. Swapo had won more than 96% of the votes in the Owamboland region, and with that a majority in the National Assembly with 58% of the total votes cast.

The international observers stated that democracy was in place, the Special Representative of the Secretary General of the United Nations, Martti Ahtisaari declared the vote free and fair and we wanted to believe Namibia was well on its way towards consolidating its democracy. The people’s representatives in the Constituent Assembly, adopted the thoroughly negotiated Constitution, which received international acclaim for it’s progressiveness.

The new President, Chairman Sam Nujoma of Swapo, now a political party, was elected by the same Constituent Assembly and the Constitution ensured separation of powers in its first article. The protection of Human Rights was entrenched into the Constitution as well. Martti Ahtisaari, later to be named as the goodwill Ambassador of Namibia and then the President of Finland, announced that Namibia was at the forefront of the new wave of democracy in Africa. However, after fifteen years of independence, we’re still searching for signs of Namibian democracy consolidating. The Swapo -party dominates the elections without viable opposition.

The new party CoD, currently the second-largest party founded in 1999, hasn’t been able to contest Swapo significantly at any level either. The problem seems to be that it is too elitist and has no real roots in the common people, who obviously are the majority of voters. CoD, or other opposition parties for that matter, are not popular movements. None of them have truly come from civil society movements like labour unions, church groups or other community based organisations that have large numbers of members.

The President’s power, with the help of the leading party and blurring the line between the state and the party, reaches to influence all branches of government. The land reform policies have not produced viable solutions or economic relief for the masses and the socio-economic situation remains desperate. Inequalities are rated the worst in the World and, worst of all, they’re increasing.

Business life is dominated by leading party personalities or by people who received their power during colonial times. A certain elite pact between the *nouveau-riche* and old money is evident and this pact has effectively suffocated the creation of a Namibian middle –class.
Entrepreneurs and real investors do not exist, though the country is relatively rich, has relatively low rates of corruption and most of all, has remained peaceful since independence.

The newly rich and the old upper classes only seem to want to invest abroad. The outflow of capital from a country as poor as Namibia can only be described as breathtaking. It has literally blown the wind out of the Namibian Economy.

There are claims that trade unions no longer protect the rights of their members, because they too are co-opted by the leading party. In fact, almost all areas of civil society in Namibia are funded either externally, or by the Government and institutions close to the leading party. Is Namibian civil society accountable to Namibians? And if not, is the current development bad for Namibian democracy? And yet, freedom of association is still quite strongly protected in Namibia. New, healthier developments are therefore still possible.

Press freedoms are curbed more every year, reports the Windhoek-based Media Institute for Southern Africa. The leading party not only controls state media, but attempts to dominate the independent media as well through the Ministry of Information and Zimbabwe-style information laws.

End of 2004 Namibia saw a major shift in politics when President Sam Nujoma saw his third term in office come to an end and he stepped down from the office, only to remain still as the Chairman of the Swapo party. Soon thereafter Nujoma’s favourite, and therefore the Swapo candidate for presidency, Hifikepunye Pohamba, was elected as the new President.

It should be noted that since Nujoma still remains Chairman of the leading party, the President and the Executive branch have less power to control the other two branches of government as it did during the Nujoma era. Nujoma, as the party chairman, could influence the Legislature and therefore may have strong control over the Executive branch of government as well. Not being elected anymore, this is unhealthy.

The logic is simple. Namibia has: 1. List PR system of elections where the party has the right to appoint its candidates to elections for the National Assembly, 2. A parliamentary special feature, discussed in detail in this study, where the National Assembly can dismiss the sitting President and call for new elections. 3. A constitutional feature where, as Article 48 of the Constitution states, the party is granted the power to dismiss and appoint parliamentarians without elections.

With Swapo remaining dominant and under an unelected chairmanship, feckless pluralism is set to continue. This will likely erode this feckless democracy even further. Democracy is therefore still enduring, but not consolidated.
Opsomming

Die onafhanklikwording van Namibië is deur die tyd vertraag: dit het gedurende die laaste jare van dekolonisasie in Afrika plaasgevind, teen die einde van die Koue Oorlog, en ook tydens die finale fases van die derde golf van demokratisering wêreldwyd.

SWAPO het die eerste hewige verkiesingstryd in 1990 gewen. Ons het almal gedink dat die instellings van demokrasie goed gevestig is en dat Namibië die toon sou aangee in Afrika se golf van demokratisering. Die inklusiwiteit waarvan Robert Dahl skryf, was uiteindelik bereik.

Politiese mededinging was gevestig. Die DTA het goed gevaar, maar nie in Owamboland nie, waar Swapo meer as 96% van alle stemme getrek het wat op ’n meerderheid van 58% in die Nasionale Vergadering uitgeloop het.

Internasionale toesighouers, waaronder Martti Ahtisaari, was tevrede dat die verkiesings vry en regverdig was. Die grondwetgewende vergadering het ’n progressiewe grondwet aanvaar. Die voorsitter van Swapo, Sam Nujoma, is as eerste president verkies.

Basiese menseregte, die skeiding van die magte en ander grondwetlike waarborge was aanvaar. Konsolidasie was die voorland. Maar na vyftien jaar is Namibië steeds oppad na konsolidasie. Die regerende party is dominant en die opposisie word swakker. Skeurings vind ook plaas. Daar is egter ook tekens dat die demokrasie erodeer.

Die sterkste opposisie, die CoD, gestig in 1999, word op alle vlakke deur Swapo oorheers. Miskien is dié party te élitisties en verwyder van die gewone mense. Die opposisie verteenwoordig nie populêre bewegings nie. Hulle magsbasisse is nie die burgerlike samelewing soos vakbonde en kerke nie.

Die president se magte, met behulp van die regerende party en die regering, word algaande sterker. Die grond hervormingsbeleide is problematies terwyl sosio-ekonomiese ongelykheid toeneem.

Die sakesektor word deur gevestigde belange en leidende politieke persoonlikhede oorheers. Van die skepping van ’n nuwe Namibiese middelklas en entrepreneurs is nie juis sprake nie. Daar is weinig nuwe investering. Korrupsie is egter nie ’n groeiende probleem nie. Die uitvloei van kapitaal is egter ’n groot probleem.

Die vakbonde beskerm nie hulle lede nie, want leiers is gekoöpteer deur Swapo. Die burgerlike samelewing se gelde kom van buite, of van die regering, wat goedgesinde organisasies befonds. Desnieteenstaande is die vryheid van assosiasie steeds sterk, maar futloos. Daar is egter tekens dat persvryheid agteruitgaan, met groter regeringsbeheer oor koerante soos in Zimbabwe.

Teen 2004 het president Nujoma, na drie termyne – waarvoor die grondwet gewysig is, uitgetree maar bly aan as voorsitter van Swapo, die dominante regerende party, terwyl sy gunstelingopvolger, Pohamba, as president verkies is. Pohamba is lid van die parlement, Nujoma nie.
Dit beteken dat die nuwe president dalk minder beheer oor die kabinet en parlement het in vergelyking met Nujoma. Laasgenoemde wat nie meer ’n verkose leier is nie, het sekerlik invloed oor die kabinet en parlement deur die werking van Swapo behou.’n Onverkose leier vir ’n regerende party is sekerlik ongesond vir demokrasie.

Die logika is eenvoudig: die kiesstelsel, die parlement, en die leier van die sterkste party, bevorder so ’n situasie.

Met Swapo wat steeds dominant is, sal futlose pluralisme voortgesit word. Dit erodeer hierdie futlose demokrasie nog verder. Maar dit bly steeds ’n demokrasie, dog een wat nie konsolideer nie.
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List of key Acronyms and Abbreviations

ACN   Action Christian National
CoD   Congress of Democrats
DTA   Democratic Turnhalle Alliance
EPZ   Export Processing Zone
INGO  International non-governmental organisation
IPPR  Institute for Public Policy Research
MAG   Monitoring Action Group
MISA  Media Institute for Southern Africa
NDI   National Democratic Institute for International Affairs
NEPRU  Namibian Economic Policy Research Unit
NGO   Non-governmental organisation
NID   Namibian Institute for Democracy
OECD/DAC Organisation for Economic Cooperation and Development /Development Assistance Committee
SWAPO South West African Peoples Organisation (Pre 1989 elections liberation movement)
Swapo-party South West African Peoples Organisation (Post 1989 elections political party)
UNDP  United Nations Development Programme