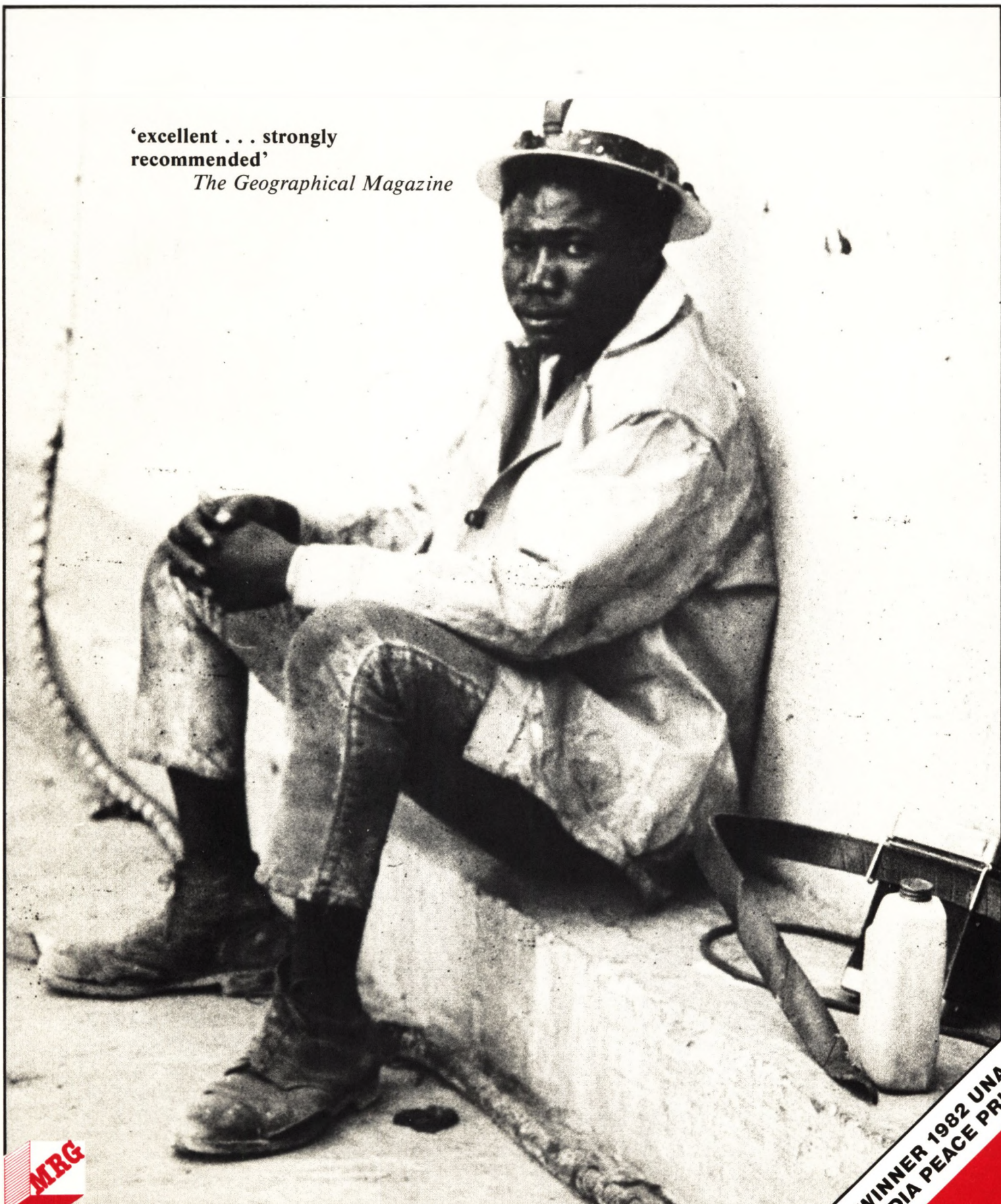


The Namibians

The Minority Rights Group **Report No. 19**

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The Geographical Magazine



MINORITY RIGHTS GROUP LTD.

is an international research and information unit registered in Britain as an educational charity under the Charities Act of 1960. Its principal aims are —

- To secure justice for minority or majority groups suffering discrimination, by investigating their situation and publicising the facts as widely as possible, to educate and alert public opinion throughout the world.
- To help prevent, through publicity about violations of human rights, such problems from developing into dangerous and destructive conflicts which, when polarised, are very difficult to resolve; and
- To foster, by its research findings, international understanding of the factors which create prejudiced treatment and group tensions, thus helping to promote the growth of a world conscience regarding human rights.

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The Namibians

By Peter Fraenkel and Roger Murray
with additional material by Kaye Stearman

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THE UNITED NATIONS UNIVERSAL DECLARATION OF HUMAN RIGHTS

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from any fear and want has been proclaimed as the highest aspiration of the common people.

Whereas it is essential, if a man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations.

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge.

Now, Therefore,

THE GENERAL ASSEMBLY proclaims

THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1. All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2. Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3. Everyone has the right to life, liberty and security of person.

Article 4. No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6. Everyone has the right to recognition everywhere as a person before the law.

Article 7. All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8. Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9. No one shall be subjected to arbitrary arrest, detention or exile.

Article 10. Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11. (1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

(2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12. No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13. (1) Everyone has the right to freedom of movement and residence within the borders of each state.

(2) Everyone has the right to leave any country, including his own, and to return to his country.

Article 14. (1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.

(2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15. (1) Everyone has the right to a nationality.

(2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16. (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

(2) Marriage shall be entered into only with the free and full consent of the intending spouses.

(3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17. (1) Everyone has the right to own property alone as well as in association with others.

(2) No one shall be arbitrarily deprived of his property.

Article 18. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19. Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20. (1) Everyone has the right to freedom of peaceful assembly and association.

(2) No one may be compelled to belong to an association.

Article 21. (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

(2) Everyone has the right of equal access to public service in his country.

(3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22. Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23. (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

(2) Everyone, without any discrimination, has the right to equal pay for equal work.

(3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

(4) Everyone has the right to form and to join trade unions for the protection of his interest.

Article 24. Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25. (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

(2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26. (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

(3) Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27. (1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

(2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

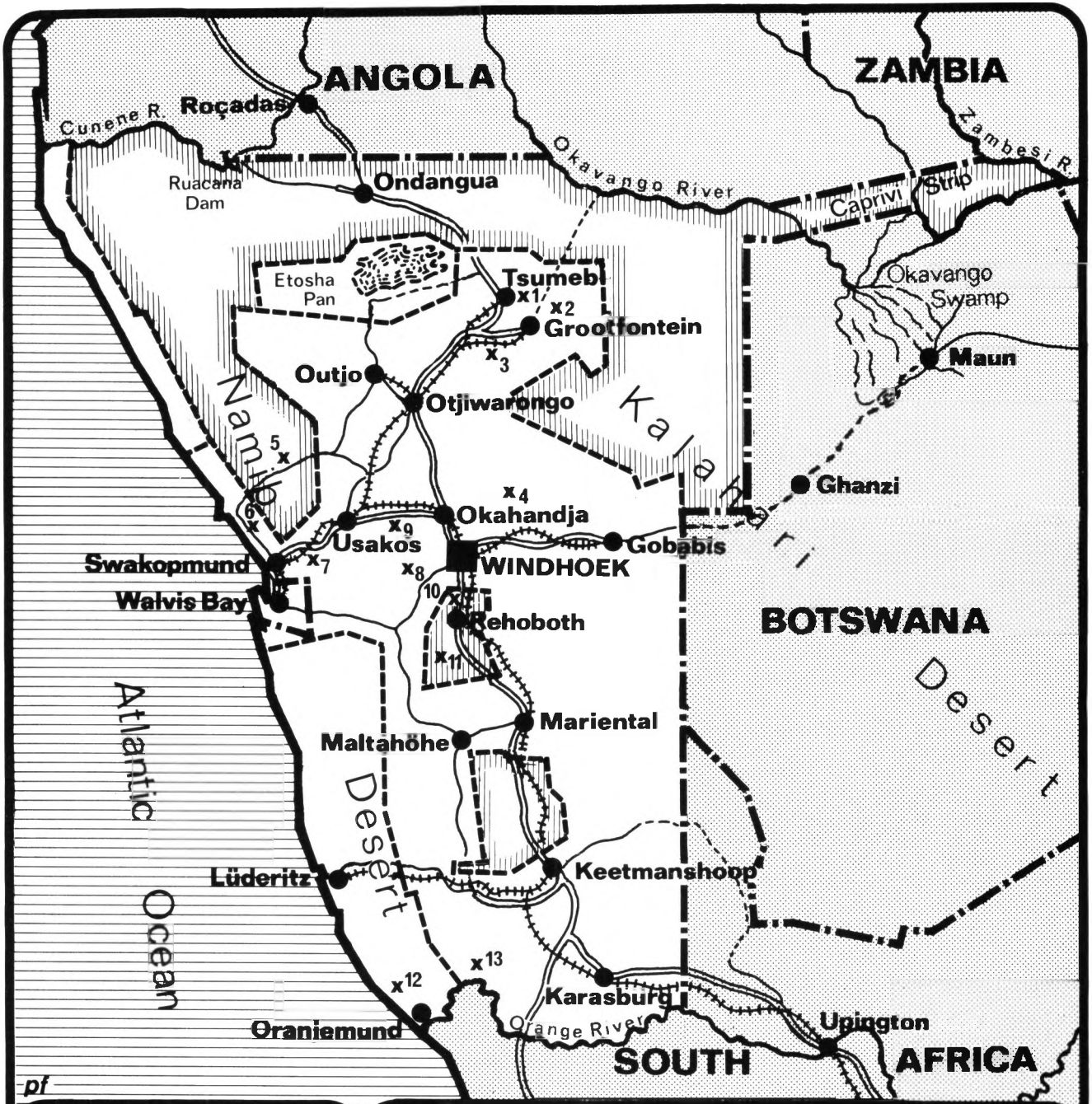
Article 28. Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29. (1) Everyone has duties to the community in which alone the free and full development of his personality is possible.

(2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

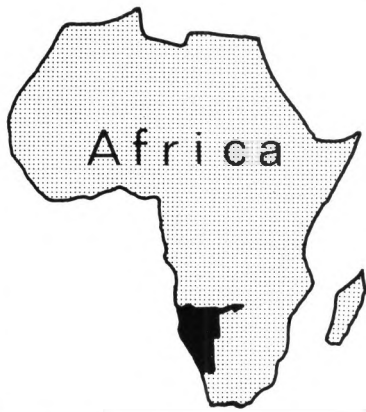
(3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30. Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.



pf

NAMIBIA (South West Africa)



- · —** frontiers
- - -** restricted areas
- |||||** African reserves
- ~~~~~** rivers
- + —** railways
- ==** tar roads
- - -** other roads
- capital city
- main towns

- x mines :**
- | | | |
|----|-------------|---------------|
| 1 | TSUMEB | copper/lead |
| 2 | BERG AUKAS | vanadium/lead |
| 3 | KOMBAT | copper/lead |
| 4 | BRANDBERG W | tungsten/tin |
| 5 | UIS | tin |
| 6 | HENTIESBAAI | sea salt |
| 7 | RÖSSING | uranium |
| 8 | MATCHLESS | copper |
| 9 | ONGANJA | copper |
| 10 | OAMITES | copper |
| 11 | KLEIN AUB | copper |
| 12 | ORANJEMUND | diamonds |
| 13 | ROSH PINAH | zinc |

▲ population 1,009,900 (1981) area 318,261 sq mls | scale 200 mls |

Introduction

Namibia is a large country, well-endowed with commercially-exploitable resources, with an African population who have been severely oppressed for most of the last hundred years under colonial occupation by first the Kaiser's Germany and then South Africa. South Africa has ruled the country, under a mandate originally bestowed by the League of Nations after 'the war to end all wars': a mandate intended as a 'sacred trust' until the people of the territory could rule themselves. After another World War, unlike the other colonial powers who began dismantling empires – sometimes willingly, sometimes reluctantly – South Africa doggedly clung to its valuable colony in the face of opposition from all other members of the United Nations, numerous UN Security Council and General Assembly resolutions, and in defiance of the International Court.

Unlike most of the reports from the Minority Rights Group this report does not deal with a people who are numerically a minority. Over 90% of the population of Namibia are African or 'coloured' people of African descent. Less than 10% of the total population are white, and many of these have been resident in Namibia for relatively short periods of time, especially those who are involved in the present South African administration. Yet there are overwhelming grounds for regarding the Namibian people as a suitable subject for an MRG report, for (as previously in Zimbabwe before independence in 1980, and as currently within South Africa itself), the majority of the population are effectively excluded from political power on any terms other than those laid down by the white administration, and are denied any opportunity for economic and social equality. This equality of opportunity cannot be realized under South African rule and therefore for the majority of the Namibian people independence is vital. Unless free elections can be held, as demanded by the Security Council of the UN, and without South African interference or intimidation, 'independence' will be in name only and the conflict will continue and will probably only find a violent solution.

When the first edition of this report appeared in 1974, despite the fact that the dispute between South Africa and the UN had continued on this issue for over 28 years, the conflict in Namibia was rarely reported and little known in the outside world: indeed the name 'Namibia' – over eight years in existence at that time – needed 'South West Africa' in brackets after it to ensure that even relatively well-informed people would know its location. Four years later a second edition of the report was published at a time when South Africa was claiming that Namibia would receive its independence by 1979, in the form of an 'interim government' after elections in which SWAPO had been excluded. The years since then, ironically, have seen true independence for the Namibian people to be as remote as when the first edition of this report was written. This is despite the fact that the liberation movement, SWAPO, has gained a large degree of international credibility and has seemingly the support of the great majority of the Namibian people across both geographical and ethnic lines. It is also despite increasing international concern at the stalemate in Southern Africa, especially by the western powers who (in the form of the 'contact group') have placed political pressure on South Africa to come to an arrangement to grant independence to Namibia.

The year 1984 has been the most significant year politically for Southern Africa for a decade. It signified a series of defeats for those front-line states who achieved independence from Portugal in 1975, only to be riven by civil war, compounded by economic recession and the most severe drought in Southern Africa this century. South Africa has placed severe pressure upon the regimes in Angola and Mozambique by the signing of the 'Lusaka Agreement' and the 'Nkomati Accord' in February and March respectively. These agreements linked the ending of South African involvement in both countries with each country's disowning of links with African liberation movements. In the Lusaka Agreement the South Africans agreed to withdraw from the territory they occupied north of the Cunene River within 30 days while Angola would agree an immediate ceasefire. While the Angolans have co-operated in denying the guerillas any access to the territory being vacated, step by step, by SADF, it was only in April 1985 that the majority of South African troops were withdrawn. The results for SWAPO have been another setback, although it has enabled them to concentrate upon guerilla warfare within Namibia. SWAPO has insisted that it will maintain an armed struggle unless South Africa

will abide by a UN negotiated settlement. An attempt at negotiation was made in May 1984 when President Kaunda of Zambia attempted to bring the Namibian and South African sides together in reaffirming general support of Resolution 435 and in July SWAPO President Sam Nujoma met the Administrator-General of Namibia, Dr van Niekirk, on Cape Verde Island. SWAPO insisted that any advance to independence must take place under UN auspices, guaranteed by a multi-national monitoring force. The South Africans expressed a willingness to sign a ceasefire agreement without an immediate implementation of Resolution 435 but when SWAPO would not agree to this the talks broke up. Many commentators doubt how serious South Africa is concerning any attempt at real independence for Namibia.

The procrastination of the South Africans has undoubtedly been aided by the question of 'linkage'. This concept attempts to tie the question of the withdrawal of Cuban troops from Angola with the withdrawal of South African forces from Namibia. While there is a substantive difference between the two situations – the Cubans were invited into Angola by the recognized government of the day, while South African forces are occupying Namibia in direct contradiction to UN resolutions – the question of mutual troop withdrawal has become a major block to any negotiated settlement. This is especially because the present administration in Washington sees its priority as 'rolling back communism' in Southern Africa, and the 'Namibia card' as a chance to pressure Angola into sending the Cubans home. Angola has already offered a phased withdrawal of its Cuban forces, in return for a complete South African withdrawal from both southern Angola and Namibia and ending of direct support for the UNITA rebel movement; however this might take up to three years, and South Africa has demanded a withdrawal within three months if the two countries are to conduct 'serious negotiations'. Yet given the state of civil war in Angola it is unlikely that the Luanda regime can survive without some military support from outside. In the meantime South Africa shows no sign of ending its support for UNITA. South Africa is determined that any independent Namibia should be cut off from 'Marxist' influence across the Cunene River. As yet there is no clear outcome for Angola and Namibia. The British publication *Africa Confidential* said bluntly in its issue of 14 November 1984 that the negotiations will 'take time – probably years' but that the re-election of President Reagan means that South Africa 'has another four years to ensnare Luanda in its web of client states . . . once Luanda is in, the rest of the jigsaw – including Namibia – falls into place'.

Within Namibia the South African response has been to support the formation of a new 'interim government' by the Multi-Party Conference (MPC). The main task of this government will be to draft an independence constitution, which will then be placed before the Namibian people in a 'national referendum', which will take the form of a straight 'yes' or 'no' vote. Pretoria hopes that despite overt Western hostility to the establishment of an internal government at this stage, tacit Western backing for such a strategy would be forthcoming. Yet the South Africans through the Agent-General for Namibia will retain a veto power over legislation proposed by the new Assembly and will retain direct control over foreign affairs, defence and internal security. But the MPC appears to have little popular support and is highly factionalized while SWAPO and its allies, despite the setbacks of recent years, have credibility both inside and outside Namibia.

As this report goes to press there are signs that the US is finally becoming impatient with South African procrastination. There are new and urgent pressures in the US to put pressure on South Africa – notably the renewed campaign against apartheid, the rising wave of dissension within South Africa and the brutal repression of black protest. After four years of frustration of its policy of 'constructive engagement' the US Assistant Secretary of State for Africa, Dr Chester Crocker, has presented a compromise agreement to the South Africans and Angolans in an attempt to resolve the differences concerning a Cuban withdrawal from Angola. This involves withdrawal by Cuban forces in southern Angola in step with implementation of 435 but with some 5-10,000 to remain in the north to protect the oil industry in Cabinda – the source of 90% of Angola's income. As of June 1985, Pretoria had yet to give its formal response to the Crocker compromise. If there is a negative reply then the US has made it clear that the continued interest of the US in seeing a mediated settlement in Namibia would be limited. This might mean that the US would be reluctant to protect South

Africa at the UN, especially with its veto at the Security Council. If this were to happen and the UK were to also abandon South Africa then UN sanctions and other action might be a real possibility. But whatever the scenario, it appears that there is no quick or easy road to independence for the Namibians. This report attempts to give the background to the Namibian case, an account of the events of the last decade and some of the problems which will face a newly independent Namibia. Until the advent of independence, with genuinely free elections under UN supervision and control, there will be no hope of ending almost a century of oppression, violence and injustice.

Part I – BACKGROUND

1. The People

The original Namibians were the San (Bushmen). Their lively paintings on remote rock-faces in the Namib provide a pictorial record of a distant time when the whole country was filled with the wild game of Africa and the people lived by hunting. These pictures show the arrival of bigger people bringing cattle and goats; the first of these were the Nama, often called Hottentots, which is a name they resent. The Namas are anthropologically the San's cousins, but still later came other people from the heart of Africa – pastoral Ovambos who grew maize and kept cattle, followed by Herero herdsmen with their thousands of long-horned steers.

By the time Elizabeth I was Queen of England, the territory that is now called South West Africa or Namibia had been shared out between the three big settled groups of the population; the Ovambos in the north, Hereros in the middle and Namas to the south. A further group, the Damara, lived among the Namas and the Hereros, often working for them as herdsmen. They are dark stocky people of unknown origin who probably arrived with the Namas, and speak the same click language.

During the early 19th century a group of the Namas, the Orlams, returned from further south under pressure from white colonial expansion in the Cape. Many spoke Dutch and were Christians; they arrived on horseback wearing broad-brimmed hats and armed with flintlock muskets and settled among the descendants of their ancestors. Following them came the Basters, who settled in Rehoboth; their name, which they are proud of, indicates their mixed Nama/Afrikaner ancestry. Population distribution at this stage is illustrated on the map on page 23.

The first white settlers arrived in the mid-19th century; some Afrikaner farmers, a few German and Finnish missionaries and an assortment of adventurers, traders and fugitives from the laws of Cape Colony. Large-scale white settlement did not start until the first decade of this century, in the last phase of the German colonial period, and has continued since the First World War when South Africa took over administration of the territory.

The present-day make-up of the population is given below. As it is based on South African official figures the terminology unavoidably includes the jargon of *apartheid* which classifies the population arbitrarily into racial groupings according to skin colour. White peoples are not normally sub-divided by the South Africans, but it is their policy to divide the African population into ethnic sub-groups. I have used those classifications, but for consistency have included an estimated breakdown of the white group based on published percentage figures. In practice the Namibians are not as divided as this classification might suggest. Many of them are of mixed descent from different groups, some groups are closely related to others and many groups live in close proximity or are inextricably mixed; the taboos of *apartheid* are a recent and generally alien concept. It should also be pointed out that there is good reason to believe that the black population tends to be underestimated by South African officials. Many Africans claim never to have been included in a census and SWAPO claims that the population of Namibia as a whole may even approach as much as 1.5 million and the UN has estimated a possible 1.2 million. The true size of the white population of Namibia (i.e. people born in the territory) is significantly smaller than implied by these figures, as almost half the Afrikaner population are not true 'South Westers' (as the Whites call themselves), but South African officials and their families involved in administration. Also

about a third of the German-speaking population are post-war arrivals from West Germany and many carry West German passports.

TABLE I – Official population figures*

Population group	1970 census	1974 official estimate	1981 census	% of total	
				1970	1981
African					
Ovambo	352,640	396,000	516,600	46.3	51.2
Damara	66,291	75,000	76,800	8.7	7.6
Herero	50,589	56,000	77,600	6.6	7.7
Kavango	49,152	56,000	98,000	6.4	9.7
Nama	32,935	37,000	49,700	4.3	4.9
Coloured	28,512	32,000	43,500	3.7	4.3
East Caprivian	25,580	29,000	39,500	3.4	3.9
Bushmen (San)	22,830	26,000	–	3.0	–
Rehoboth Baster	16,649	19,000	25,800	2.2	2.6
Kaokovelder	6,567	7,000	–	0.9	–
Tswana	4,407	5,000	6,800	0.6	0.7
Other	15,089	15,000	–	2.0	–
	671,603	753,000	934,300	88.1%	92.5%
White					
Afrikaner	61,500	67,200	51,300	8.1	5.1
German	20,000	21,900	16,700	2.6	1.7
English	7,250	7,900	6,000	1.0	0.6
Other	1,800	2,000	1,600	0.2	0.2
	90,583	99,000	75,600	11.9%	7.5%
TOTALS	762,184	852,000	1,009,900	100.0%	100.0%

* There are several notable features of the current official population figures, among them the enormous increase in the Kavango population (up 98% since 1970), which compares to the comparatively small increase of the Damara (up 16%). Figures for the Kavango region have probably been inflated by the influx of refugees from southern Angola into northern Namibia, numbering an estimated total of over 70,000 of whom 35-40,000 reside in Kavango. For most other groups, the increase averages 52%, although only 47% in the case of the largest African community, the Ovambo. Discrepancies appear to have been caused by the reclassification of population groups, reduced from 13 in 1970 to 10 in 1981, with separate totals no longer given for the San or the Kaokovelder, the latter probably incorporated with the Herero, while a category for 'other' has been dropped. The white population has registered a sharp decline of 17% since 1970, the only group to do so, reflecting an increased exodus to South Africa – breakdowns between language groups are estimates only. The census figures exclude the estimated 75-80,000 Namibians living in exile, most in refugee settlements in Angola.

2. Their Land

Namibia is a land between two deserts straddling the Tropic of Capricorn. It has an area of 320,000 square miles, roughly the size of France and the British Isles combined. The coastal strip is the low-lying Namib desert and it is washed by the chilly waters of the Benguela Current which sweeps out of Antarctic waters and up the African coast. The central part of the country is high ground averaging 4000 ft above sea level and rising to 8000 ft peaks in places. To the west the ground falls away suddenly to the Namib, but in the east it slopes more gradually towards Botswana and the scrub-covered Kalahari Desert.

The central plateau attracts only a little rain and then only during three months of the year, but this is enough to support thorny vegetation which provides fine grazing for cattle in the centre of the country and for sheep in the more arid south. The north east and the Caprivi Strip receive rather more rain than the rest of the country, but as they are covered in a substantial depth of Kalahari sand, rainwater soon soaks in and is accessible only to the long roots of thornbushes and acacia trees that have adapted to life in that area. Ovamboland, a low-lying basin in the extreme north of the country, is unique in having a firm enough surface and sufficient rainfall to support a little crop cultivation.

Namibia is also a land without much flowing water. Not one river wholly within the country flows perennially; most are just water-courses known as *Omurambas*, which flood only after heavy rain. The only permanent rivers are the Orange, which forms the border with South Africa, and two northern rivers, the Cunene and Okavango, which are shared with Angola. In spite of the arid climate, the central plateau soaks up the rain, and water can be reached by shallow boreholes and wells which keep the livestock sleek and good-looking throughout the year.

It is a strange land of contrast where lions from the tropical interior prey on seals and penguins found on the chilly Skeleton Coast. The barren desert is rich in minerals including a wide variety of base-metal ores and gem-stones. There are plentiful copper and iron deposits, which were for long mined and smelted by the Africans. There are also commercial quantities of vanadium, wolfram, lead, zinc, uranium, silver, tin, tantalite, lithium, beryllium and the biggest source of high grade gem diamonds in the world.

The boundaries of the country were defined by the leaders of the European powers after the Conference of Berlin in 1884 and were settled between 1887 and 1890. Most of them were ruled on a map, cutting through territory almost unknown in Europe at that time. There are two main anomalies in Namibia's outline, the Walvis Bay enclave and the Caprivi Strip. The former was a small area of desert annexed by Great Britain because it surrounds the one safe anchorage on a thousand miles of inhospitable coast. The Caprivi Strip is a 40-mile-wide corridor stretching nearly three hundred miles into central Africa; it is named after the German Chancellor von Caprivi, who negotiated this bizarre boundary so that the proposed German colony should have access to the Zambesi.

3. Their History

Up to 1885

By the mid-19th century the region was in a state of instability. There was an influx of Oorlams and peace was marred by skirmishes between Hereros and Namas in disputes over grazing land. White people moved into the territory on a small scale and were able to settle or move around as traders and missionaries fairly freely. Considerable trade was established between the Herero and Nama peoples and Cape Colony, with tens of thousands of cattle, slaves and ivory being traded for clothes, guns, liquor and other manufactured items.

During the 1870s the Herero leader Maharero became alarmed when a first wave of Trek-Boers passed through Hereroland on their way to Angola. Maharero protested to the Cape government to stop further Afrikaner migration because of their fierce racial antipathy towards Africans, and he also requested a protection agreement with Britain. Although Cape Town was interested, the idea was turned down in London, and Germany, a latecomer in the scramble for Africa, annexed the area after the Conference of Berlin.

1885 to 1915: Deutsch-Südwestafrika

The Germans never really established control over their entire colony, leaving the northern regions, occupied as they were by relatively large numbers of well-armed and independent-minded Ovambos, unpoliced. However they eventually imposed a rule of iron on the Herero and Nama area, which is still known as the 'Police Zone'. It took them 22 years to dispossess the Hereros and Namas of their lands; they killed over three-quarters of the African people and destroyed or confiscated all their hundreds of thousands of head of veld-cattle.

Initially the Africans failed to accept that outsiders should, without even consulting them, seek to take over their country. The Herero leader was persuaded to sign a Protection Agreement by the colonial governor, a man with an ominous name, Heinrich Göring (whose son made the name more infamous four decades later) but the sage Nama leader, Kaptein Hendrik Witbooi expressed astonishment that the Germans should have the impertinence to seek to lord it over his people.

German immigration to the new colony was on a very small scale until after 1900. Farmers were initially able to buy tracts of land from the Hereros and Namas and great areas of desert were sold by the colonial authorities to concession companies who speculated on possible mineral finds. The process of land purchase was started by Adolf Lüderitz, who set a sinister trend with his first sizable land acquisition by obtaining it from a Nama chief by trickery. The Germans attempted to consolidate their position with an armed surprise attack on Witbooi's settlement. This was a fiasco as the Nama leader not only repulsed the attack but even captured 150 German cavalry horses. After this setback the Germans settled down to a campaign of more gradual colonization. They exploited differences between African leaders by favouring some and attacking others, by isolating the strong and dominating the weak. The architect of their policy was Major Leutwein who eventually

disarmed all the weaker clans and allied such powerful groups as the Witbooi Namas to the German authorities so that their armed auxiliaries helped the Kaiser's troops to consolidate the colonial government.

The greed of German farmers for more and more land encouraged the authorities to introduce laws under which Africans could be heavily fined for allowing their cattle to trespass on land bought by German farmers and their cattle could be confiscated in lieu of fines. Ruthless traders also allowed Africans credit and then demanded repayment at short notice with enormous rates of interest which allowed more land and cattle to be confiscated as compensation for non-payment. The Africans gradually lost their main source of livelihood; many had to seek work from white farmers who often treated them no better than slaves. The attitude of German settlers is well illustrated by the following edict¹ issued by the *Deutsche Kolonialbund*, the settlers' organization: '1. Every coloured person must regard a white person as a superior being; 2. In court the evidence of one white man can only be outweighed by the evidence of seven coloured persons.'

By 1904 many Africans in the Police Zone were desperate. In that year the Bondelswarts in the extreme south rebelled and within a few days the Hereros likewise decided they could take no more German rule. Their leader Samuel Maharero issued an edict that no German women or children, nor Englishmen, Boers or missionaries were to be harmed and that their property was to be respected – a gesture which contrasts with the extermination order issued by the German General von Trotha who eventually defeated them. The Herero uprising went on for several months, but the Africans were short of ammunition and had primitive Victorian rifles while the Germans eventually retaliated with six divisions equipped with field artillery and Maxim machine guns. They poisoned the few waterholes in the *Omaheke* sandveld and shot emissaries who came to negotiate a peace settlement. Many of the Herero survivors fled across the border into what is now the Republic of Botswana, where their descendants still live. Protests from Germany led to the extermination order being countermanded by the Kaiser. But by then 75,000 Hereros were dead; the last remnants of their land and cattle were confiscated and distributed as 'compensation' to the German farmers.

The Namas, who, feeling obliged to honour their agreement to supply armed auxiliaries, had initially helped the Germans against their fellow Africans, were so horrified at the treatment of the Hereros that they also turned on the Germans. They did not take on the Kaiser's army in open conflict, but mounted a guerilla war that lasted three years. This campaign resulted in the death of 2000 troops and expenditure of 400 million Marks to protect fewer than 3000 white farmers. When fighting finally died out in 1907, three-quarters of the Namas had been killed and most of their remaining lands and livestock confiscated. The Herero and Nama Wars had cost the lives of nearly half the population of the country.

Draconian laws were enacted forbidding Africans to acquire land or cattle and forcing them to carry passes and face punishments for vagrancy if they did not work for white farmers. The farmers had been entitled to punish their workers by beating them under an ordinance of 1896 – which contributed to the uprising – but now further measures allowing imprisonment in irons for up to 14 days for neglect of duty, idleness, insubordination or unwarranted desertion could be imposed by a magistrate at the request of a white farmer. Shocking brutality occurred which caused a public outcry in Europe a decade later, after the British government published case studies indicting the German colonial administration.² With the discovery of diamonds in 1908 and increased white settlement using forced African labour, the whites began to prosper. The value of exports rose from 0.4 million Marks in 1906 to 1.6 million in 1907, 7.8 million in 1908, 22.1 million in 1909 and 34.7 million by 1910.

1915 to 1919: South African military rule

Soon after the outbreak of the First World War, South African troops acting under British orders took over the German colony. They were helped by the Africans who rose again having been encouraged by the British to see the invasion as their liberation. Martial law was declared and the Africans allowed to move onto German Crown lands not occupied by white farmers. German Reservists were sent back to their peace-time occupations where

¹ For footnotes see page 30

they settled down to await a German victory in Europe. With the ultimate German defeat the allied powers convened the Peace Conference at Versailles and established the League of Nations. One task of the conference was to determine the future of the ex-German colonies.

1919 to 1946: South West Africa under the League of Nations Mandate

The South African leaders Smuts and Botha demanded the right to annex South West Africa and incorporate it in the Union of South Africa as the spoils of war, but the League of Nations was born with the wish to introduce a more peaceful and civilized world order, and Premier Lloyd George and President Wilson agreed 'that the League would be a laughing stock . . .' if the administration of the ex-German colonies was not 'invested with the quality of trusteeship'. Mandates were awarded to trustees of territories such as South West Africa. Article 22 of the Covenant of the League of Nations stated: '. . . there should be applied the principle that the wellbeing and development of such peoples form a *sacred trust of civilization* and that securities for the performance of this trust should be embodied in the Covenant'. Under the terms of the Mandate, the Mandatory Power was to prepare its ward for eventual self-determination and *was not to profit from administration rights*. As a safeguard it was obliged to submit annual reports to the League of Nations Permanent Mandates Commission. The Mandate for South West Africa was instituted at Geneva on 17 December 1920 and was 'conferred upon his Britannic Majesty to be exercised on his behalf by the Government of the Union of South Africa'.

There were several key clauses in the Mandate agreement which are important in any consideration of the subsequent dispute. Although Article 2 stated:

'The Mandatory shall have full power of administration and legislation over the territory . . . as an integral portion of the Union of South Africa, and may apply the laws of the Union of South Africa to the territory, subject to such local modifications as circumstances may require . . . The Mandatory shall promote to the utmost the material and moral well-being and the social progress of the inhabitants of the territory . . .'

Article 7 stated that:

'The Mandatory agrees that, if any dispute whatever should arise between the Mandatory and another member of the League of Nations relating to the interpretation or the application of the provisions of the mandate, such dispute, if it cannot be settled by negotiation, shall be submitted to the Permanent Court of International Justice provided for by Article 14 of the Covenant of the League of Nations.'

The terms of the mandate permitted the South African government to repatriate all enemy nationals and confiscate their property; this ruling was agreed after the Allied Powers had concluded that pre-war German colonial policy had been one of ruthless exploitation purely in the interests of white settlement.³ It had involved provocation of the indigenous population to rebellion, followed by genocide, confiscation of land and a labour system that amounted to slavery. The intention of the League was to prevent any recurrence of such a situation and the interests of the original and rightful inhabitants were considered to be paramount. Yet by 1928 an influx of white settlers from South Africa had raised the white population to 28,000 – double the 1913 figure.⁴ Smuts clearly regarded the Mandate as little more than a gesture that avoided the unpleasantness of direct annexation. In 1925 he made a speech to the Union of South Africa parliament in which he said: 'I do not think it necessary to annex South West Africa . . . (the mandate) gives such complete sovereignty, not only administrative, but legislative, that we need not ask for anything more.'

The South African occupation did not bring peace to the territory. Soon afterwards, South African troops entered Ovamboland, after the Portuguese had alleged border violations by Ovambos, and killed Mandume, chief of the Ondonga clan. The border was from then formally demarcated running right through the middle of Ovamboland and splitting the people. Thus the Ovambos came under white rule.

The new administration was now faced with another rebellion in the extreme south, where the Bondelswart Namas had reached the end of their tether and rebelled for the third time in thirty years. In April 1922 an exiled leader, Jacobus Christian, who had been interned after an uprising against the Germans, returned to his people with 15 armed companions. The police tried to arrest them, but the Bondels decided to go into a *laager* with their women and

children on a hilltop. When the Administrator received a rejection of his surrender terms, he attacked with 370 troops equipped with machine guns and two Union Government bombing aircraft. The hill was bombed and machine-gunned, killing several Bondels, including two children, and wounding seven women. Most of the Bondels surrendered, but 150 men on horseback galloped off into the hills and carried on the struggle for a few days more. Over a hundred out of six hundred Bondels were killed; white casualties were two killed and five wounded.

In 1924 the Rehoboth Basters rebelled. Having been granted what they took to be a form of independence by the Germans, they demanded independence from South African rule and proclaimed Rehoboth a republic. They were then given a measure of constitutional independence in the form of their own *Kaptein* and *Raad*, but the majority refused to recognize the officially nominated government and formed a rival one which sent emissaries to the South African Prime Minister in Cape Town and then went on to appeal to the League of Nations in Geneva. This created what was for the Administrator an intolerably embarrassing situation and he completely surrounded Rehoboth with armed troops and flew three bombers over the township to force the rebels to surrender. Bombers were again used in 1932, in Ovamboland, when Chief Ipimbu's village was totally destroyed. The attack was supervised by the Administrator himself, as a gesture of power, after the chief had refused to pay a fine.

However the greatest grievance of the African people was not white official violence, but the virtual theft of their land for use by white farmers. Given the interests of the people were a 'sacred trust', according to the mandate, South Africa made no effort to give the Hereros or the Namas their lands back. A two-man commission was appointed in 1921 to investigate labour availability in the reserves and the question of where to put the remaining Africans. They recommended moving all African settlements from areas intended for white commercial farming. Generous incentives such as long term, interest-free loans were to be offered to white South Africans – who were mainly poor Afrikaners – to encourage them to come to the territory and take up blocks of land for farming. The commission suggested that the extreme north east of the territory would be suitable for allocation to the displaced Africans, but that area is the Omaheke – the Kalahari sandveld lacking any surface water – where tens of thousands of Hereros had died of thirst and starvation during von Trotha's reign of terror less than twenty years before. Such a recommendation could not have been made in ignorance, as apart from taking advice from the Lands and Survey Departments, the Administrator's report for 1918 gave as a further disadvantage of the area that lame-sickness of stock was prevalent and that white farmers on the southern fringe of the Omaheke, near Gobabis, had been advised to move elsewhere. There were in fact many thousands of hectares of fine cattle country on the hardveld that had formerly belonged to the Hereros that were vacant at that time, but the authorities did not wish to let Africans settle there. The Hereros were horrified at the suggestion that they move into the Omaheke.

All this is of importance today to show where responsibility for white settlement really lies. It should be remembered that the Africans had been cattle herdsman many centuries before Europeans came to Africa. The exact size of their herds before the colonial conquest was never recorded, but the HMSO Blue Book estimated the Herero herds alone to have been some 150,000 animals in 1890. Clearly the Africans used to manage. Their real difficulty was inflicted by the whites: loss of land. For example, the Bondelswart Namas had originally herded their stock over the entire area from the Orange River to the Karas Mountains, an area of some four million hectares, yet by 1936 the same people were expected to support themselves in a tiny reserve of 170,000 ha, less than one twentieth the size. This may seem a lot, being over 400 acres per family, but it must be realized that a large area of the semi-desert of Namaland is required to support just one cow if the animal is not to strip the sparse vegetation away completely. By contrast, the normal size of white-owned farms in that area is around 15,000 ha (37,000 acres) which is enough to support a viable herd of animals. Thus by cramming the Bondels and other groups of Africans into small reserves the authorities made it impossible for them to avoid destroying the small amount of grazing available, and forced many of them to seek work on white farms.

However the South African administration did not restrict itself simply to 'annexing' the Africans' lands. Like the Germans before

them they found it necessary to introduce restrictive and discriminatory laws that applied only to the Africans whose interests they were supposed to be protecting under the 'sacred trust' agreed when the mandate was accepted.

Under a vagrancy law proclaimed by the South African mandatory power, Africans could be punished for leaving their areas except to work for a white man. First offenders could be sentenced to 'a term of service' on public works or for a private person. So the arrest of vagrants helped supply farmers with cheap labour. The 'Masters and Servants Proclamation' of 1920 prescribed punishments for neglect of duty, drunkenness, desertion from a job, etc. 'Native Administration Proclamation No. 11' of 1922 introduced the Pass Laws; from then on non-whites could not enter or leave the territory or even leave their area without a permit to be shown on demand to any policeman. More repressive legislation followed; the 'Curfew Regulations Proclamation No. 33' of 1922 allowed local authorities to prevent the presence of Africans in the streets or public places of any town between 9.00 pm and 4.00 am.

In 1925 a measure of self-government was awarded to the whites of the territory and an Executive Committee, an Advisory Council and a Legislative Assembly were formed. Six of the Assembly's eighteen members were nominated by the Union's Administrator and the rest were elected exclusively by white voters. When Lord Lugard of the Permanent Mandates Commission queried how this would further the interests of the Africans, the South Africans explained that one of the eight nominated members would be chosen for his experience of African administration which would give him 'a thorough acquaintance with the wishes of the African peoples'. The Leagues' Commission was also told that the Africans were not likely to be advanced enough to participate directly in the running of their country in the foreseeable future and that the 'Native... should be allowed to develop quietly and according to such capacity as he has'.

This concern with allowing the African people to 'develop quietly' was reflected by a conspicuous lack of effort to advance their education. For example, the expenditure on education in 1927-8 was distributed as follows:

8000 white scholars: £120,520 expenditure (£15.07 per child)
3760 black scholars: £10,500 expenditure (£2.80 per child)

These figures are even worse when it is remembered that there were only about 28,000 whites in the territory, compared with 107,000 blacks in the Police Zone and a further 130,000 or so outside it, giving an educational expenditure *per capita* of £4.50 per white and £0.04 per black. The last session of the League Permanent Mandates Commission met in June 1939 and strongly censured South Africa over its miserly management of the Mandate. A prosperous white population paid no taxes at all (at that time), yet when asked why white education received ten times as much money as black, in a country with one tenth as many whites as blacks, the reply was that there was a lack of teachers and provision of more staff was stated to be '... beyond the financial resources of the Administration'⁵

The League failed to enforce the rights of the Africans in South West Africa under the terms of the mandate. Other failures of the League to restrain the greed of some nations for extra territory led to the breakdown of world peace and the Second World War.

1945 to 1966: South West Africa the disputed Trust Territory

In 1945 the Allied Powers replaced the League with the United Nations Organization. The drafters of the UN Charter decided that it was appropriate for some of the old mandated territories inherited from the League to receive early independence – these included such states as Syria and Iraq – while the rest should become UN Trust Territories, which were to continue to be steered towards eventual self-determination by the original Mandatory powers. A Trusteeship Committee was formed (the UN's Fourth Committee), to replace the function of the old Permanent Mandates Commission and look after the interests of the Trust Territories. All the Mandated powers agreed to this and all have since fulfilled their obligations and brought their wards to independence – except South Africa. General Smuts, by now an elder statesman, was again Prime Minister of South Africa and he again revived the old claim to annexe South West Africa. He told the UN, '... the rights of self-government enjoyed by both the European and non-European sections of the population will not be one whit diminished...'⁶ The UN General Assembly decisively rejected

the South African demand, by 37 votes to nil with nine abstentions. The South African government replied by refusing to place South West Africa under UN Trusteeship, but undertook to '... administer the territory scrupulously, in accordance with the mandate'. Pretoria did however submit one report to the UN Trusteeship Committee, but stressed that this was done purely on a voluntary basis.

African leaders in the territory tried to use their right under the terms of the mandate to petition the UN, as the successor to the League, to indicate the wishes of their people. But because the South African authorities refused them passports, the Herero leader, Hosea Kutako asked an Englishman, the Rev. Michael Scott, to consult as many of the disenfranchised Africans in the territory as possible and to petition the UN on their behalf. The authorities obstructed Michael Scott as far as they could and subsequently prohibited him from returning to the territory; nevertheless he was able to deliver the petitions to the UN Fourth Committee in 1947.⁷ He continued his mission on behalf of the Hereros until his death.

In 1948 the Afrikaner Nationalist Party came to power in South Africa and the new government refused to recognize that the UN had any rights to interfere with its administration of South West Africa. The Nationalists passed an Act of Parliament soon after coming to power which permitted the whites of South West Africa to elect six members to the House of Assembly in Pretoria. In this way they set out to treat the territory as a fifth province of South Africa.

As a result the UN General Assembly sought advice on the legal position from the International Court at the Hague, in terms of Article 65(1) of the Charter. The International Court of Justice considered arguments by all interested parties – including South Africa – and delivered an Advisory Opinion in 1950.⁸ This confirmed that, while South Africa had no legal obligation to negotiate a new trusteeship agreement with the UN, the Mandate still held and South Africa was obliged to administer the country in the manner originally defined at Versailles in 1919, but with the supervisory function of the League transferred to the UN as its successor. The judges were unanimous in deciding that South Africa had no right unilaterally to modify the international status of the territory. However the South African government refused to accept this ruling and ceased to send any further reports to the Fourth Committee. Nationalist policy during the 1950s was to introduce *apartheid* in South Africa and to spread that system to South West Africa.

While the dispute became moribund in New York, the South African government entrenched their *apartheid* system within South West Africa. This involved, among other things, the wholesale removal of African communities from areas wanted for white development. The people concerned resisted these enforced moves so far as they were able. A major confrontation occurred when the authorities attempted to move the inhabitants from the 'Old Location' on the edge of Windhoek to a new and remote township called Katutura, which was to be ethnically zoned to minimize contact between people from what, under *apartheid*, have been defined as different tribes. African petitioners reached the UN to protest about the impending removal of 30,000 of their people against their will. The residents organized a massive demonstration outside the Administrator's residence followed by a total boycott of municipal facilities and services. On the evening of 10 December 1959, armed police entered the Old Location. A hostile crowd collected and the police opened fire, killing 11 and injuring 54 of the unarmed inhabitants. Soon afterwards bulldozers moved in to start flattening their houses. It seems likely that the horrors of that night did much to convince many of the people in that shanty town that their only hope of salvation lay not through negotiation and the UN, but through their own actions.

So it was possibly no coincidence that at this time the African people began organizing themselves into modern political parties. A group of South West African migrant workers in Cape Town formed the nucleus of what is now known as SWAPO (the South West African People's Organization). In little more than a dozen years this movement gained momentum and became the largest political organization in the country. Exiled Namibians have set up SWAPO offices in ten major world capitals. The OAU (Organization of African Unity) recognizes SWAPO as the representative body for the Namibian people and SWAPO representatives have given evidence to the UN. A number of smaller, but nevertheless

important, other parties have grown up alongside SWAPO. SWANU (South West African National Union) was sponsored largely by Hereros (who had taken the early initiatives in contacting the UN). The Rehoboth Basters formed their own Volksparty and the Namas sponsored the Namib African Peoples Democratic Organization.

However the outside world had not entirely abandoned the Namibians. In the early 1960s, Ethiopia and Liberia – as the only former League members in Africa other than South Africa – brought an action in the International Court of Justice to try to obtain a binding judgement against South Africa.⁹ South Africa delayed the case by claiming that the court had no jurisdiction in the matter and that the plaintiffs had no *locus standi*. At the end of 1962 the court ruled, by the narrow margin of eight votes to seven, that it did have jurisdiction. Massive amounts of evidence were presented by both sides and the examination went on for three years. In 1965 this decision was reversed amid great controversy. The result was hailed as a victory in Pretoria. It was a setback for the UN and a damaging result for the International Court, but it led to most member states of the UN to demand other, more positive, action to resolve the dispute.

On 27 October 1966 the General Assembly passed a resolution terminating South Africa's League of Nations Mandate and declaring:

'South Africa has no other right to administer the Territory and . . . henceforth South West Africa comes under the direct responsibility of the United Nations'.¹⁰

4. Development since the end of the Mandate

1966 to 1974: South Africa hangs on

The unprecedented action of the UN General Assembly, cancelling the Mandate, had little immediate practical result for the Africans within the country. But the repercussions were considerable. The greater the pressure from the UN the greater became South African reaction.

The UN appointed a Council for Namibia, as South West Africa was now renamed, to seek to administer the territory until independence. South Africa denied the right of the UN to terminate the Mandate, receiving support in this claim notably from the British, and continued to effect large scale population removals of Africans from all areas designated 'white'. South African policy for the internal development of the country was based on the so-called Odendaal Report which resulted from the work of the Commission of Enquiry into South West African Affairs that had been convened by the South African government during the early 1960s. This report advocated consolidating the African reserves into Bantustans, one for each tribal group, as in South Africa. The Odendaal Report assumed considerable importance when it was accepted in principle as a policy document by the South African government. The Odendaal Proposals involve pushing the Africans into the desert fringes, leaving the only useful farmlands on the central plateau almost exclusively for the whites. Although in recent years the so-called 'Odendaal Proposals' have been officially abandoned, the general concept defined under the plan has remained a primary policy objective. It will be shown how this has reappeared in different disguises several times, and is still not dead.

The failure of the Court and the soft-peddalling of many Western governments over the issue at the UN caused many Namibian leaders to despair of relying on outside intervention to free their country. In 1966 SWAPO exiles formed the People's Liberation Army of Namibia, PLAN, and started a guerilla war against the massive South African force that had been established, contrary to the terms of the Mandate, in the northern part of the country. In the first six years of action PLAN claims to have killed 200 South African troops. It posed no great military threat to South Africa at that stage, but it was, and still is, the only African liberation movement currently in direct conflict with South Africa's insecure whites. PLAN's activities have also considerably boosted black morale, certainly in Namibia and probably in South Africa itself. An additional spur to black morale came from a powerful radio transmitter operated by SWAPO from Zambia. This started broadcasting in early 1973, in several languages including Afrikaans, and without doubt is having a lot of impact in Namibia.

The South African government reacted in 1967, by staging a major trial of 37 Namibians in Pretoria (rather than Windhoek), for allegedly giving support to PLAN. South Africa had to apply its own terrorism laws retrospectively to Namibia in order to prosecute.¹¹ The defendants included several prominent Namibians, including one of the founders of SWAPO, Herman Toivo ja Toivo (who had earlier fallen foul of the authorities by successfully smuggling a tape-recorded petition to the UN). Ja Toivo delivered a defiant and eloquent speech from the dock, after being found guilty but prior to judgement. This dramatic speech courageously stated the Namibian case. He was sentenced to 20 years imprisonment, with no remission, on Robbin Island. This was condemned by the Security Council but ignored by the Pretoria Government, who shortly afterwards indicted and sentenced eight more Namibians in similar circumstances.

A key Security Council resolution passed on 12 August 1969 called upon South Africa to withdraw from Namibia immediately.¹² The permanent members of the Security Council have been unable to agree on methods for enforcing this resolution. The United States delegate explained that his government had urged the South African government to comply with '... an overwhelming majority of the international community', but had received a negative response. However the United Kingdom doubted the legality of the UN resolutions and felt that the UN would be acting beyond its capacity if it resorted to the sanctions available under chapter vii of the Charter. As a result the UK, US, French and Finnish members of the Security Council abstained, but affirmed their agreement to the basis of the resolution.

Pressure was placed on US and West German companies by their respective governments to withdraw from operations in Namibia. British policy has been quite different. The government decided, in 1968, that the British Rio Tinto Zinc company could go ahead with plans to develop the Rössing uranium mine and gave its blessing to the project in 1970 by agreeing a contract for the state-owned UK Atomic Energy Authority to be supplied with uranium from the mine, a contract which appears to violate the Security Council resolutions and contradicts statements made by the UK delegates at the UN. No serious official action has been taken to discourage other British participation in the territory.

Because of these contradictory reactions to the termination of the Mandate, the UN asked the International Court, in 1971, for a further Advisory Opinion to clarify the situation. The new Opinion dealt with the issues in considerable depth and included the following findings (given in a condensed and re-arranged form for clarity):

1. The termination of the Mandate by UN General Assembly resolution was legal and did not require South African consent.
2. It follows that the continued presence of South Africa in Namibia is illegal and South Africa is therefore under an immediate obligation to withdraw.
3. States that are members of the UN have an obligation to recognize the illegality of South Africa's occupation and *are to refrain from any acts or dealings with the South African regime implying recognition of a legal South African presence in Namibia*.
4. In terms of Article 25 of the Charter of the UN, *member states are obliged to comply with Security Council decisions even if they had voted against such decisions*.
5. South Africa remains accountable for any violations of the rights of the people of Namibia.

In spite of these findings, the 1970-74 (Conservative) British government took the unprecedented step of dissenting from the International Court's Opinion and continued to support normal trading relations with the disputed territory.¹³ This highly controversial step was taken with the very minimum of public debate even though it could prejudice the British position in future legal conflicts involving the IC. However in May 1973, the Labour opposition issued a policy statement pledging the termination of the contract for uranium from Rössing if re-elected. However, this pledge was not honoured during the period of the Labour government in 1974-9.

Supporters of the Namibian cause at the UN, notably the OAU members, pressed hard for action to enforce the Security Council resolution. The more conservative of the Western powers wished to restrict UN action to a process of dialogue with South Africa, and this was accepted with considerable reluctance and suspicion by African delegates. The South African government also attempted to show that African opinion in the territory was being

consulted, by forming in early 1972 an Advisory Council of chiefs and headmen nominated from the various black and coloured groups and presided over by Mr Voster.

In response Namibian nationalists formed the first National Convention and called for a unitary, independent Namibian state. Membership of the National Convention at that time included virtually all organizations and groupings having the common interest of opposition to South African rule.

The South African response was one of increasing repression, including mass floggings and arrests of political opponents in Ovamboland. This led to protests by both Anglican and Lutheran church leaders. However their protests, whether through the courts or internationally, drew no useful response from the South African government which continued its traditional policies unabated. Large numbers of churchmen were expelled from the country including three successive Anglican Bishops, Bishop Mize (1968), Winter (1972) and Wood (1975). The role of the churches in Namibia has been of great importance in the fight to implement basic standards of human rights. (The memberships of the three largest churches in 1972 were 295,000 Lutherans, 113,000 Catholics, and 50,000 Anglicans.)

Against the background of increasing repression and futile negotiations, the UN Security Council voted unanimously in December 1973 to end all further dialogue with South Africa. The Trusteeship Committee called on the Security Council to take steps to expel South Africa from Namibia. The UN appointed Sean MacBride¹⁴ as the first full-time Commissioner for Namibia at the beginning of 1974. His brief: to work through the Council for Namibia with the goal of asserting the Council's administrative mandate over Namibia.

1974 to 1976: The Tide Turns in Southern Africa

The internal and external pressures on the South African government were steadily increasing even prior to the sudden ending of the Portuguese empire in Africa. South Africa was among the most seriously affected countries during the 1973/74 oil crisis. The overthrow of the Caetano regime in Lisbon on 24 April 1974 effectively released a political log-jam that had been hindering moves towards decolonization in southern Africa. The impending independence of Angola and Mozambique would bring revolutionary black regimes to the borders of South Africa: in the case of Namibia it opened up the entire 800-mile northern frontier to incursions by SWAPO's guerilla forces.

The immediate effect was to put added pressure for change in Namibia on South Africa and to cause Mr Vorster's government to reappraise its policies. Within days of the coup, refugees began streaming out of Ovamboland into Angola, from where they eventually obtained asylum in Zambia. About 6000 refugees crossed the border in the first year alone and most are still living in camps near Lusaka and at least 70,000 (1985) are believed to be in Angola. They included the majority of opposition political activists from Ovamboland, many of whom were victims of the floggings. The new UN Commissioner for Namibia began taking steps to increase the pressure for independence and moved his primary base from the UN in New York to Lusaka. Mr MacBride initiated moves to set up a Namibian Institute in Lusaka, in order to train exiled Namibians in the skills of government and also to collect information and data on Namibia.

The Security Council passed Resolution 366/1974 on 17 December 1974, calling for South African withdrawal from Namibia, and gave South Africa a deadline of 30 May 1975 to produce a satisfactory statement of intent. For the first time, the Security Council voted unanimously, having gained the support of the UK and France.

With pressure from the UN and independence in Angola scheduled for November 1975. Pretoria was therefore urgently seeking a formula by which an internationally acceptable form of Namibian independence might be arranged, but excluding SWAPO, and avoiding any substantial internal changes. The idea of a sub-divided 'federation' under white domination was still clearly a primary objective. This emphasis on ethnic groups implied that, in practice, the desired objective was to establish individual non-viable 'homelands' (as originally envisaged under the Odendaal Plan).

Prime Minister Vorster then launched out on a new tactic. This consisted of the formation of a major constitutional conference to

steer Namibia towards independence. The Constitutional Conference was immediately dubbed the 'Turnhalle Talks' by the press, after the former German Army drill hall in which meetings were held, and it was organized on a completely ethnic basis. No national organizations were allowed to attend, only groups identified with one or other of the South African-defined ethnic groups. As a result SWAPO was effectively excluded, despite the fact that it is recognized by both the UN and OAU as the authentic representative of the Namibian people.

By early 1975 the South African government had taken elaborate steps to establish the Turnhalle Talks and to give them credibility as a means towards moving Namibia into an 'internationally (i.e. Western) acceptable' independence. Strenuous efforts were made to woo a number of African leaders who would not appear to be government lackeys into the Turnhalle Talks. The key figure was Chief Clemens Kapuuo, an outspoken opponent of South African rule in the past who had become disaffected by SWAPO. The authorities gave him a passport in 1974 (opponents of the regime normally had to leave illegally and go into exile or face arrest on their return). Chief Kapuuo then began a series of foreign trips in the company of other 'ethnic leaders' during which they sought to convince the UN and the main western governments involved in the dispute that they, rather than SWAPO, represented the Namibian people. Kapuuo, who had been a founder of the National Convention alliance against South African rule, thereby caused the break-up of the original National Convention - although he and his associates reformed a new organization with the same name consisting of Turnhalle supporting organizations. The anti-Turnhalle group, including SWAPO, formed, as will be described in more detail, the Namibia National Convention or NNC as their own front organization, opposing the Turnhalle Talks.

As the 30 May deadline given in the Security Council resolution approached, the South African authorities announced the repeal of the pass laws in Namibia, or at least their modification, in that new identity documents replaced the hated 'Reference Books' or passes. Restrictions on movement between sealed-off Northern 'homelands' and the south remained, for whites as well as blacks. Some 'petty apartheid' laws, such as the removal of 'whites only' signs in public parks were also cancelled at this time. The ineffectiveness of the widely publicized reforms was not widely appreciated outside Namibia.

It became clear later that throughout the period of detente, South Africa was deploying armed forces in greatly increasing numbers in the sealed-off northern 'homelands' in an attempt to crush all resistance, particularly the annoying incursion by SWAPO guerrillas. Construction of a large new military base, strategically placed at Grootfontein, not far from the mining town of Tsumeb, began in late 1975 and a major military highway was slashed through the bush a distance of some 450 miles from there to the secret airbase at Katima Mulilo hidden in the remote Caprivi panhandle. The South African defence budget rose from R480 in 1973-4 to R1350 in 1976-7.¹⁵

Repression against SWAPO and other opposition groups became more severe after the assassination of Chief Elifas, the Chief Minister of the Ovambo 'homeland', who was shot dead by gunmen who were never caught or identified. His death was a signal for a nationwide crack-down on anti-government dissidents. Later a number of SWAPO supporters and officials were brought to trial charged with complicity, rather than direct responsibility, for the shooting. Two were sentenced to death in May 1976 after being found guilty of indirect involvement in the chief's death.

Two weeks later, on 1 September, the Turnhalle Talks opened and then proceeded extremely slowly for the best part of the following two years. Delegates only spent a limited proportion of their time in session, for example the full assembly only met on 32 occasions up to the following June. Much of the rest of their time was spent touring the country seeking to popularize the Turnhalle Talks among the inhabitants of their 'homelands'. Essential issues for a future constitution, such as whether universal adult suffrage would be introduced, were not discussed by early sessions: instead the talks concentrated on a wide variety of peripheral issues and made a number of recommendations on such things as a minimum wage for farm labourers (which was immediately rejected by the white employers' organizations). The inception of the long-awaited Constitutional Conference, Mr Vorster's main tactic behind his policy for Namibia during the diplomacy of detente, coincided with the collapse of credibility of this policy and the fading of hopes that

had previously been raised. Détente was more or less finished but, in the absence of any alternative policy, the talks went on.

By now, on the eve of the final Portuguese withdrawal, full-scale civil war was raging in Angola, of an intensity unknown in Africa since the Congo crisis. The feuding in Angola was fuelled when South Africa began covertly (at first) supporting UNITA under the leadership of Dr Jonas Savimbi against the Soviet-supported MPLA headed by Dr Agostinho Neto. Upwards of 20,000 South African troops were concentrated in the border region in anticipation of SWAPO extending its area of operation from Caprivi into Okavango and Ovamboland by using bases in Angola as well as Zambia. The expected escalation in hostilities began in October 1975 and South Africa soon afterwards announced it was going to apply the dubious principle of 'hot pursuit' to justify chasing SWAPO forces into Angola. An invasion was launched.

South African forces finally bogged down and met serious defeat just short of Luanda. The news of this was a traumatic shock for the whites of southern Africa as the world press witnessed young South African conscripts being paraded as prisoners along with a motley bunch of murderous Western mercenaries who had fought with Holden Roberto's defeated FNLA. SWAPO too, which had been neutral earlier, was forced to take an anti-UNITA position when it became clear that UNITA was repaying South Africa by attacking SWAPO, no doubt on instructions from SA commanders. The South African forces were withdrawn from Angola accompanying an evacuation of whites and UNITA-supporting blacks in January 1976. MPLA alleged later that South African and UNITA forces had pillaged and destroyed many towns and villages during their retreat and that numerous caches of arms had been hidden for returning UNITA guerillas to make use of. The South African forces began the major task of clearing a so-called 'free-fire zone', 1 km wide, for the full length of the land frontier with Angola. Anyone seen moving in this zone was liable to be shot on sight. The cleared strip passes through one of the most densely populated areas of Ovamboland, and its creation required the forcible removal of whole villages and thousands of people.

Defeat in Angola coincided, not entirely by coincidence, with an upsurge in black opposition within South Africa itself, starting with the widely publicized school-children's riots in Soweto near Johannesburg on 10 February 1976. Rioting and unrest spread rapidly to Cape Town and many other parts of South Africa and have recurred at relatively frequent intervals ever since.

On the external front, the Security Council delivered a new ultimatum with Resolution 385/76 passed unanimously, on 30 January 1976. This important resolution called, among other things, for free elections held under UN supervision and control, giving 31 August 1976 as a deadline for South Africa to make the necessary preparations. As the deadline approached, the Turnhalle Talks had produced little: the committee which actually was intended to draft a constitution had only been formed by March 1976 and progress was painfully slow. Mr Vorster then threatened to impose his own government's constitution unless the Turnhalle delegates pulled something out of their hat quickly. Clearly, South African policy was reaching another watershed and was ready for another change in the struggle, if not to hold on to Namibia, at least to control its destiny. Much of the reason for this new urgency, was that the opposition from black and brown Namibians was organizing itself and making headway.

The Namibian opposition to South Africa: SWAPO and the NCC

SWAPO had by 1975 joined with a number of other like-minded groups, all opponents of the ethnically-based Turnhalle participants, to form the Namibia National Convention (NNC), as a front organization. The NNC comprises primarily SWAPO, SWANU, the Rehoboth Basters' Volksparty, the Damara Tribal Executive, the Democratic Co-op Party and the National African People's Democratic Party (NAPDO). The NNC has been continuously outspoken against the Turnhalle Talks, claiming they are a tactic of the South African government to install a 'puppet black government in an ethnically divided Namibia'.

SWAPO is clearly by far the most significant member of the NNC in terms of both numerical support and its ability to pressurize the South African government internationally and militarily as well as through internal political activity. SWAPO claims widespread support throughout Namibia, while South Africa often claims that SWAPO is an Ovambo organization, on the grounds that the party

was formed in the late 1950s by contract labourers (who happen to be almost exclusively Ovambos), and that it obviously has a lot of support in Ovamboland. There is little doubt that SWAPO today genuinely does have support all over Namibia, from almost every population group. Until genuine free elections are held, the true size of SWAPO support can only be estimated on the basis of circumstantial evidence. Despite the fact that the authorities have never banned SWAPO, and membership is theoretically perfectly legal (an extraordinary situation since South Africa has banned virtually all militant black opposition groups within the Republic itself), the civilian SWAPO membership suffers considerable official harassment, so that ordinary members are inclined to be discrete about their political affiliations.

Pretoria contends that SWAPO is concerned primarily with Ovambo interests. There is no doubt that SWAPO has more Ovambo members than from any other group, but then nearly half the population of Namibia is Ovambo, so this only reflects the population of the country, just as the membership of all national British political parties is predominantly English for the same reason. SWAPO certainly contains a large proportion of non-Ovambos in its senior leadership, both in the country and in exile. There is also widespread and almost certain majority support for SWAPO in the southern and central parts of Namibia where few Ovambos are to be found.

A confusing element in SWAPO's structure is its division into 'internal' and 'external' wings. The quotation marks are used, as SWAPO itself is at pains to insist that it is one united organization, the external wing being a result of South African policies. But, the South African authorities differentiate strongly between the two wings and this is the rationalization which allows them to leave SWAPO unbanned while fighting a war with its guerilla forces. The President, who is in exile, Sam Nujoma, is regarded by the South Africans as a 'terrorist', while the Chairman is a post usually held within Namibia. Mr David Merero was Chairman until 1976 when, following frequent periods of detention, accompanied by solitary confinement and torture, he fled the country into exile and was succeeded by Mr Daniel Tjongarero, following an election at a conference on 28 March 1977 at Katutura. Mr Tjongarero, who was for some time a prominent SWAPO spokesman and was also Publicity and Information Secretary for the NNC, is also no stranger to South African prisons as a result.

South African government sources have frequently been on record as branding SWAPO 'communist' (which makes the failure to ban it all the more extraordinary, since membership of any organization deemed to be 'communist' by the authorities is illegal in South Africa and theoretically also in Namibia – the quotation marks are again used advisedly, since the definition of an organization as 'communist' for legal purposes in South Africa is a government prerogative). Occasionally the Western press has added weight to this assertion, possibly because of SWAPO's use of Soviet and other Eastern Bloc weapons for their military campaign (this being an inevitable source of supply, since no western government has given military aid, although several have given SWAPO substantial financial support – Sweden being the most generous, having donated over £1 million in aid). Until 1976, Mr Vorster always ruled out having any direct dealings with the exiled SWAPO leadership.

J. H. P. Serfontein, a prominent Afrikaner journalist in close touch with both the Nationalist establishment and the Namibia issue¹⁶, who travelled widely in 1976 to interview SWAPO exiles and UN officials in order to see both sides of the problem, came back from his travels convinced that he had been mistaken about SWAPO when before his trip he had written along orthodox South African lines accusing the movement of being 'irresponsible' . . . 'strongly influenced by communists' . . . 'with little genuine support' . . . and so on. In his book he writes that SWAPO's draft constitution is a 'model of moderation' and he is insistent that SWAPO is non-aligned and that its leaders are reasonable Namibian nationalists. He points out that 'Christian' might be a better adjective, as the black churches, notably the Lutheran, Anglican and Roman Catholic denominations, are closely associated with SWAPO and that virtually all the Bishops and church leaders are on record as supporting SWAPO's objectives (and three white bishops have been deported as a result).

SWAPO's draft constitution and other policy statements by its spokesmen, suggest that the movement stands for an essentially egalitarian socialist system with a non-aligned stance in inter-

national affairs. For example, Theo-Ben Gurirab, SWAPO's Secretary for Policy Matters, said:¹⁷

'SWAPO does not seek to impose itself on Namibians... our very demand for national elections under UN supervision and control, implies that SWAPO acknowledges the existence of other political tendencies.'

Tacit support for this contention comes from SWAPO's choice in uniting with potential rivals in the NNC. SWAPO has always strongly stressed a commitment to non-racial, non-tribal policies. As far as the white population under a SWAPO regime is concerned, numerous SWAPO leaders are on record making it clear that they are committed to equal rights for people of all races and that whites will be both needed and welcome in Namibia. Sam Nujoma said in a 1977 interview,¹⁸ 'we shall invite the whites to stay in Namibia and we shall also protect them both collectively and individually if they adhere to our laws'. He went on to criticize the present white community for failing to identify with the liberation movement - 'we are not fighting against the whites... but against a racial system of oppression.'

SWAPO insists on a number of pre-conditions before it will negotiate for independence; namely, free and democratic elections under UN supervision and control (the single word 'control' is a vital one that has been a major sticking point for the South Africans who seek to impose their form of control), the withdrawal of South African armed forces and police and the release of all political prisoners and detainees, free return of exiles, dismantling of discriminatory legislation, cover the main requirements. SWAPO acknowledges that the unanimous Security Council Resolutions 385 and, later, 435 encompass these sufficiently and regard the terms of these resolutions as minimum conditions. They are obviously concerned that any watering down of the terms might lead to stage-managed independence elections under South African control.

If elected to power, SWAPO says they would seek to join the OAU, the UN and the Commonwealth. Although they would probably support a mixed economy several SWAPO spokesmen commented that they are likely to react harshly to foreign multinational companies that have persisted during the pre-independence period in defying the United Nations Council for Namibia's *Decree for the Protection of the Natural Resources of Namibia* (1974) which provides for penalties against firms or individuals producing, exporting or marketing Namibian resources without the Council for Namibia's prior consent.

There have been some problems within SWAPO between different factions and personalities. For example controversy surrounds the arrest of eleven SWAPO members in exile in Zambia during April 1976. This group included the former Secretary for Information, Andreas Shipanga, and a number of other prominent people. There were reports that some Namibian refugees were restricted to a camp in Zambia after complaining about SWAPO leadership. Shipanga was later transferred from Zambia to Tanzania where he was detained for a number of years. The SWAPO leadership insists that Shipanga and his associates were in the pay of South Africa and were seeking to disrupt SWAPO. It is impossible to prove or disprove these various allegations and it is likely that there are a number of genuine SWAPO dissidents in Zambia. However it seems that the leadership is firmly in control of the party and enjoys the support of the majority of SWAPO followers both inside and outside Namibia.

1976 to 1979: Western pressure and South African procrastination

Many interpreters regarded early 1976 as a major new watershed in South African government policy towards Namibia; the period when it was finally decided to cease procrastinating and change the status of 'South West Africa' to 'Namibia' as quickly as possible, on the best possible terms from Pretoria's viewpoint.

Defeat in Angola caused a complete reappraisal leading to yet another approach. Mr Vorster hinted that he would not 'stand in the way' if SWAPO was prepared to attend the Turnhalle Conference. But there was no let up in the official campaign of harassment and arrests directed at SWAPO and NNC activists and supporters. In the meantime, having been urged to speed up, the Turnhalle delegates convened a Constitutional Committee which dutifully delivered its set of constitutional proposals in good time for the Security Council's 31 August deadline. Ten years earlier the proposals would have seemed excitingly progressive, but by mid-1976 they were disappointingly ambiguous and hinted at the same old ethnic divisions envisaged under the Odendaal Plan of the early

1960s. One major new move emerged in the recommendation that Namibia should become independent on 31 December 1978 and that a provisional, multi-racial, interim government should be appointed to preside over the transition to independence. The make-up of such an interim government was to be the next area for the delegates to study and make recommendations.

The proposed interim government, expected to consist of South African-approved tribal leaders and appointees, was immediately condemned by both the UN Council for Namibia and by SWAPO and the NNC, as another tactic to establish a quasi-independent client state of South Africa. Pretoria had once again failed to meet the Security Council's demand for free elections, but by pulling an independence date out of the hat, had attempted to postpone a serious showdown. In this they succeeded in the sense that the UK, France and the United States used their vetoes on 19 October 1976 to kill a further Security Council resolution seeking to impose a mandatory arms embargo on South Africa.

The three Western powers concerned clearly were unhappy at using their vetoes to bale out South Africa again, and started a new diplomatic initiative in an attempt to pressure South Africa into accepting that there can be no internationally acceptable solution which excludes SWAPO from the independence proceedings, and that any purely Turnhalle-based interim government would not be recognized. Two new developments helped to increase the credibility of this approach: firstly the new interest in Southern Africa shown by the Administration of President Carter, and especially by Andrew Young, the US Ambassador at the UN; secondly the failure of South Africa's first attempt at bestowing a form of quasi-independence on the Transkei Bantustan in 1977 which, despite a major publicity campaign in the Western press, totally failed to be recognized as an independent state. Another problem facing South Africa at this time was a further major escalation in the fighting on the northern border against SWAPO.

At this stage, five Western powers, Britain, Canada, France, the USA and West Germany - jointly known as the 'Contact Group' - set up negotiations at Ambassador level in Cape Town to try and persuade the South Africans to drop their interim government plan and to comply urgently with the requirements of the UN resolutions. For good measure, the nine EEC countries delivered a note to the South African government on 8 February 1977, stating *inter alia* that the Namibian people should decide the 'political and constitutional future of the Territory as a whole, through a fully democratic process under the supervision of the United Nations'. The West German government, following representations from SWAPO, also independently confirmed that it would not recognize any independent or interim government that excluded SWAPO.

South Africa was by now hurrying to establish an interim government that did exclude SWAPO, apparently in the hope of presenting the world with a *fait accompli* that would be difficult to undo. Signs that policies of the 1960s were continuing to be implemented were moves to consolidate the tribal 'homelands'. Eastern Caprivi became 'self governing' with its own flag and national anthem but precious little else, aptly, on April Fools Day 1976. Rehoboth was given a similar status on 28 April 1976; 'Advisory Councils' were set up to rule Namaland and Bushmanland in July and October 1976. Mr Vorster officially dropped the Turnhalle and the proposed interim government, when, on 10 June 1977 following considerable pressure from the Contact Group, he announced that he would appoint an Administrator-General to rule over the territory until a Constituent Assembly could be elected to achieve independence. Mr Vorster had also made a number of other concessions to the Contact Group, notably: a UN representative could be present during elections (although he rejected UN supervision and control); political prisoners would have their fate decided by a panel of four jurists, two of whom would be South African and two UN nominees, the chairman with a casting vote to be a UN nominee; and South African troops could be withdrawn in stages. The Contact Group and the Western press initially interpreted this development as a major achievement which could lead to the establishment of an internationally acceptable government, and efforts were made by the Contact Group to brief SWAPO on developments and to gain their support, with a measure of success.

However, developments within Namibia tended to belie the hopes of a new breakthrough and optimism faded during the latter part of 1977. Self-government elections for Damara and Rehoboth

'homelands' were announced within weeks of the 'dropping' of the Turnhalle ethnic plans. More sinister developments included the announcement that no less than eleven ethnic armies were to be trained up as quickly as possible by the South African forces, so that South African Security forces could eventually officially withdraw and hand over to diverse groups with a vested interest in maintaining power by force.

New legislation was rushed through the South African parliament as the South West Africa Constitution Amendment Bill, under which almost dictatorial powers were handed to the South African President, Dr Diederichs, to make or repeal laws by proclamation in the territory. Simultaneously a new bomb-shell was dropped when Mr Vorster made it clear that South Africa intended to retain the Walvis Bay enclave and a number of off-shore uninhabited islands as South African territory on the grounds that prior to the First World War the enclave and islands had been British rather than German. Both would be vital to an independent Namibia, since 90% of the territory's exports pass through Walvis Bay as it is the only deepwater port capable of handling modern cargo ships. Possession of the offshore islands carries implications of ownership of the bulk of the valuable fishing waters off the Namibian coast. In other words, continued possession of Walvis Bay would present South Africa with a stranglehold on an independent Namibia. Significantly, one of the largest military bases in Namibia is at Rooikop, within the enclave, while a new 40Mw thermal power station is under construction (by a British consortium) there too, so the enclave will have its own guaranteed source of power and defence. This move was condemned by both SWAPO and the Turnhalle delegates. Nevertheless, Mr Vorster went ahead regardless, appointing a High Court judge, Mr Justice Marthinus Steyn as the new Administrator-General as from 1 September 1977 and simultaneously, by the same proclamation, removing Walvis Bay and the offshore islands from his jurisdiction to that of Cape Province, from where they had been administered from 1884 to 1922. Mr Vorster then took a tough line in threatening to break off any further discussions with the Contact Group if the Security Council were to challenge 'South Africa's ownership of the territory' (Walvis Bay).

South African reactions to the Contact Group had predictably hardened during this period. In October 1977 it was reported¹⁹ that Mr Vorster's government had decided to hold elections in March 1978 in Namibia for a Constituent Assembly. Later this date was postponed until December 1978. The South Africans said that a UN military observer presence would be permitted, but that South African troops would not be withdrawn prior to the elections and that if SWAPO did not agree to Pretoria's terms, which were calculated to be unacceptable, then the election would go ahead without SWAPO participation. Even the UN military observers would only be allowed into the country if SWAPO agreed to cease hostilities and dismantled all the land-mines laid within the northern military zone. If the ceasefire was still honoured after two months, South Africa would begin a gradual withdrawal of troops, any complete withdrawal being subject to negotiations with the elected government. This was tantamount to 'blowing a raspberry' at the Contact Group, the UN and SWAPO.

Since SWAPO would not agree to a reduction in the conditions demanded under Security Council Resolution 385, and later 435, (i.e. withdrawal of all SA troops, elections under UN supervision and control, release of all political prisoners, repeal of repressive and discriminatory legislation), there was no prospect that unilateral elections would resolve anything in the long term.

The elections were held in December 1978 and were 'won' by the Democratic Turnhalle Alliance (DTA) with 41 seats out of a possible 50. The DTA consisted of conference delegations from eleven officially recognized 'population groups'. A minority faction of the SWA National Party which broke away in 1977 under the leadership of Dirk Mudge became the most influential component of the DTA and Mudge, a liberal in South African white terms, has remained DTA chairman ever since. The National Party formed its own electoral pact with several minor, tribally-based parties, known as AKTUR - Action Front for the Retention of Turnhalle Principles - and won 6 seats in the assembly, with the remaining two won by the Namibia Christian Democratic Party (NCDP), which has mainly Catholic support from Kavangoland. The National Party in Namibia is now closer to the policies of the Conservative Party set up by Dr Andreas Treunicht to oppose the 'reformist' policies of P. W. Botha than the

mainstream of the ruling South African National Party. However, since the elections were boycotted by SWAPO and allied parties and were characterized by widespread voting irregularities and intimidation, they had no recognition internationally. The South African attempt to impose an interim government had failed but so had Western pressure to effect an internationally acceptable settlement which would recognize SWAPO in any negotiations. The stage was set for yet further confrontation to determine the future of Namibia.

Part II - RECENT DEVELOPMENTS

1. International Diplomacy

If progress towards a Namibian settlement were to be measured in terms of resolutions in international fora and declarations of intent by the powers concerned, then independence should belong to Namibia today. That international initiative can resolve the Namibian situation was demonstrated by the situation in Rhodesia (Zimbabwe) in the years immediately before independence. There the combination of a bitter 'bush war' allied with declining white morale and constant pressure towards a settlement by the UN and outside powers was crucial in paving the way towards internationally supervised elections, which, despite alleged irregularities by both sides, resulted in an overwhelming victory for the militant nationalists led by Robert Mugabe. When the political will exists, therefore, a settlement is possible. In the case of Rhodesia/Zimbabwe, the Western powers, in this case the UK and the US, saw a ceasefire and elections as the best option in what for them was a no-win situation. South Africa, too, had to reluctantly concede to this situation, although as late as December 1979 it was declaring that no outcome which was favourable to the forces of the Patriotic Front (especially Mr Mugabe) would be acceptable to it. The independence of Zimbabwe has brought yet another black-ruled state to the borders of South Africa, and placed further international pressure on South Africa to change its internal structure. An independent Namibia would be in a similar position. Yet the apartheid state remains intact within South Africa, and despite some constitutional change and massive protests within by non-white groups, there is no evidence that it will change substantially in the immediate future. The questions that need to be asked therefore are twofold; firstly, why does not the political will exist to bring about a Zimbabwe type settlement in Namibia, and secondly, what are the true intentions of South Africa as regards an independent Namibia?

The most important statement of intent and one which has governed all diplomacy on Namibia since its inception, is Security Council Resolution 435 adopted in September 1978. This resolution was the result of Western pressure through the 'Contact Group' which had negotiated with SWAPO and gained their agreement for the proposals. The plan involved a ceasefire, followed by a 7 month transitional period during which South African troops were to be reduced to 1500 supervised by the UN peacekeeping force (Untag) and an election campaign monitored by a civilian contingent with electoral arrangements to be decided jointly by the Special Representative for Namibia (appointed by the UN Secretary-General in July 1978) and the South African appointed Agent General. Initially this plan was an attempt to get South Africa to call off its elections scheduled for December 1978, designed to create an 'interim government'. Since these elections did not include SWAPO or any of its allied parties, they were not recognized by any nation other than the South Africans themselves and were declared 'null and void' by the Security Council. The Resolution 435 superceded Resolution 385 and was considerably tougher and more specific as to the mechanism for creating an independent Namibia. At the beginning of 1979 a UN team visited Namibia to prepare a detailed plan for the implementation of the Resolution. This involved the setting of a ceasefire date and the creation of a demilitarized zone (DMZ), where SWAPO troops would be disarmed, and the withdrawal of South African troops enabling the UN force to effectively take control while elections took place. This plan was constantly delayed by South African procrastination on the main points of implementation. There was a refusal to accept the concept of a DMZ, then a refusal to accept UN monitoring of future elections on the grounds that it was not

impartial. In the meantime within Namibia South Africa began implementing its own plans for Namibia's future, including the establishment of second tier authorities, a new 'National Assembly' and the extension of conscription to the African population. (See following sections for details.)

Much of the pressure behind the moves to contract a settlement on the basis of Resolution 435 came from the Contact Group of Western powers, eager to implement a settlement on peaceful terms with South Africa. At a UN Conference in Geneva in January 1981 SWAPO stated its readiness to sign a ceasefire immediately and co-operate fully with the UN. But again this was rejected by the Namibian 'government', the DTA and the South Africans themselves. African frontline states called for the UN to implement economic sanctions against South Africa to force it to implement Resolution 435. For a time it appeared that this call might be heeded by the UN, thus forcing the most decisive action yet against South Africa by the international body.

Such a course was not taken. This was largely due to the change in US policy towards Africa by the incoming Reagan administration in 1981. The main architect of this policy was the new Secretary of State for African Affairs, Dr Chester Crocker, who began a policy of 'constructive engagement'. In effect this was intended to leave the door open to Pretoria to talk, whereby the US would act to influence change both within South Africa and in regard to Namibia. One of its first results was the US joining with the UK and France to veto the draft Security Council Resolution on sanctions against South Africa. It soon became clear that the US saw 'constructive engagement' not as an instrument of change but as a major weapon of US foreign policy in the region. This emerged after the May 1981 meeting between Secretary of State General Haig and South African Foreign Minister 'Pik' Botha (and was confirmed by Vice President George Bush in November 1982) when a new policy of 'linkage' was initiated. This policy attempted to tie a withdrawal of South African troops from Namibia to a simultaneous withdrawal of Cuban troops from Angola. This was part of the new hawkish policy of the US and the priority given by Reagan to the 'rolling back of communism' worldwide. It posed a new dilemma for the parties concerned. For the UN, the Contact Group and SWAPO, still quietly negotiating on the details of implementation of 435, it proved an insuperable obstacle to practical change. SWAPO and the frontline states had accepted most of the constitutional and military details of the Western plan and in August 1982 had entered into 'proximity talks' with the Contact Group and South Africa in New York over outstanding details. SWAPO has since accused the US and Contact Group members of selling out to South African interests. The Contact Group itself was weakened after the (then) French Foreign Minister, Claude Cheysson, refused to confuse the decolonization issue with the removal of troops from Angola. It is not only Third World and soviet bloc members of the UN who are increasingly concerned at the continued delay in implementation of 435; many moderate Western nations have also voiced their disquiet at the use of the 'linkage issue' by South Africa for its purposes of hanging on to Namibian territory. For Angola there has been considerable pressure to modify its internal policies. An independent Namibia, free of South African forces, would at last give the MPLA government a chance to concentrate on its ruined economy and, even more importantly, to end the civil war in the south of the country against rebel UNITA forces. Yet there is also a grave danger that withdrawal of Cuban forces would endanger the survival of the government. UNITA strength has grown considerably over recent years, partly because it has some genuine support within Angola (partly along ethnic lines) but also because it receives considerable logistic support from South Africa - support which shows no sign of ending. UNITA has also received some moral support from the US and have expressed the view that a coalition MPLA-UNITA government in Angola would be the best means of achieving regional peace. The linkage question has given a new and powerful negotiating weapon into the hands of South Africa for they are now able to claim that they can only act reciprocally with Angola.

Concurrently with its procrastination on 435 South Africa has entered a policy of reaching separate agreements with various of the frontline states. South Africa signed an agreement in February 1984 with Angola, the Lusaka Agreement, and in March 1984 with Mozambique, the Nkomati Accord. In each case there was agreement by South Africa to withdraw any support for opposition

movements and, in the case of Angola, to withdraw South African troops from Angolan territory within 30 days. In return the two countries agreed not to give practical support to African liberation movements whether in Namibia or South Africa itself. At the time of signing the Lusaka Agreement South Africa made great play of its benign intentions towards Namibia declaring that it had never been regarded as part of South Africa and that its people should have the opportunity of 'developing towards self-determination'. Yet there was no immediate withdrawal of South African troops from Angolan territory as promised, and given the perilous security situation in Angola, there is little possibility that Angola, with or without Cuban troops, will be able to force them to leave. The Soviet Union has warned South Africa (January 1984) that it will not tolerate an attack which threatens to overthrow the Luanda government, but that government has been effectively neutralized by South Africa's delay in implementing the Lusaka Agreement. In the meantime Angola, like many countries in Africa, faces a desperate economic situation, including the most severe drought for many years. The signing of the Lusaka Agreement meant that PLAN forces had to leave Angolan territory. Many crossed back into Namibia where they have concentrated their efforts in the field of guerilla warfare and sabotage while other units have moved further north to assist Angolan forces against UNITA. However the loss of its Angolan bases has been a major military setback for SWAPO and its capacity for decisive military action now appears much depleted. In Mozambique too, South African promises have been broken as Renamo rebel forces continued to be supplied, funded and trained from South Africa.

It has become apparent that 'constructive engagement' has failed as a policy designed to bring South Africa into a new African consensus on Namibian independence. Rather South Africa has used the last four years as a manoeuvre to delay any substantive moves towards independence. There is no doubt that Crocker has used a great deal of diplomatic skill and patience in his efforts to bring together representatives from all sides for a series of meetings; including a direct meeting between SWAPO representatives and South African officials in Cape Verde in July 1984. Such pressure and patience might have had some rewards had Crocker merely acted as an independent and honest broker. But it has been very apparent that the USA has been more interested in following overall foreign policy objectives of 'rolling back communism' than the practical details of gaining independence for Namibia. Nor has the USA used the linkage issue in any way likely to benefit Angola for it has nothing to offer the Luanda government in exchange for the removal of its only effective military protection. There are signs that even Crocker is losing patience with South Africa. He has made it clear that unless the South Africans agree to a compromise arrangement with Angola on the issue of troop withdrawal then the USA would be reluctant to continue to act in a negotiating capacity at all. Then the whole question of Namibia might be returned again to the UN General Assembly, which would see the end of diplomacy as the signal for new, tougher measures against South Africa. But many in South Africa believe that Reagan will not desert them altogether, and that while he remains as President, Namibian independence will remain a secondary issue to the anti-communist crusade.

The question remains as to what is the true aim of South Africa's policy towards Namibia? Are there military and security considerations which prevent a withdrawal of their troops from Namibian territory? Is it a deep-seated fear of 'communist influences' coming from independent black Africa which imperils their foreign policy? Is it a psychological response from the Afrikaner laager mentality? Yet, realistically, it might be asked what threat an independent Namibia poses to South Africa. Economically South Africa would continue to dominate its economy - especially given that it will probably retain control over the Walvis Bay enclave. Militarily PLAN will not be able to challenge the might of the South African forces. Given the immense damage inflicted on Namibia by its long history of military occupation the first task of any independent government must be resettlement and rehabilitation of refugees, both external and internal, a settling of the land question and the harnessing of the country's immense economic potential towards growth that will benefit its deprived majority population. Like the other frontline states Namibia will continue its moral and diplomatic support for liberation movements in South Africa itself but its practical support will be limited. South Africa has learned to live with Zimbabwe, however uneasily. There is no reason why the same could not

happen also with Namibia. Yet it would be wrong to underestimate the fear and racial insularity of the Afrikaner. An independent Namibia would be one step nearer to a dismantling of the whole apartheid system, a system which is under immense pressure from within South Africa. It is this – most of all – that provides the impetus behind South African actions in Namibia.

2. Internal Developments

Political events in Namibia since the latter 1970s have been characterized by three main themes: the establishment of a purportedly autonomous administration responsible to the South African appointed Administrator General (AG); Pretoria's attempts to foster a political alternative to SWAPO; and the growth in SWAPO's political support across the racial divide.

In September 1977, the first AG appointed by Pretoria, Judge M. T. Steyn, was vested with extensive executive and legislative powers to amend, repeal and make new laws by proclamation and to continue to apply existing South African and local legislation as he deemed fit. Although in terms of the agreement reached between Pretoria and the Western 'Contact Group' the AG was installed in Windhoek specifically to prepare conditions in the territory for the holding of UN supervised elections, in practice the AG's role has effectively been to execute South Africa's strategy in Namibia as colonial governor. Under Judge Steyn, the process whereby Namibia had been effectively incorporated into South Africa as a fifth province in terms of the SWA Affairs Act of 1969 was put into reverse. A gradual transfer of government functions formerly exercised directly by ministries in Pretoria was effected in terms of a general enabling proclamation issued by the South African State President, under which the AG could set up departments in Windhoek to control Namibian matters. However a 1978 study by lawyers at the office of the UN Commission for Namibia pointed out that although formal responsibility was transferred to the AG, in practice ministries in Pretoria retained a considerable degree of influence, through civil servants seconded from South Africa and the continued application of South African laws and regulations.

This process was taken a stage further under Steyn's successor, Dr Gerrit Viljoen, appointed during 1979. By early 1980 there were ten 'directorates' in existence, dealing with virtually all government functions, with the exceptions of defence, foreign affairs and internal security which remained directly under Pretoria's control. In July 1980, the Government Service Act, which provided for the organization of an independent government service in Namibia came into effect, which involved the retitling of the directorates as departments and the establishment of a new Department of Inter-State Relations, whose main function has been to promote contacts with amenable African and other foreign governments.

This process of administrative restructuring dovetailed with Pretoria's strategy of granting 'self-government' under the control of a Namibian party politically acceptable to South Africa's rulers and to the outside world, particularly the 'Contact Group'. Yet the 1980s have seen no viable alternative to SWAPO emerge. This must be seen as inevitable given the tactic employed by South Africa to achieve its ends – firstly to severely limit the powers which can be independently exercised by an elected group within Namibia; secondly to set up a parallel power structure based on discredited ethnic lines which has proved both to be divisive and inefficient; thirdly to limit the numbers of those who are allowed to participate in either structure to those considered politically reliable; fourthly to undermine the unity and credibility of the political groups within these structures, leading to their collapse; and, finally, out of the ruins of a discredited political strategy, to attempt to build up yet further political alliances. By these tactics South Africa has given the illusion of creating a new political structure while playing for time.

Although the Turnhalle constitutional conference was wound up in 1977 it had already adopted a constitutional plan for an ethnically-oriented three tier government, and this had subsequently been implemented. In May 1979 the Constituent Assembly was transformed into a National Assembly, with limited legislative powers. While it was given authority to appeal and amend all existing legislation, including laws enacted by the South African parliament, its legislative proposals required the consent of the AG to become law. In addition the assembly could not deal with matters falling within the areas of defence, foreign affairs, the

territory's international status, law and order and its own status. This division of powers ultimately doomed the whole self-government strategy, as the DTA leadership, while remaining basically pro-South African and anti-SWAPO, became increasingly frustrated with its impotence to implement more than limited reforms to existing apartheid practices, which undermined what credibility they had enjoyed to begin with.

In June 1979, an advisory council drawn from the DTA leadership was appointed as the first step towards the establishment of the new constitutional dispensation. Dr Viljoen submitted draft proposals to the Assembly which were endorsed without amendment and in July 1980 a central government comprising a 12-member legislative body was established. Its members were all DTA members, drawn from each 'population group', with Dirk Mudge elected by the Assembly as chairman and from then on generally referred to as Namibian Prime Minister. As head of the executive authority the AC retained overall control over the council's decisions and could veto executive decisions taken by the council and legislation drafted by the Assembly.

The 1980 elections reflected the apogee of the DTA's power, but this success soon turned sour. At the same time as establishing the central government, the AG also put into effect a second-tier structure of government for each of Namibia's officially-classified ethnic communities, in terms of a general enabling law, Proclamation AG.8 of 1980. Although debated and approved by the Assembly, the widespread powers granted to the second-tier soon became a bone of contention. Under the proclamation, each population group received its own ethnic government entitled 'representative authorities'. To make the proposals more palatable to international opinion, the geographical emphasis of the 'homelands' policy, which had been condemned as an attempt to fragment Namibia, was dropped in favour of a definition which characterized each representative authority as responsible for matters pertaining to a specific 'population group' wherever resident. But this was undermined by the fact that the administration centre for each African group was in the previously proclaimed 'homelands' or 'tribal areas'. Each authority consists of a legislative assembly and executive committee with control over a wide range of matters – including education, health, housing, social welfare, agriculture, land, civil defence and internal security – with the National Assembly barred from passing legislation in these areas.

To make the exercise seem more democratic, Dr Viljoen had announced in December 1979 that elections would be held for each second-tier authority. These took place in November 1980 but were limited to only five groups. SWAPO and most Namibian parties boycotted the elections, and for the groups where a contested election occurred, the average turnout was 57% of those registered to vote. The elections marked a setback for the DTA. Although they won large majorities from the Hereros, Kavangos and Namas, the Republican Party was defeated by the SWA National Party in the election for the white second-tier authority, while the Damara Council, which had participated in the elections on a platform opposing the establishment of ethnic governments, won a majority of the Damara vote. The defeat in the white election proved especially damaging to the DTA. The National Party subsequently used its control of the second-tier authority to prevent the opening of white institutions such as schools, hospitals etc. to black Namibians. This stymied any further attempts by the DTA to amend existing racially discriminatory provisions, while other proposals were delayed by the AG or appear to have been blocked by senior civil servants at the instigation of the National Party. During this period also, Pretoria sought to boost the DTA's credentials as the putative independent government for Namibia, by including its representatives at meetings with Western diplomats whenever possible, while championing its claims for equal status with SWAPO at the UN.

Differences within the DTA were brought to a head by the resignation as DTA president by Revd. Peter Kalangula, the chief minister of Ovamboland, in February 1982. Kalangula claimed that moves to transform the DTA into a multi-racial unitary party, rather than an ethnic coalition, had been blocked by the white Republican Party, and expressed general disillusion with the DTA's overall performance in office. During 1982 evidence of maladministration and corruption among the second-tier authorities began to accumulate and the AG was forced to appoint a commission of inquiry. This produced several reports on the ethnic

authorities itemizing widespread financial irregularities, in several cases involving senior seconded white civil servants. The commission continued hearings until mid-1984. Its recommendations included much tighter financial control over spending by the authorities and modifications of their powers, which has fuelled calls for the repeal of AG.8 and their complete abolition. Many white businessmen have denounced the second-tier structure as a heavy financial drain on the whole economy and largely responsible for the budget deficits experienced by Namibia over the last few years.

The DTA's credibility was further undermined by widely leaked reports of moves by Pretoria to enlarge the membership of both the Assembly and the Council of Ministers to non-DTA parties. The idea involved appointing leaders of second-tier authorities to the Council and providing up to 15 seats in the Assembly for other parties which had not contested the 1978 election. Mudge denounced the tactics as arm twisting and the suggestion was not taken up by the other Namibian parties although it was backed by the National Party, but the writing was on the wall for the DTA. In January 1983 Mudge precipitated the end of the interim government by submitting the collective resignation of the Council of Ministers. The National Assembly was immediately dissolved, and the outgoing AG, Danie Hough, took back all executive and legislative powers for a 'limited period'.

Subsequent attempts to reconstitute a provisional government have met with failure, and Namibia continues to be directly administered by the AG. In July 1983 the AG announced plans for the formation of a State Council, to consist of nominated members with a brief to produce proposals for a constitution and an interim government. But these plans were never carried out. Instead a new focus for the self-government strategy has emerged in the form of the Multi-Party Conference (MPC). This arose out of moves initiated by the South West Africa National Union (SWANU) at the beginning of the year for an intra-party convention and was formally launched in September 1983. Apart from SWANU and the DTA, the participants included the Damara Council, the SWAPO Democrats of Andreas Shipanga, the NCDP, and the Rehoboth Liberation Front. But at MPC's first session in November, the NCDP withdrew, and the MPC's increasing alignment with Pretoria's strategy of devising an alternative to Resolution 435, has resulted in further defections. In January 1984 the National Party joined as a full participant and in February the MPC issued a declaration of intent to draft a permanent constitution and lead Namibia to independence, declaring that it must play a role in international negotiations over Namibia's future as no viable solution would be found without it. In March the Damara Council leaders and a section of the SWANU leadership met SWAPO President Sam Nujoma in Lusaka, and this was followed by the withdrawal of the Damara Council from the MPC which it attacked as an anti-SWAPO front. SWAPO rejected several overtures to participate in the MPC which it denounced as an anti-SWAPO grouping which Pretoria was using to establish a new interim government and delay implementation of Resolution 435.

The Namibia settlement talks held in Lusaka during May 1984 highlighted the divisions within the MPC and SWAPO's success in increasing its political support across inter-tribal lines. SWAPO's national appeal was undoubtedly boosted by the release in March of the party's co-founder, Toivo Hermanja Toivo, from 16 years of imprisonment on Robbin Island. As well as the large SWAPO delegation which travelled to Lusaka, including the SWAPO Acting President Nathaniel Maxuilili, who had been restricted to the Walvis Bay enclave since 1968 under successive banning orders, there were representatives from six other Namibian parties and churches, who at the conference aligned themselves with SWAPO. These included the 'dissident' section of SWANU, the Damara Council, the NCDP, two Herero groups opposed to the MPC Herero leadership – the NUDO Progressive Party and Mbanderu Council – and the National Independence Party (NIP), with mainly coloured membership. At a meeting on the eve of the conference, SWAPO President Sam Nujoma called on the parties to form a united front with SWAPO to press for Namibia's immediate independence through implementation of the UN plan. The only party of any significance remaining unaligned with either SWAPO or the MPC as of early 1985 was Kalangula's CDA.

The MPC has announced new proposals which have raised once again the possibility of an attempt by Pretoria to bypass 435 and go it alone with a new quasi-independent government. In October the

MPC set a deadline of 31 December 1984 for other parties 'representing significant constituencies in the country (including SWAPO)' to join with it in talks on the independence issue. The MPC said that if no response was received negotiations would be initiated with Pretoria to discuss the modalities of granting independence 'at the earliest possible date'. The MPC's call for a conference has been boycotted by SWAPO and almost all other significant groups.

Although SWAPO has remained subject to almost continual harassment and arrests with most of its top leadership periodically rounded up, it has remained active as a political organization inside Namibia. Despite warnings in recent years by the South African authorities that it might be banned, this has not happened, almost certainly because of the international furore that would ensue. Its mass base has strengthened and most of SWAPO's leaders appear first and foremost Namibian nationalists. Many of the internal leaders in particular have close links with the Namibian churches. Toivo was appointed to the new post of SWAPO Secretary General in the latter part of 1984 while the four main African communities – Ovambos, Hereros, Damaras and Namas – are all represented at the top level. This is perhaps exemplified by Pastor Hendrik Witbooi, appointed SWAPO Vice President in 1982. Witbooi's great-grandfather of the same name, led the Nama resistance to the German colonialists, and in 1977 Witbooi had led four groups within the Nama community over to SWAPO, giving the party its first significant presence from the population in the southern part of Namibia.

3. The War

Over the past five years the level of armed conflict in Namibia has escalated from a relatively low level 'bush war' and now affects much of the northern part of the country where over half Namibia's population live. The intensification of the military conflict has been characterized by several related developments: the progressive build-up of South African troops and military infrastructure in the north, the establishment of an indigenous army in the South West Africa Territory Defence Force (SWATF) to supplement the South African Defence Force (SADF) based on an extension of conscription to the African population; the launching of regular incursions into Angola to destroy SWAPO bases and communications and to pressure the MPLA government to reduce active support for SWAPO; a concerted attempt to break civilian assistance to the People's Liberation Army of Namibia (PLAN) units through harsh 'counter insurgency' measures and classic guerilla 'hearts and minds' campaigns.

There are no accurate figures for the size of South Africa's military presence in Namibia due to military censorship but the consensus of most reports is of an active force between 60-70,000, with a substantial but undisclosed proportion accounted for by the SWATF since its establishment in 1980. At the time of the transfer of responsibility for military operations in northern Namibia from the South African Police (SAP) to the SADF during 1984 there were an estimated 15,000 South African troops and counter-insurgency police in the territory. By the time the SADF withdrew from Angola after its abortive invasion in March 1976, there were reported to be an estimated 100,000 South African and South African controlled troops in Namibia, as well as 10,000 paramilitary police, according to estimates by the International Defence and Aid Fund. In addition to the regular military forces stationed in Namibia, a variety of part-time military forces, special counter-insurgency units, tribal armies and other forces have been deployed in recent years. The most notorious of these is the Koevoet special police 'search and destroy' unit, whose existence first came to light in mid-1980, which like other similar units operates more or less independently outside the regular command structure of the SADF. The main reason for the establishment of a purportedly autonomous military force but remaining operationally part of the SADF command structure, appears to be to enable Pretoria to maintain that it no longer occupies Namibia directly but that SADF units are there on secondment, and to depict the war as a civil conflict between outside 'terrorist forces' and an indigenous force supporting the interim government. In July 1980 the AG announced the establishment of a separate defence department in Namibia which came into operation in August with the inauguration of the SWATF. Administrative control over some 20,000 SADF troops was transferred to the Council of Ministers under the authority of the AG, with overall planning and liaison between the

SADF and SWATF undertaken by a joint defence committee. SWATF has its own uniform and is partly funded out of the central budget of the Windhoek administration, but operationally remains subject to the SADF command headquarters in Pretoria, while South Africa retains overall control of Namibia's defence and security.

In terms of a proclamation issued by the South African State President in October 1980, compulsory military service was extended to all male Namibians between the ages of 16 and 25, although Africans from Kaokoland, Ovamboland, Kavangoland and East Caprivi were initially exempted from the draft. The proclamation amended the terms of the South African Defence Act of 1957 which had previously made only whites liable to call up and provided for two years military service. An initial intake of 2000 men from the white, coloured, Nama and Damara communities was called up for two years from January 1981 – there were widespread protests against the draft from churches and political parties inside Namibia, particularly the provision rendering individuals failing to report for duty to a six month prison sentence or a R200 fine. An unprecedented legal challenge to the 1980 draft was brought by a black Namibian, Eric Binga, who was called up in November 1982 for service in the second SADF infantry battalion in Walvis Bay. In June 1984 his application was rejected by the Supreme Court in Windhoek after 4 months consideration. But at a second hearing in September, the court ruled that Binga could appeal against the earlier judgement as the Judge President for Namibia, Justice Berker, said that clarification was needed on the application of the Defence Act to Namibia. Binga was seeking to have his call up papers declared invalid on the grounds that South African laws had been illegally imposed on Namibia. A further extension of the draft was announced by SWATF in October 1984 in the form of a programme of compulsory registration of all males aged between 17 and 55 resident in the territory, regardless of citizenship, nationality or occupation. This would theoretically make some 400,000 men liable for services with SWATF.

Although the exact level of regular conflict between PLAN units and SWATF is difficult to calculate and both SWAPO and South Africa are prone to exaggerate the claimed military defeats each has inflicted upon the other, there is little doubt that despite the huge South African military effort, SWAPO has been able to extend its guerilla campaign throughout much of northern Namibia, from the original centres of conflict in East Caprivi and parts of Ovamboland bordering on Namibia. However the series of large scale incursions of southern Angola launched at regular intervals by the SADF has clearly had some effect in reducing SWAPO's armed operations, although it appears to be far from being defeated as a military force, despite public claims to this effect by Pretoria in the last few years. In August 1981 the SADF launched 'Operation Protea' which resulted in the widespread destruction of military and other infrastructure in southern Angola and the permanent occupation of part of the Cunene province in the southwest. But in 1982 SWAPO units began operating in strength in Kavangoland as shown by the policy of mass population removals in the border region and arrest of large numbers of suspected SWAPO sympathizers from November 1982 onwards. There were press reports of a large scale incursion in eastern Ovamboland during July 1983. In December of that year a month-long invasion of Angola, 'Operation Askari', was launched as an extensive 'pre-emptive strike' against PLAN military headquarters to prevent a further major incursion. Although the SWATF command claimed that the attack has inflicted major damage on SWAPO's military capability following the withdrawal of South African troops in January 1984 and the disengagement agreement with Angola in February, there have been repeated claims of stepped-up SWAPO activity. On the eve of the disengagement agreement, South Africa claimed that 200 PLAN combatants had crossed into Namibia and that another 600 were poised to follow while subsequent statements claimed that the completion of South Africa's disengagement had been delayed because of continued activity by SWAPO guerillas in the ceasefire zone. Although the SWAPO leadership declared it would observe the disengagement agreement in Angola, it contended that it – in the absence of a separate direct ceasefire agreement between itself and South Africa – would intensify its operations inside Namibia. In line with this pledge PLAN attacks, particularly in the form of sabotage and bombings in urban areas, escalated during the first half of 1984. Attacks were concentrated on military installations, government offices, railway lines and power cables. General Meiring, general

officer commanding SWATF, admitted that the number of such clashes between the security forces and PLAN had increased sharply in 1984, with 165 clashes during the first five months of the year, compared to 136 during the same period of 1983.

Almost a year after the Lusaka Agreement between Angola and South Africa, and in the absence of a broader ceasefire involving SWAPO, Pretoria's objective of squeezing out SWAPO as an effective military force did not seem to have succeeded. However PLAN units had adopted a strategy of avoiding contact with regular South African formations in favour of hit and run tactics against vulnerable strategic targets. SWAPO Information Secretary Hidipo Hamutenya disclosed at the end of January 1985 that guerilla units were attempting to make the territory 'physically and emotionally insecure' and to make South Africa's continued occupation as costly as possible. He also confirmed that while SWAPO had respected the disengagement accord insofar as it applied to areas of Angola vacated by the South Africans, PLAN units had crossed the border into Namibia both before and during the 1984-85 rainy season.

At a news conference in Oshakati in the same month, Colonel A. S. Kleynhans, a senior SWATF military information officer, stated that SWAPO was logistically stronger than before and had moved its headquarters in Angola back to where it had been two years previously. Evidence of widespread concern by senior South African military personnel at PLAN's continued effectiveness and the extent of SWAPO's support was provided by the publication of the minutes of a secret conference of counter-intelligence officers in May 1984. According to a December 1984 report in the *Observer* newspaper, the minutes acknowledged that SWAPO was organized on 'a wide terrain at different levels and possesses the infrastructure to collect information over a wide spectrum'. Growing disaffection among army recruits was described as 'disturbing', in particular the damaging of military equipment by army personnel which could indicate sabotage, while the 'negative' attitude of many conscripts was noted. Sabotage by SWAPO was said to be 'constantly occurring' with attacks taking place as far south as Windhoek, Swakopmund and Keetmanshoop as well as in the operational area and around Tsumeb and Grootfontein. Popular support for SWAPO was acknowledged in a reference to 'the readiness' of the public to provide it with information about the movement of the security forces.

Counter-insurgency measures aimed at inhibiting civilian support for SWAPO's military operations have caused deep social and economic dislocation. Thousands of civilians are reported to have fled from the war zones to escape the dangers of being caught in crossfire, being interrogated as suspected SWAPO sympathizers, while SWAPO landmines on roads aimed at military convoys have also made ordinary civilian movement hazardous. Health, education and welfare services have all been disrupted, while the destruction of crops and other sources of income has exacerbated the effects of the country's prolonged drought. 'Hearts and minds' programmes, involving the use of army personnel in schools and medical centres, have hardly compensated. As a result much of the once densely populated border region has been vacated and as of the end of 1983 some 250,000 people were concentrated in a 30 km strip between the Ovamboland administrative capital, Ondangwa, and Oshakati, the main economic centre and location for the largest SADF base in the north.

A six member Anglican delegation sent by the Archbishop of Canterbury at the request of Revd. James Kaluma, Anglican Bishop of Namibia, met with a widespread cross section of the population during a visit in October 1983. There were many expressions of concern by individual Namibians to the delegation about the security forces and its report concluded that Namibia's occupation by the SADF in the name of 'protection' was causing hardship, distress, fear and loss of life and that the population feared the army and Koevoet far more than SWAPO. While the SADF claimed that regulations were strictly enforced over the conduct of army personnel in the operational area, the fear of intimidation and reprisal was so great that ordinary Africans found it difficult to bring forward complaints due to the undoubted intimidation, destruction of property, restriction of movement, spreading of distrust through informers, the cases of abduction, torture and beatings.

The cost of the war to South Africa has also escalated considerably. In January 1984 P. W. Botha stated that the annual cost to South Africa of total military and security operations in Namibia was

running at R500m a year. This rose further to an estimated R547m for 1984 and on the basis of South African figures of 584 guerillas killed during the year worked out at just under R1m per SWAPO fighter. The overall cost of military operations are equivalent to R1.5m a day, underscoring the heavy financial burden of the war on both the Namibian and South African economies.

Of the many recent journalistic accounts of the nature of the war and its effects on the day-to-day life of Namibians, one of the most telling was a report published in the *Johannesburg Star* in August 1983, by a correspondent who had just visited the war zone:

'Ovamboland today is the home of the jet fighter, the armoured car, the R1 and AK-47 rifle, the anti-aircraft cannon and the camouflage uniform. The sandbag has replaced the giant anthill as the distinguishing feature of the semi-desert war zone and the landmine waits in silence beneath the sun-baked earth . . . What is South Africa's position in a war that is costing the Government at least R1.5m a day?'

Oshakati, a dull fortified village lying about 60km south of the Angola border, provides a grimly accurate reflection of her position. High fences circle the entire town where rows of dreary prefabs line dusty streets. Bomb shelters are a bizarre, yet realistic, feature of each garden. Anti-aircraft guns on towering stands point menacingly into the African sky and at the nearby Ondangwa air base jet fighters and radar provide additional protection. It is a "white" village with gates manned by military policemen and a dusk-to-dawn curfew.

At its only hotel, members of the police counter-insurgency unit Koevoet exchange stories of "kills" while quaffing generous quantities of Windhoek beer . . . It is a desperate oasis in a sea of hostility but a reminder of South Africa's awesome military prowess at the same time. Beyond Oshakati's tenuous security South African soldiers are treated with cold civility. Outside the fences the town's other face is pimpled with the dilapidated tin shanties of the slums built by hundreds of rural people trying to escape the war. Hygiene is basic, while sanitation is almost non-existent. Teenage members of Koevoet - many of them captured or turned SWAPO guerillas led by former (Rhodesian) Selous Scout commanders - slouch around the market places where bloody portions of cattle are offered on pieces of rusty corrugated iron.

The war is being fought increasingly in market places like these, in and around the kraals, huts, sorghum fields and cuca shops.'

(Patrick Bulger, *The Star* 29.8.83)

4. Human Rights

Probably nowhere more than in the field of human rights have the consequences of the continued denial of independence and national sovereignty to the Namibian people had more adverse repercussions. The presence of the security forces has become increasingly all-pervasive, so that it is appropriate to refer to the effective militarization of most of northern Namibia - Kaokoland, Ovamboland, Kavangoland and East Caprivi. Mass clearances in the vicinity of the Angola/Namibia border to establish 'free fire zones' and a policy of large-scale arrest and detention of civilians suspected of providing food, accommodation or otherwise aiding PLAN units are the most obvious manifestations.

As the level of conflict in the northern area of the country has intensified in recent years, the local inhabitants, who comprise well over half the total Namibian population, have been subject to a growing range of harsh 'counter-insurgency' methods designed to cut links between the civilian population and SWAPO's guerilla forces. A panoply of security legislation enables the SADF, SWATF and the police to arrest and detain almost at will and these powers are almost equally as great outside the areas of military conflict. In recent years large numbers of ordinary Namibians, including church ministers, teachers, subsistence farmers, urban workers, as well as SWAPO officials and members have been subject to arrest and detention for a range of alleged political or terrorist offences proscribed under the various security laws.

There have been persistent reports that these laws have also allowed the systematic maltreatment and torture of detainees, mainly while they were held by the security forces pending any charges, with common methods of torture alleged to include electric shocks, beatings and extended isolation through solitary confinement. The evidence of widespread inhumane treatment of detainees has been detailed by a number of reputable sources, including Namibian and overseas churches, local lawyers, international human rights agencies such as Amnesty International and the UN Human Rights Commission. In a number of court cases in the past 10 years sworn affidavits alleging torture or other mistreatment of defendants whilst in detention have been presented. In several 1983-84 cases relating to the deaths of detainees the

courts have found that the deaths had been caused by unlawful assaults while the detainees were in custody.

The main law which has been used for the widespread detention of Namibians over the past eight years is the Security Districts Proclamation AG.9 of November 1977, which as subsequently amended provides for a state of *de facto* martial law through the northern half of the country affecting some 80% of the population. AG.9 initially gave all members of the security forces power to arrest without warrant and detain any person suspected of committing or planning to commit a crime, or with information about one, for a period of four days. Specific permission had to be provided by the AG for holding detainees for longer than this. In May 1979, however, AG.9 was extended to cover the magisterial districts of Grootfontein, Tsumeb, Okahandja, Otjiwarongo, Outjo and Windhoek, which were all declared security districts. Its provisions were also amended to extend the permitted period of detention to 30 days initially, while in June it was further amended to ban all night time movement in the 'operational area' of Ovamboland, without a valid written permit. No official records relating to the number of detentions under AG.9 are published by the South African authorities, and details of over 200 individual cases of detention since 1977 held by Amnesty International are believed to represent only a relatively small proportion of the total. Police witnesses in a 1983 court case stated that members of the security forces responsible for carrying out detentions under AG.9 were not required to keep records of those detained; they also testified that no standing orders or other regulations had been issued by the AG or other senior officials of the Windhoek administration relating to the conditions and treatment of detainees held under AG.9.

AG.9 detainees are denied access to relatives and can only see lawyers with the specific permission of the AG, while there is no provision for complaints or redress, or body to which they may apply through the courts to have their detention reviewed or terminated. In addition members of the security forces enjoy built-in immunity from prosecution over any assaults committed on detainees, although the South African authorities maintain that all troops and police deployed in operational areas of Namibia are required to sign declarations confirming that they are aware that any form of assault or maltreatment of civilians is illegal and punishable by law. Under AG.9 all members of the security forces are provided with legal immunity against civil or criminal prosecution for any operational actions committed 'in good faith' with the onus on anyone initiating legal proceedings against a member of the security forces required to prove that alleged offences were not committed in this manner. A similar identity provision pertains under the South African Defence Act of 1957, which is applicable to Namibia, in respect of acts in connection with 'the prevention or suppression of terrorism in any operational area'. The act further empowers the South African Minister of Defence to forestall court proceedings by issuing a certificate stating that the alleged offence was committed 'in good faith'.

Further sweeping powers of arrest and detention were introduced by the Provision for the Detention of Persons in order to Prevent Political Violence and Intimidation Proclamation AG.26 of April 1979. The new emergency legislation was immediately used to arrest large numbers of SWAPO members in Windhoek and elsewhere, including almost the entire national executive of the party, following several weeks of street fighting between members of SWAPO and the DTA in Windhoek's black township Katutura. The proclamation empowers the AG to issue warrants for the arrest of any person whose actions are felt 'to promote violence or intimidation', but the police are not entitled to interrogate a detainee held under AG.26, and detainees must be visited by a doctor every three days and by a magistrate at least once a fortnight. In contrast to AG.9, detainees may make written representations to a review committee chaired by a judge of the SWA Division of the SA Supreme Court or a magistrate although its meetings take place in camera and it only has powers to make recommendations to the AG. In May 1979 AG.26 was amended to enable interrogation of those arrested under its provisions to be carried out at the place of detention by a justice of the peace - previously a detainee could only be questioned if a statutory offence was found to be committed,

Leading members of SWAPO in particular have been frequently arrested under the provisions of the SA Terrorism Act, section six of which provides for indefinite detention. It provides for a

minimum of five years' imprisonment for those found guilty of a wide range of 'terrorist' offences, although in 1981 its provision for the death penalty was deleted in Namibia and replaced by the existing maximum prison term of 20 years.

Allegations of the use of torture and other forms of cruel, inhuman and degrading treatment of detainees have regularly been documented since the mid-1970s. The churches have played an active role in exposing the widespread use of torture. In a joint statement of May 1977, leaders of the Anglican, Lutheran and Roman Catholic churches in Namibia claimed that torture was being used to terrorize the population of northern Namibia, and described torture as 'standard practice' in the interrogation of detainees. In January 1978, sworn statements by ten Namibians who alleged that they had been tortured while detained at Oshakati, Ovamboland, were published by Heinz Hunke, a Roman Catholic priest and Justin Ellis, an Anglican church worker (*Torture - A Cancer in Our Society*). The affidavits had all been used in a previous court case, but the report was banned and both Hunke and Ellis were later expelled from Namibia. In November 1981 a British Council of Churches (BCC) delegation visited Namibia at the invitation of the inter-denominational Council of Churches in Namibia (CCN). In its report the BCC said that in the north the security forces used agents provocateurs who purported to be SWAPO guerillas and seek food in the villages. If they were given it the retribution was savage, with homes and kraals destroyed. Although it was true that landmines planted by SWAPO guerillas killed civilians, the delegation emphasized that the security forces were maintaining a reign of terror against which the local people had no redress, and had collected details of 20 individual cases.

In May 1982, the Southern African Catholic Bishops' Conference (SACBC), which represents the Roman Catholic church in South Africa, Namibia, Botswana and Swaziland, reported that a delegation of six bishops who had visited Namibia the previous September had found evidence of the use of beatings, electric shock torture, sparse diet and solitary confinement against detainees. It also claimed that the security forces 'would stop at nothing' to extract information about guerillas from the inhabitants of northern Namibia. A leader in the *Times* (17.5.82) commented:

'If only half the report's findings about South African military brutality, local hatred of South African control and wide local support for SWAPO guerillas are accurate, they constitute a condemnation which no government can afford to ignore.'

After years spent rejecting outright all torture allegations as SWAPO propaganda or emanating from 'Communist-inspired' sources overseas, the South African authorities have made some belated and so far limited moves in response to the representations by the churches and other bodies. In March 1982 the SADF announced the establishment of a military board of inquiry to investigate reports of atrocities: this sat until the end of July, and - according to SADF headquarters in Pretoria - had investigated 40 atrocity allegations in Ovamboland and Kavangoland, as a result of which several soldiers were to be prosecuted, although no details of the cases were released. A special liaison committee was set up in Ovamboland during May 1982 to investigate complaints from civilians at the instigation of the Ovambo Chief Minister Peter Kalangula. Local church leaders declined to participate on the grounds that it could not be impartial and called instead for an independent board of inquiry. Liaison offices to which complaints about security force actions can be made have also been set up in Rundu, Kavangoland, and in Windhoek.

In December 1982 the Namibian Bar Council in Windhoek, representing lawyers throughout the country, called for a judicial commission of inquiry into all existing security legislation and expressed its anxiety at the erosion of the rule of law and at the many instances of abuse in detention. This move followed confirmation by the Commissioner of Police in Namibia, General Dolf Gouws, in November that two men arrested in Kavangoland during large-scale arrests of alleged SWAPO members in the border region had died within hours of being detained. Many cases of torture have been reported from the Kavango region since 1982, most of them associated with the special police counter-insurgency unit known as Koevoet (Afrikaans for 'crowbar'). According to information given at a press conference in May 1982 by the unit's commander Brigadier Hans Dreyer, Koevoet is almost entirely composed of Ovambo special policemen under the command of South African Police officers stationed permanently in Namibia with its headquarters in Oshakati and bases throughout the north.

Its strength is some 1000 men who do not wear regular army uniform and its official function is to carry out 'locate and destroy' operations along the northern border.

In July 1983, the leader of the Namibian Christian Democratic Party (NCDP) Hans Rohr, sent an open letter to the AG listing various cases of assault and torture against Kavango inhabitants. The NCDP draws its support mainly from Catholics in Kavangoland and won two seats in the Constituent Assembly elected in December 1978. The SADF responded by announcing the establishment of a new military board of inquiry to investigate allegations of security force misconduct in Kavangoland, and in August 1983 Rohr held a press conference in Tsumeb at which five Kavangos recounted their experience of assault whilst in detention. Rohr also charged that mass population removals were taking place in the Kavango border area, with thousands of people being forced to resettle along the northern Kavango river border near SADF military bases to create a 'fire-clear zone'.

During the last quarter of 1983 evidence of brutalities committed regularly by Koevoet were given in five major court cases involving members of the unit charged with torture or other atrocities. It was also disclosed that Koevoet members received *kopgeld* (bounty payments) for every alleged SWAPO combatant killed. During the October 1983 inquest into one of the two Kavango men who died in detention a Koevoet officer stated that the unit existed for two purposes - interrogation and elimination by killing. The presiding magistrate ruled that the detainee had died as a result of an 'unlawful act or omission' by unidentified Koevoet members. At the inquest of the second man in November two of the four Koevoet members on trial were convicted of assault, while in December two Koevoet constables, one an Angolan, received the death sentence and a 12-year prison term after being found guilty by the Windhoek Supreme Court of spreading terror in northern villages of Ovamboland through murder, rape and robbery while pretending to be SWAPO guerillas. Further allegations of torture in Kavangoland were made after the release of four detainees at a press conference of November 1983 by Hans Rohr.

In May 1984 the Namibian Bar Council published a memorandum sharply critical of the existing security laws and the activities of the security forces which charged that 'the institutions of the rule of law such as the police, the courts, and the law itself are suspect in the eyes of the overwhelming majority of the people'.

The memorandum drew its evidence solely from court records and its recommendations included a call for a major overhaul of all security legislation, an immediate investigation into the actions of the armed forces, especially Koevoet, and the abolition of the death sentence for all contraventions of security laws. It also criticized the growing power of the executive and the police at the expense of the courts and the judiciary and called for the drastic amendment of AG. 9 so that detention would only be for a limited period to enable questioning and would no longer be used 'to remove people from society for an indefinite period'. It concluded that court evidence showed that it was impossible to safeguard detainees under the present regulations and that detainees should be allowed access as a matter of course to relatives, lawyers and the courts. It proposed the commission's brief should be not only to inquire into specific allegations but to investigate the training methods in use which produced 'programmed killers'. In a response to the memorandum the South African Minister of Law and Order, Louis Le Grange, defended Koevoet's record, describing it 'as an outstanding unit' and attributing any instances of atrocities to deserters.

1984 brought some more encouraging developments in the form of the release of Herman Toivo ja Toivo and other SWAPO prisoners from Robben Island as well as a large group of detainees. Toivo and four fellow prisoners were transferred to Windhoek on 29 February and the next day Toivo and one other colleague were set free under a reprieve order signed by the AG, who promised that consideration of the release of further long-term prisoners was being given. In May 1984 a further 15 SWAPO prisoners from Robben Island, most of them serving 20 year prison sentences like Toivo, were transferred to Windhoek central prison and subsequently released. This left 21 Namibians imprisoned in South Africa, all but one of them on Robben Island. Interviewed after his release, Toivo described conditions at the prison as characterized by long periods spent in solitary confinement, with assault by warders and inadequate medical treatment due to doctors being controlled by the prison authorities and unable to give independent medical advice.

In May also, South Africa began the release of the large group of detainees held since an attack by the SADF on a SWAPO refugee centre at Cassinga in Angola in August 1978, which resulted in the deaths of some 800 Namibians, according to eyewitness accounts. It shortly became known that over 100 Namibians and some Angolans captured at Cassinga had been taken to a detention centre at the Hardap dam in the south of the country, near Marienthal. But the first official confirmation was not until October 1983, when following a visit to the camp by the International Committee of the Red Cross (ICRC) the SADF disclosed that 146 detainees were being held at the camp under Proclamation AG.9. The AG announced the release of an initial 54 detainees, no longer said to constitute a threat to law and order, following an application made to the Windhoek Supreme Court in March by the Anglican Bishop of Namibia James Kaluma for the summary release of 37 detainees whose identities were known. At the end of April the South African Minister of Justice, Kobie Coetsee, had intervened to block the application by issuing a certificate under the South African Defence Act which enables legal proceedings to be barred if deemed to be contrary to the national interest. The move was condemned by lawyers in Namibia and South Africa who described it as one of the most extreme inroads yet made into the rule of law. In October the remaining 75 detainees were released after being flown to Oshakati where they were handed over to tribal elders of their respective communities by SWATF officials in the presence of journalists. Most were reported to have subsequently left the north for fear of harassment and made it clear that they would continue to support SWAPO. One said that conditions at Hardap had not been too bad but that he and his fellow detainees had been tortured with electric shocks at Oshakati after their capture.

Freedom of the Press

Press freedoms in Namibia have been circumscribed with the intensification of the war and in a concerted effort, it would appear, to block unfavourable reports on the conduct of the security forces in the north. The main response has been to strictly control the flow of information about the war and to make newspapers liable for prosecution if they published articles considered slanderous of the armed forces.

There are still relatively few accredited foreign correspondents of overseas newspapers based in Namibia, with the bulk of international media coverage provided by South African-based reporters. This means that much of the news of day-to-day events is published by South African newspapers, most of which have at least one full-time reporter, or in some cases a bureau, in Windhoek, and local newspapers. For a country of its size Namibia has a vigorous local press with three daily newspapers – *Allgemeine Zeitung* (German), *Die Suidwester* (Afrikaans), and the *Windhoek Advertiser* – as well as the weekly *Windhoek Observer* and bi-weekly tri-lingual *Namib Times*, the only newspaper to be published in Walvis Bay.

Censorship of all but authorized reports of military operations in Namibia was imposed at the beginning of 1983 in an effort to control 'rumours that reflect a false image of the war'. As from February all reports had to be cleared with the SADF before publication, with particular reference to the implications of Section 118 (B) of the South African Defence Act, relating to reports that spread 'alarm and despondency'. In March 1984 it was announced that all information on military activities in connection with the South African troop withdrawal from Angola would be controlled by the SADF in liaison with the South African Department of Foreign Affairs. In July 1983, five South African newspapers had been threatened with prosecution under the South African Police Act of 1958 for publishing allegations of Koevoet atrocities made by Archbishop Hurley, chairman of the SACBC, at a press conference of the previous February. The authorities decided subsequently not to press charges, but a formal police complaint was made against the *Pretoria News*, which was found by the South African Media Council (SAMC) to have breached a clause in its code of conduct which requires all comments to be based on truly stated facts. By a majority vote the council ruled that the comments that Koevoet had become discredited and urgent action was needed to make it accountable, had been based on facts which might or might not be true. All newspapers published in South Africa and Namibia which are members of the Newspaper Press Union (NPU) conduct a form of voluntary self-censorship through the SAMC code which is binding on all proprietors.

The *Windhoek Observer* in particular has been the object of pressures in the light of its frequent critical reports on the conduct of the security forces and other aspects of South Africa's administration, including the economic exploitation of the territory. The newspaper was launched in 1978 by Hannes Smith, a former editor of the *Windhoek Advertiser* who resigned when that newspaper was acquired by West German interests with the apparent aim of providing media support for the DTA and the interim government. As of 1984 the newspaper was estimated to have a readership of 27,000 of whom almost half were black. Between March and August 1984 eight issues of the newspaper were banned on the grounds of obscenity under the South African Publications Act. In May its political editor, Gwen Lister, was charged with being in illegal possession of banned publications in the form of SWAPO documents distributed at a UN conference on Namibia in Paris which she had attended during 1983, but was subsequently acquitted.

At the beginning of August 1984 the newspaper was told it must deposit a sum of R20,000, the maximum amount that would be demanded under the South African Internal Security Act of 1950 – subsequently raised to R40,000 – for official registration. This became necessary following Smith's withdrawal from membership of the NPU the previous March. The deposit is forfeit if the publication is subsequently banned, as happened in mid-August. An appeal was immediately launched and at the end of the month the permanent ban on the newspaper was lifted by the Publications Appeal Board meeting in Pretoria, although one previous issue remained banned for supporting SWAPO's armed struggle. The board issued a number of guidelines with which the newspaper was obliged to comply in order to avoid future banning and the attempt by the management to meet these requirements, essentially by toning down the political content of the newspaper and muting criticism of the security forces, resulted in the departure of nine of the eleven staff, including Lister.

The Plight of the San

Fears for the future of Namibia's smallest ethnic minority, the San or Bushmen, have been widely expressed in recent years. The San are the dwindling original inhabitants of the Kalahari desert, with some 29,000 of the remaining 50,000 or so living in north-eastern Namibia and most of the rest in Botswana. Deprived of their traditional freedom to roam widely for hunting under the 'homelands' policy, much of Namibia's San population has fallen victim to poverty and destitution, with military service in the South African army virtually the only means of livelihood. San were recruited in 1974 for the first Namibian black ethnic unit formed by the SADF, which makes use of their skills as trackers to locate SWAPO guerillas. Some 5000 San soldiers and their families are based at the Omega military base, with all facilities provided by the army, making families completely dependent on the South African military presence. (See MRG Report no. 56)

Plans for the establishment of a nature reserve would complete the demise of the San as a viable community, according to anthropologists working in Namibia. The plan, first proposed in 1978, is the main recommendation of a report on the San submitted to the AG in August 1984, who has said the study's proposals will be 'systematically implemented'. The report disclosed that 80% of the San had per capita income of less than R5 per month, while those recruited into the army earned between R480-600 a month. Of the total San community 95% had not attended school and many were living at or around South African military bases and army camps either as soldiers or 'civilian camp followers'. Alcoholism and child mortality were rife, together with the breaking up of family units, general health and malnutrition problems, prostitution and neglect of children. Some 2000 San lived in rural slums around Tsumkwe, the administrative centre for Bushmanland, where there was a 'general atmosphere of begging and poverty' and dependence on government handouts.

The nature reserve plan would involve the excision of some 6000 sq km of land about 60km west of the border with Botswana, including all the water holes in an area where several small farming communities have established themselves in recent years, rearing cattle and growing vegetables. Most of the 2000 inhabitants of the proposed reserve are of the Juxwasi group who have been involved in a development project aimed at creating a viable mixed economy set up by US anthropologist John Marshall. He has warned that proclamation of the reserve would force the Juxwasi off their land

and cause their complete destitution as they would not be able to keep cattle or plant crops. This would lead them to become totally dependent on the army – about 160 Juxwasi males serve with the armed forces at present – eventually resulting in their 'quiet genocide' according to Marshall. Anthropologist Robert Gordon, a white Namibian, says tourists would come to view the Juxwasi 'like wild game' together with the animals.

The report claims that employment opportunities would be generated for the San rangers, guides and curio manufacturers, although others would have to seek work as farm labourers in the drought-hit white commercial farms in the north. It also suggests relocating San forced out of the Etosha Pan region under the 'homelands' policy back to their traditional area where they could act as informants against SWAPO insurgents. The danger is that this could create a backlash after an independent government comes to power. In any case it is unlikely that a future Namibian administration would be financially able to match the current level of spending by the South African army on selected groups.

Part III – THE ECONOMIC DIMENSION

1. An economic overview

The Namibian economy: Namibia has two distinct but closely interlinked economies: an extremely lucrative commercial economy, controlled by the white population and foreign corporate interests based on intensive exploitation of the country's natural resources, and the subsistence economy of the rural 'homeland' areas set aside for the black population. Two-thirds of the total estimated population are dependent on small-scale peasant farming, which contributes less than 5% of the Gross Domestic Product (GDP) and is inadequate for subsistence needs. As in South Africa the migratory labour system is the crucial connecting factor, with much of the commercial economy dependent on the labour from the black rural areas while the wages of migrant workers provide the main source of cash earnings for the black population. The migrant labour force numbers some 110,000, of whom about 70,000 are from northern Namibia. The presence of the South African armed forces in such large numbers in northern Namibia has temporarily provided an additional source of cash earnings in the form of trade and services, which has contributed to the further decline of subsistence agriculture.

Detailed statistics on the economy are published regularly by the Department of Finance in Windhoek although prior to 1979 Pretoria only published limited information on the economic and social trends in the territory while key data was merged with South African statistics. Because of its favourable resources ratio, on paper Namibia has one of the highest living standards on the African continent, second only to South Africa itself and oil-rich Libya. Namibia's per capita income was officially calculated at R1,090 in 1979, compared to R1,490 for South Africa. This average figure for the overall population of course conceals the wide disparities in income between the white and black population of the country and no recent breakdown of per capita income per racial group or employment category has been published. The last data, which dates back to 1965 (published in the official *South West Africa Survey*, 1967) showed overall GDP per capita at R360: whites only R1,602; non-whites in Police Zone R229; non-whites in northern reserves R61. The gap undoubtedly remains wide, although in the last ten years, black cash wages – particularly those paid by the mining companies – have increased in real terms.

The commercial economy is based almost entirely on three main activities: mining (diamonds, uranium and base metals) and the exploitation of other natural resources through large-scale commercial farming (cattle and karakul sheep) and coastal fishing and trawling. Overall the economy is highly export orientated as primary products are mainly exported to Western industrialized countries and South Africa, with total exports normally amounting to over 80% of the GDP by value.

Hard currency earnings on Namibia's exports accrue directly to South Africa and as of 1982 total exports from Namibia at R1,004 million amounted to just over 5% of total South African exports in the same year. There is no central bank in Namibia and capital and other financial flows to and from South Africa are unrestricted, and

in recent years the net capital outflow to South Africa is estimated to have averaged some R100 million a year. Foreign exchange controls and other external transactions are handled by the South African Reserve Bank, with goods entering or leaving Namibia subject to South African tariffs. In consequence Namibia constitutes an almost captive market for South African firms, especially suppliers of processed food and manufactured goods, and Namibia currently derives over 80% of its imports from South Africa.

Mainly due to the expansion of mining activities, the commercial economy showed rapid growth throughout the latter 1960s and 1970s. But since 1980 the combination of the most protracted drought since World War II, the international recession and high inflation imported from South Africa has pushed the economy into a sharp decline, with real falls in output (measured in constant prices, ie discounting inflation) throughout most sectors, particularly mining. The continued political uncertainty has also inhibited new foreign investment in the territory. Between 1979-83 the GDP declined by 7% in real terms compared with a positive growth rate for most of the previous 15 years.

State public finance – Income: Namibia was administratively incorporated into South Africa by the South West Africa Affairs Act of 1969 and as a result all taxation levied in Namibia with the exception of white personal income tax was paid direct to Pretoria, which maintained a separate account, the South West Africa Account, for use in the territory. The white South West Africa Legislative Assembly retained the powers of a provincial authority with its own Territorial Revenue Fund. In 1980, subsequent to the establishment of a purportedly autonomous administrative structure in Namibia, a Central Revenue Fund (CRF) was established in Windhoek. An annual budget covering recurrent and capital expenditure as well as anticipated revenue is prepared by the AG, advised by the Department of Finance in Windhoek. But personal income tax and some other sources of revenue remain payable to the white 'second tier' authority, which succeeded to most of the powers of the old SWA Legislative Assembly in 1979. Namibia now has its own taxation system, modelled closely on that of South Africa although taxation rates are not identical.

In addition to corporate taxes and other receipts payable into the CRF – 'own revenue' – there is an annual transfer from Pretoria in the form of a budget grant and R250 million a year in lieu of customs and excise receipts which are not separately collected as Namibia is an involuntary member of the Southern African Customs Union (SACU), whose members comprise South Africa, Botswana, Lesotho and Swaziland. Since 1982 there have been sizeable budget deficits, caused by the growing costs of the second tier 'representative authorities', a decline in tax revenues from the mining industry, Namibia's share of the costs of South African military and police activities in the territory, and drought relief measures. This has led to an increase in the level of budget subsidies from Pretoria and the raising of commercial loans on the South Africa and international capital markets of South African government guaranteed 'SWA/Namibia stock' to prop up the colonial administration in Windhoek.

As a result Namibia faces the situation of coming to independence with an inherited external debt problem. Total loans outstanding were said by the South African Prime Minister to amount to R690 million as of 31 March 1984. The extent of the burden placed on Namibia's finances was revealed by his admission that in the event of a default by a future independent government, South Africa would be liable to pay interest equal to double the capital owed, should investors insist on the full loan guarantees being honoured. In his 1984/85 budget speech of June 1984 the Administrator-General, Dr van Niekerk, disclosed that debt service on existing loans would show 'an alarming increase', rising to R147 million in 1985/86 and R185 million in 1986/87.

For 1983/84, allocations to the second tier authorities increased by 35% over the previous year to R285 million, just under 28% of the total budget, to cover previously incurred deficits and further expected over-spending.

Expenditure: Wide disparities persist in the levels of expenditure and provision of facilities for the white and African populations, especially in the fields of education, health, social security and pensions. The fullest information on these sectors was provided in the official Odendaal Report.

Since 1979 responsibility for black education and health facilities has been formally exercised by the various second tier authorities with funds allocated from the CRF. Primary school enrolments have increased but the provision of secondary level and higher education remains largely inadequate, while there is a shortage of qualified teachers. Although the Bantu education syllabus which was imposed on schools in the 1960s was dropped at the end of the 1970s, in practice the medium of instruction remains largely Afrikaans, due to the lack of sufficient English-speaking teacher trainers. However in 1983 the Ovambo second tier authority declared English as the official medium of instruction and SWAPO is committed to the introduction of English as the principal language of instruction after independence. There is no university in Namibia and rather than go to segregated South African universities, the small number of Namibians with secondary level qualifications wishing to pursue their studies have largely opted to go abroad, under scholarships provided by the UN, Commonwealth Secretariat, World University Service and individual countries, ranging from East Germany and the USSR to Scandinavia and the UK.

As of 1984 it was estimated that only 11% of all pupils attending school reached matriculation level, or under 3% excluding whites.

TABLE II – Black school enrolment in Namibia 1980

Standard or course	Male	Female	Total	% of Total
Lower primary	64,135	68,923	133,058	71.2
Higher primary	16,419	24,231	40,650	21.8
Junior secondary	4,699	6,715	11,414	6.1
Senior secondary	544	343	887	0.5
Professional training	348	338	686	0.4
of which				
teacher training	242	331	573	0.3
technical training	97	—	97	0.1
Total	86,145	100,550	186,695	100.0

TABLE III – Education expenditure estimates 1981/82

	Total (R million)	Expenditure per pupil (R)
White schooling	22	1,210
Black schooling	46	232
Coloured schooling	10	300

Sources: Department of National Education statistics 1981, CRF budget 1981/82 as quoted in *Education, Repression & Liberation*, No 4 in the series 'A Future for Namibia' published by the Catholic Institute for International Relations and World University Service, London, 1984.

2. Land distribution

Until 1978 the South Africans pursued a policy of trying to clear the last few areas of hardveld still occupied by Africans by moving them officially into newly proclaimed reserves or Bantustans, known officially, and in many cases misleadingly, as 'homelands'. Since 1978 the policy of enforced removals has been officially abandoned mainly because the South African authorities have become more sensitive to world opinion on Namibia. The new reserves were originally proposed by the Odendaal Commission and legislation was passed in Pretoria to implement the proposals. The 'homelands' look generous on paper because of their massive areas (see map IV); but nearly all the new land offered to the Africans is useless for any pastoral or agricultural commercial activity which is why it was previously unoccupied. In the east the 'homelands' are on the thickest portions of Kalahari sandveld, demanding impracticably deep boreholes, and in the west they lie on the fringes of the Namib Desert where rainfall is minimal and unreliable and the vegetation is inadequate to support livestock. Both areas are subject to human and animal disease.

Analysis of land distribution: It is possible to arrive at an estimate of *per capita* land availability. Professor J. H. Wellington

used figures from the Odendaal Report and the 1959-60 Agricultural Census²⁰ to show that:

Land per capita	rural white population	2,008 ha
	total white population	531 ha
	Africans in reserves	68 ha
	total non-white population	50 ha

The new 'homelands' do nothing to redress the situation if the quality of all the new land being added to the reserves is taken into account. The only useful additions, such as the extra portions taken from white farmers to make up the new Damaraland and Namaland (for which the farmers are generously compensated), are inferior to the lands being taken from Africans on the hardveld (who are not compensated) – almost all the rest of the new areas earmarked for the 'homelands' are useless semi-desert. Hence the changes in land allocation make no effective change in the net availability of grazing land to either blacks or whites, mainly because saturation point has been reached in the allocation of good farmland and there is no more available. However the discrepancy in *per capita* land availability continues to increase because the black population is increasing faster than the white. Using 1970 census figures, it appears that whites dependent on farming had on average 65 times as much useful land per person as the blacks.²¹ A similar calculation using 1975 figures gives 89 times as much land to white farmers.

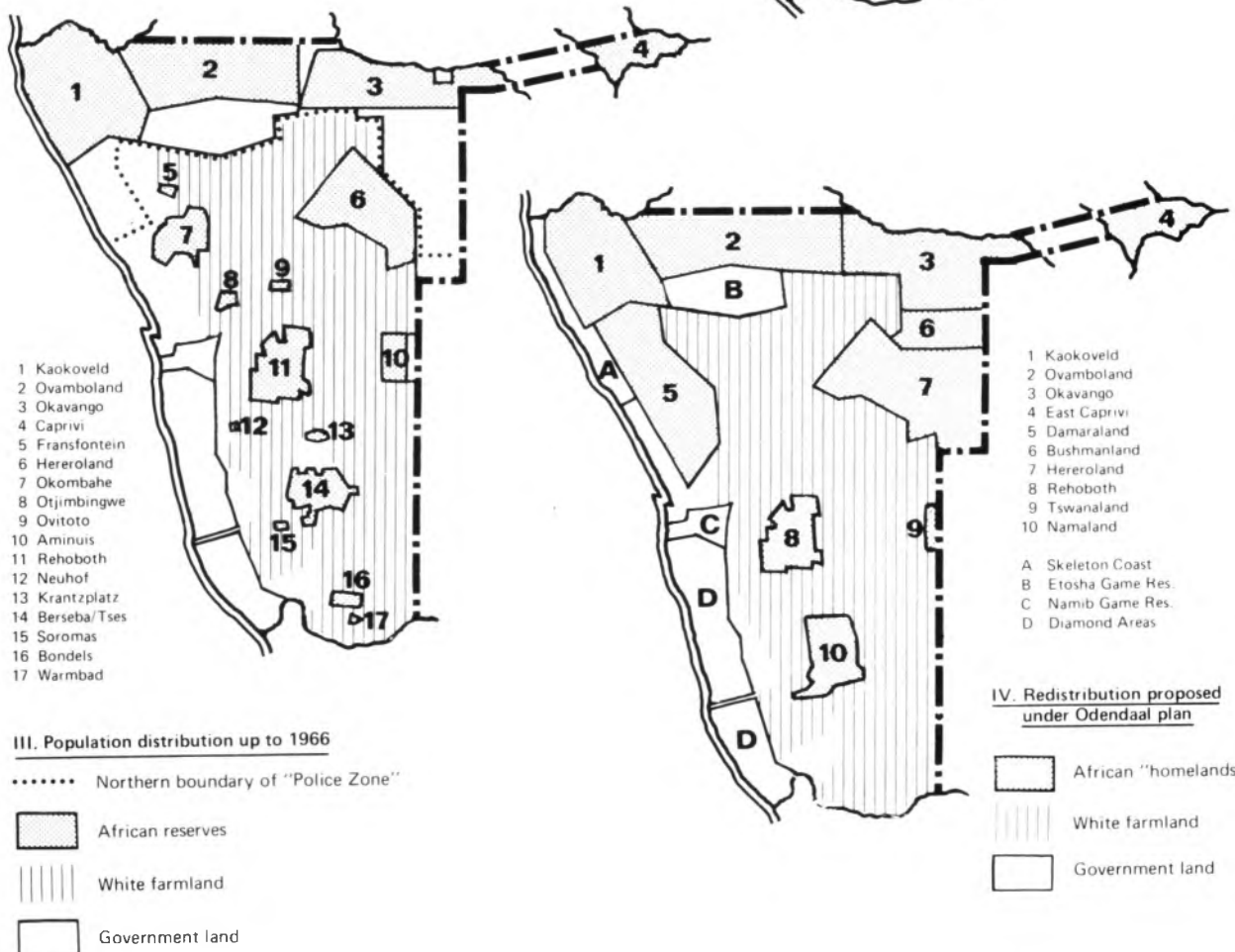
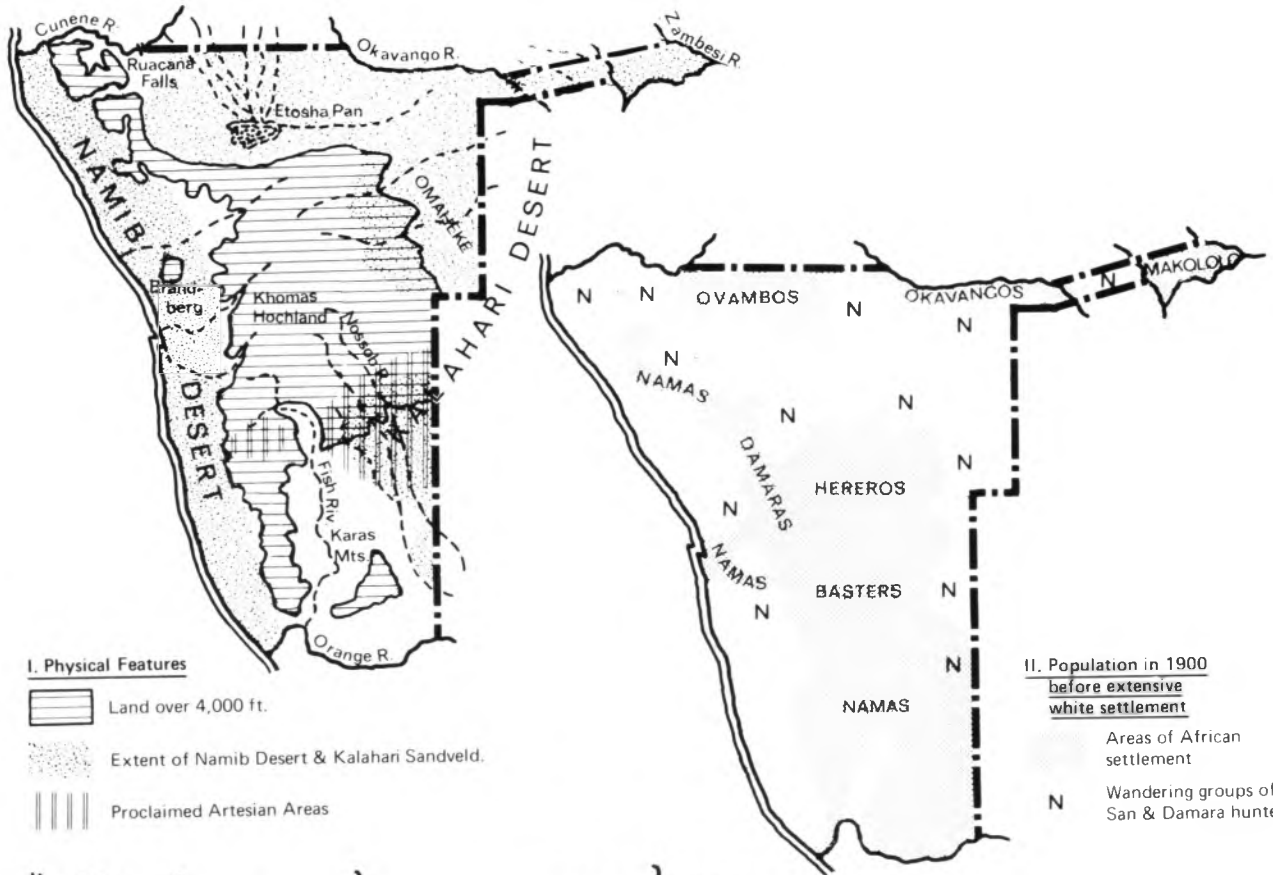
Using averages can be misleading. The most crowded part of Namibia is Ovamboland, which in 1975 was estimated to have a population of 396,900. Therefore 43% of the recorded population were obliged to live in 7% of the land area of Namibia. But only half of Ovamboland comprises usable grazing land – an area of about 2.8m ha. So the Ovambos have an average of 7 ha. per person compared with 1625 ha. per rural white. Therefore whites dependent on farming have 230 times as much useful land (which is generally of a better quality), than the average Ovambo, who is restricted – by order of the whites – to his 'homeland'. As a result, although Ovamboland is a relatively fertile part of the country, it is being turned into a dust-bowl by over-grazing. A serious drought can mean famine for the inhabitants.

3. Labour and Wages

As of the early 1980s Namibia's economically active population numbered some 518,000 persons according to estimates by the UN Institute for Namibia (UNIN) in Lusaka. Of the total, some 310,000 are northern zone Africans, of whom about 75,000 are migrants on short term contracts, with a total migrant labour force of some 110,000. The largest proportion of the economically active population, some 240,000, are peasant farmers engaged in subsistence agriculture, with 57,000 employed as labourers/foremen on white owned commercial ranches, and 221,000 in non-agricultural employment – mining, fishing, secondary and tertiary sectors, including 75,000 in domestic service. Excluding small scale agricultural self-employed and domestic servants, the total formal sector labour force is about 203,000. No official figures for unemployment levels exist, but private sector sources estimated the unemployment rate at between 15-40% as of mid-1984 or between 30-80,000 people. Almost all senior posts in administration, management and professional/technical activities remain filled by Europeans, and of the total 50,000 in managerial/professional/skilled artisan posts, about 30,000 are Europeans, 12,500 African and 7,500 Coloured.

Migrant labour: Distribution of contract (migrant) labourers as of 1972 through the various sectors of the Namibian economy has been given by John Kane-Berman²² as follows: Farming, 25%; Domestic service, 6%; Mining, 30%; Fishing, 7%; Government, commerce and industry, 32%.

The importance of these contracted labourers to the country's economy was demonstrated when 13,500 migrant workers, who were nearly all from Ovamboland, went on strike during December 1971 and January 1972. This action paralyzed industry, attracted considerable world attention for a brief period and no doubt helped to inspire the later strikes as far away as Durban. The strike forced the authorities to make changes in the contract conditions for migrant workers, but in practice the strikers gained few tangible



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benefits. The strike did however have a great impact on the morale of black Namibians, by clearly demonstrating their potential power – and for the same reasons considerably depressed the morale of the whites.

Many people outside southern Africa find it surprising that widespread strike-action by the Africans under South African rule has not occurred more frequently. The reasons why this has not happened become more apparent once the forces that tie workers to the system of contract labour are understood. The migrant labour system evolved as a means of supplying the white economy with sufficient labour. Contracts were introduced as they provided a means of controlling the numbers of black people working in the white areas. Hence this system minimizes the number of Africans living in areas favoured by the whites and cuts down on any outlay for black housing and other social infrastructure. An additional advantage of the system from the white point of view is that the rapid turn-over of the unskilled black labour-force makes it difficult for them to organize themselves politically.

The Ovambos, who provide the majority of Namibian contract labourers, are recruited at Ondangua, given a medical examination, classified A, B, C, according to physical fitness and then given a contract and identity document. They are labelled with the name and address of their employer-to-be and packed into lorries for the long journey south. They generally go for a minimum of one year, but more often two or more. Wives and children are not allowed to go with them and stay behind in the 'homeland'. Poverty caused by the overcrowding in their 'homeland' forces almost all Ovambo men to leave their families at some time to work a contract in the south. It is common for a man to spend from two-thirds to three-quarters of his married life away from his wife and children 'ministering' to the needs of white men. Miss Rauha Voipio, a Finnish missionary who has lived for 25 years in Ovamboland, wrote a critical expose of the contract labour system²³ in which she blames the enforced breaking up of families involved as a major cause of broken marriages and social disruption. She conducted a questionnaire among 1000 contract labourers. The result reveals a tragic catalogue of unhappiness: men becoming drunkards during their lonely contract periods, children growing up virtually fatherless and abandoned mothers quite unable to cope.

The majority of contract workers employed in such centres as Windhoek, Walvis Bay and Lüderitz, plus those employed by the larger mining companies in remote areas, live in bleak concrete compounds, housing in many cases several thousand workers. The Ovambo compound in Katutura, near Windhoek, houses 5000 men and that at Walvis Bay, 7400. The conditions in the compounds, no less than their appearance, invite comparison with prisons. The main white English-language newspaper in the territory, *The Windhoek Advertiser*, has described Katutura's strife-torn compound as 'little less than a filthy ghetto'. This compound is surrounded by barricades so that the police can readily check the passes of inmates going in and out, and its walls are crowned with broken glass and barbed wire. The interior has been reported to be²⁴ cold and dank and men sleep twenty to a room on wooden-lidded concrete boxes that contain all their possessions. Each man receives a piece of felt 1 cm thick as a mattress. Sanitary conditions are disgusting, with many flies and an all-pervading stench of urine and unappetizing food, cooked in bulk, is ladled out with shovels. Even the Windhoek Municipality, which runs the place, admits that conditions in Katutura are not satisfactory, but states that no funds are available to remedy the situation. Walvis Bay compound, the biggest, is not as dirty and the workers say the food is edible, but the lavatories are communal without any partitions for privacy. No women are allowed into any of these compounds and the men must live in a soul-destroying all-male environment.

Forced or voluntary labour? Without the migrant workers' earnings, not only would their families starve, but it would be impossible to buy clothes and other essentials that have to be imported into the 'homeland'. An additional spur is the need to pay poll-tax to the tribal authorities. If this were not enough, 'Native Reserve Regulation 27bis' of 1922, allows the superintendent of a reserve to order any male resident who is living an 'idle' existence to take up employment in essential public works. Further, under the 'Vagrancy Proclamation' of 1920, Africans can be convicted of vagrancy and be 'sentenced' to work in essential public works or even for a private individual. These laws were reinforced by the 'South West Africa Constitution Act, 1968' (which is of doubtful

legality, being post-1966, in the light of the ICJ's 1971 Advisory Opinion); under this *all* male Africans over the age of 16 are obliged by law to register as 'Workseekers' with a labour bureau in their designated 'homeland'. All employers are also obliged to register with the labour bureau under this Act and they can be fined heavily for recruiting workers other than through a labour bureau. Any African wishing to change his employment needs a 'Work-seeker's Permit' from his previous employer, or he must go back to his 'homeland' at his own expense within 72 hours of ceasing employment. Obviously the necessary permit may not be forthcoming if the employer does not want him to leave. Any African without a job or a valid 'Workseeker's Permit' in a white designated area automatically becomes a 'vagrant', which is an offence punishable by repatriation to his 'homeland'. Violations of the labour regulations by Africans are punishable by up to six months' imprisonment or a fine of R100.

In brief, the system has evolved as a means to restrict black people to designated areas, to allow control of their movements by the white authorities and to supply labour to suit the needs of the white economy, by coercion when necessary. When low wages and poor working conditions are contrasted with the considerable wealth of the employers, the situation amounts to little less than a modern form of slavery; criminals are treated better in many countries.

Can the labour force defend its interests? Employers together with the monopolistic recruiting agency have organized themselves to prevent a free labour market – which could result in higher wages and improved working conditions – from developing. Before considering wage levels it is important to understand their purchasing power and consequent value. Price structures in the territory closely reflect those in South Africa, where most manufactured products are railed from, but levels are slightly higher due to added transport costs. Food costs in the northern 'homelands' are higher than elsewhere due to the Bantu Investment Corporation monopoly.

Inflation has averaged 10% a year since 1976 and the Poverty Datum Line has been increased accordingly. The most reliable figures are those provided through research carried out regularly by the University of Port Elizabeth. For the period April 1977–April 1978 the research team calculated that the basic household subsistence level for a black family of six – two adults and four children – in Windhoek stood at R162 per month. For 1983 it calculated that the basic subsistence level had risen to R270 per month and that, as in previous years in which the survey work had been carried out, Windhoek emerged as the most expensive of all the towns surveyed in Namibia and South Africa. The struggle of the majority of Namibia's population to meet their basic needs was graphically outlined in October 1983 by a community worker in Katutura, Windhoek's black township, Mrs Annchen Parkhouse. Speaking at a public meeting called in protest at a decision by the Administrator-General to increase the general sales tax (GST) from 6% to 7% (in June 1984 it was increased further to 10%), she said that over 10,000 children in Katutura went to bed hungry at night. A diet based on unsifted maize meal costs R67 per month for a family of five and additional basic needs included water, soap, clothing and housing. Action GST, a group formed to protest the GST increase, claimed that most non-white families earned less than R300 per month and were forced to use all their money on consumer articles. Three basic foods – unsifted maize meal, milk and brown bread – were exempted from the tax when the second increase to 10% came into effect from 1 July 1984, but it applies to all other consumer goods, manufactured products and services.

The Wiehahn labour reforms of 1979–80 which allowed the formation of registered black trade unions in South Africa have not been extended to Namibia. The Wage and Industrial Conciliation Ordinance of 1954 disbars Africans from negotiating with their employers on an organized basis and the only existing unions are white controlled, such as the Mine Workers' Union. In 1978 the then Administrator-General, Judge Steyn, announced that Africans were free to join existing or form their own trade unions, provided these did not have a connection with any affiliated party, but in practice the situation has remained unchanged. Since 1980, the Chamber of Mines of SWA/Namibia, has pressed for the updating of the 1954 ordinance as its racially discriminatory provisions are regarded as an embarrassment and a hindrance to better labour relations. The 1983 chamber president, Mr H. A. R. Meiring, chief executive of the Tsumeb Corporation, stated in the chamber's

annual report for that year that the mining industry wanted to see the introduction of Wiehahn style legislation, specifically including provisions for the formation of multi-racial trade unions. As of early 1985 its proposed amendments to the 1954 ordinance had still not been accepted although the South West African Agricultural Union (SWAAU), which represents white farmers, has also cautiously endorsed the need for changes. In the mining industry, wages and conditions of employment of the African workforce are mainly determined by mine managements, although joint management-employee representation committees have been established at the larger mines, including CDM and Rossing.

In 1978, a National Union of Namibian Workers (NUNW) affiliated to SWAPO was formed openly in the country, although it is understood to have been set up in exile some years previously by SWAPO. Several branches were established, including one at Rossing, headed by Mr Arthur Pickering, then a personnel officer at the mine and the first Coloured lawyer to be admitted to the Windhoek bar. Following a NUNW backed strike at Rossing, Mr Pickering and other NUNW officials active at Rossing and elsewhere were detained by police during 1980, and some subsequently went into exile. As a result the NUNW leadership has been forced to act clandestinely although it continues to recruit members.

The following sections illustrate the almost universal inadequacy of African wages paid in the various sectors of the Namibian economy.

Mining: The mining industry has for the past 30 years been the most lucrative sector of the commercial economy, the source of the large gross corporate profits, and the main contributor to the GDP, exports and state revenues. Mineral production presently includes gem diamonds, uranium, a variety of base and precious metals, of which the most important are copper, lead, lithium, pyrite, tin, silver and zinc. Namibia experienced a mineral boom in the early 1970s, with the development of the Rossing mine, opened in 1976 and the world's largest open-cast uranium mine, and the discovery of potentially valuable deposits of uranium and copper. The value of mining output peaked in 1980 at R622m but the subsequent world recession and the high level of regional inflation have reduced production levels, sales and profitability. The value of mining output declined in real terms by 19% in 1981-83, and its contribution to the GDP fell from 44% in 1980 to under 30% as of 1983. However a sustained upturn in demand from the industrialized countries would see a return to previous levels of profitability.

Although most mines continue to rely on migrant workers for the bulk of their workforce, since the mid-1970s the larger mining companies have considerably increased cash wage levels, and improved employment conditions, amenities and training facilities. Most companies claim to have instituted non-racial wage policies – since this involves equal percentage increases to white and black workers it is not likely that the relativities between black and white wages have altered substantially, although a small number of black workers have entered higher grades traditionally the preserve of white miners. Figures provided by the Chamber of Mines of SWA/Namibia, to which all the main producing mines and prospecting concerns belong, show a significant rise in basic wages over the period 1975-1983, although only an average basic wage per employee irrespective of racial group is given, which gives no idea of the difference in average black and white wage levels. Of the total employed as of 1983, some 3200 were probably European, 13,000 African (over 90% migrants), and 800 Coloured, with average wage rates per group per year ranging from R5000 for Africans, R18,000 for whites, and R9000 for Coloureds.

Three mining concerns account for over 90% of mineral output and it is these firms which determine the level of wages paid to Namibian workers within the industry – CDM, wholly owned by De Beers Consolidated Mines, mines alluvial diamonds in coastal marine terraces north of the Orange River; the Rossing mine, owned by the UK industrial group, Rio Tinto Zinc Corporation (RTZ); and Tsumeb, mining copper, lead, silver and zinc, jointly owned by Gold Fields of South Africa and Newmont.

CDM's minimum wage increased by 8% as of June 1983 from R260 to R281 per month. The total labour force comprised 6451 in 1982, although this included migrants at home between contracts, and the actual number of employees on the mine at any one time was given as averaging 5500 during that year. There have been some efforts to improve conditions for the workforce. As of 1982,

450 family homes had been built at Oranjemund for black workers and 97 were receiving training in various fields. In 1980 some 250 apprentices were trained on a semi-skilled programme while grants have been offered to the Valombola Technical Institute in Ovamboland and Cocordia College, Windhoek.

RTZ has received severe criticism for its wages and conditions offered to black workers. In 1977 the company chairman admitted that conditions were 'appalling' and with continued pressure from concerned outsiders there has been some improvement in wages and conditions. As of mid-1983, 3059 people were employed at Rossing, some 5% lower than the previous year due to a policy announced in July 1982 of not replacing departing workers. Of the total number of workers 1643 were African, 839 white and 577 Coloured; as at CDM, workers are graded on the Paterson system of job evaluation introduced in 1978. This classifies employees on a non-racial skills basis; however, as of 1983, the vast majority of hourly-paid workers (grades 1-6) were African, 1451 out of a total of 1760 people, while the majority of monthly paid employees (grade 7 and above) were white, 675 out of a total of 1198 people in these grades. There were only 190 Africans in these grades, with the largest number of Coloured workers, 323, occurring in grades 6-8. Wages ranged from a minimum of R296 per month to a maximum of R474 per month for grades 1-6 and from a minimum of R581 per month to a maximum of R2548 per month in grades 7-13. Single quarters for the lower grades are provided at the mine in Rossing village, while married accommodation for employees in grades 1-8 is provided at Arandis nearby and for workers in grades 6-8 at Tamariskia, the Coloured suburb of Swakopmund. For employees in grade 9 and above, accommodation is provided in the exclusive Swakopmund suburb of Vineta. In practice, most African workers reside at Arandis, which has been developed as a self-contained community, with sporting and recreational facilities, commercial premises, and a 40-bed hospital, although its proximity to the open pit mine means that it suffers from dust. Family housing is only available for some two-thirds of the unskilled workers (as of 1983 785 houses were occupied with a further R1.5m to be spent that year on additional housing) and the housing of different grades in different locations results inevitably in a continuing degree of racial segregation and disparity in the facilities available.

Wages and conditions at Tsumeb, while considerably improved since the early 1970s, have remained below those at both CDM and Rossing. Minimum cash wages were some R125 per month as of the beginning of 1983, and in February the company announced an average wage increase of 6% for all workers, with an increase of 13% for unskilled labourers. The company employed a total of 5291 workers in 1983, of whom 3916 were classified as aides and labourers and 1375 skilled workers, with migrant black workers comprising some 4200 altogether. Family housing was first provided from 1977, and as of 1983 only 267 houses had been completed, with a suspension of the building programme during 1982 on account of the recession. The number of blacks in posts traditionally held by whites was 175 in 1983 – compared to 166 in 1982 – while of the 76 apprentices undergoing training, 49 were white and only 27 black. Tsumeb has recognized the South West African branch of the Mine Workers Union as organizing the skilled (white) levels and the union claimed some 300 black members as of 1982.

It should of course be remembered that the most dangerous and uncomfortable work in the mines is generally carried out by the lowest-paid, least skilled, black labourers. Their pay scales therefore tend to be below the average quoted above. However pay in the mining industry is generally better than in most other sectors of the Namibian economy.

Fishing: The cold, nutrient-rich waters contained within the area of the south-west Atlantic continental shelf through which the Benguela Current flows northwards contain a rich variety of marine life. Along the inhospitable coast, where contact between the sea and parched Namib sands results in dense sea mists hazardous to shipping, flamingos and pelicans mingle with penguins and seals, attracted by the normally abundant fish. The inshore fishing industry, based on the catching and processing of pelagic fish (pilchard, anchovy, mackerel) and rock lobster at the harbours of Walvis Bay and Lüderitz respectively, is dominated by South African-based fishing companies. Between 1965-75 it was a greater source of export earnings and contributor to the GDP than was agriculture, but the industry sharply declined from the mid-

1970s onwards, due to overfishing of the pilchard, the most lucrative species used for canning for export. The midwater and deepwater stock of white fish – hake, horse mackerel and sole – is caught predominantly by the overseas trawler fleets of the 17 member countries of the International Commission for South-east Atlantic Fisheries (ICSEAF). ICSEAF has proved unable to enforce its own regulations to halt overfishing while a 200 mile Exclusive Economic Zone (EEZ) proclaimed by the Windhoek administration in 1979 has not been recognized. Thus many of the benefits which flow from this natural asset are lost to the Namibian economy.

Despite substantial pay rises during the pilchard canning boom of the early 1970s, basic rates of pay for contract workers remained low, and were some R130 per month as of 1982. In practice, the bulk of wages has been tied to a range of performance bonuses by factory owners – for length of service, production and overtime. On top of a normal working week of 50 hours, overtime of 30–40 hours was generally quite normal during the peak catching period, with long irregular shifts of 12 hours or more six or seven days a week. With the decline of the fishing industry in the latter 1970s, the working season has shortened to 5–6 months in the fish processing plants, so it has become next to impossible for the greatly reduced workforce, down from a seasonal peak of 8000 in 1977 to some 2000 in 1982, to save enough to maintain their families during the period of unemployment in the closed fishing season. Outside the factories, contract workers are compelled to live in segregated barracks, with nothing more than a concrete bunk in the Walvis Bay compound, which accommodates up to 8000 workers with 16 to a room at a time. There is no unemployment or sickness pay from either the companies or the administration, no social welfare and no company pension to supplement the small state pension to which some are entitled. Fishermen generally have been better off with a general freedom to seek the highest paid jobs throughout the Namibian and South African fishing industries. A majority of the crews have been Coloured, originally mainly from the Cape. However the decline of the fishing industry has severely affected even this relatively privileged group – average crew earnings from purse-seine fleets had fallen from R7200 per year in 1974 to R2600 per year in 1981, before deducting costs. Most Coloured fishermen also live in overcrowded housing in segregated areas.

Farming: Farming now contributes under 10% of the GDP compared to 20% in the 1960s and early 1970s, with over 95% of output comprising commercial agricultural production. Cattle rearing, originally the economic mainstay of the African population, has been taken over and commercialized on former African-occupied land in the central-northern plateau, by predominantly Afrikaner and German farmers. After 20 years of unrivalled prosperity for white farmers from the 1950s to the early 1970s, the whole farming industry has been devastated over the past seven years by the severe drought as well as by world recession and changing export markets. The cattle herd has declined by about 25% in the four years 1979–1983 and income from cattle sales has fallen by over one third.

Total agricultural sales in 1984 were estimated at R130m, about R50m less than in 1981, while higher feedstock prices and increased rail tariffs increased costs by 30% in 1983. As a result the amount of debt owed by white farmers in recent years, primarily to the SWA Land Bank, has soared and the collective debt was R170m as of 1983. Farms in the areas worst affected by drought have been destocked and only some 3500 of the 5200 commercial farming units owned by individual farmers and commercial concerns are presently occupied. Over 20% of the 4500 white farmers (one third of whom are German) are reported to have left their farms including many in the war zone bordering Ovamboland whose ranches are in the war zone. An official report of 1983 calculated that 85% of existing farms were unviable and recommended the consolidation of farms and encouragement of black tenant farmers in traditional white farming areas, in view of the widespread absentee landlordism. Drought relief totalled R37m in 1983, of which the 240,000 black peasant farmers received only R6m. Subsistence farmers in the Damaraland and Kaokoland 'homelands' have been left destitute by the drought.

Even before the drought affected farm incomes wage levels in this sector were extremely low, even taking into account payments in kind. The chairman of the South West Africa Agriculture Union disclosed the wage levels in force as of 1976 at a press conference.

Unskilled black workers started with a wage of R12.50 per month, rising after one month to R13.50 per month. The minimum wage after 18 months employment was R15 per month, plus free housing, food rations, medical services and other 'perks' clearly necessary for survival. A livestock manager, the highest grade a black farmworker can normally attain, earned a minimum of R27 cash per month. Another spokesman for the farmers admitted that some farmers operated farm stores or general dealers' on their ranches where retail prices were so high that workers did not receive any cash wages at all at the end of the month, having spent their earnings already in the form of credit at the store. The real value of payments in kind and 'perks' seem to be exaggerated by farming employers. More recent detailed data is lacking, but it seems likely – especially in view of the protracted drought – that black workers' wages will have remained low, lagging well behind those paid in mining and industry.

The rest of the economy: Manufacturing industry contributes about some 5% of the GDP but employs 12% of the formal sector labour force. There are sizeable engineering and construction service industries to support the three main sectors of the economy with manufacture of metal and welding products, assembly of imported materials, food processing and packaging the main activities. Most of the large South African industrial/construction concerns are present, including Barlow Rand, LTA, the construction subsidiary of Anglo American, Murray and Roberts, as well as subsidiaries of well known UK companies.

As of 1976, unskilled black workers in the **construction** industry would have been receiving around R28 in cash wages per month, as well as food. The Divisional Inspector of Labour in Namibia announced plans in May 1976 to increase the minimum wage to some R54 per month – in line with the Turnhalle recommendations – for building and other unskilled workers, representing a 90% increase, following a conference between organized industry and commerce representatives. Although the rates were not to be legally binding, the Divisional Inspector stated that new contracts would not be registered unless conforming with the new minimum scales. Even if the new rates were fully implemented they would have been below the subsistence requirements of the time. The basic wages for African and Coloured **railway workers** were reportedly to have been increased by 12% in mid-1976, and a system of annual increments introduced which would for the first time include migrant workers from the north.

Domestic servants, excluded from the 1976 minimum wage regulations, continue to earn some of the lowest wages in Namibia, with levels of R15–20 per month normal for female domestics in urban households. As of 1976, hotels in Windhoek were reportedly to be paying R40–80 per month, although this appeared to be based on extremely long hours as workers said they were paid 24 cents an hour or R24 per month assuming a 40 hour week. Some jobs in towns, particularly clerical grades in the public and private sector and shop work, are relatively highly paid, although these are posts to which few contract workers have access.

African-owned businesses: A few Africans run small stores in African townships and reserves. The Rehoboth Basters run commercial farms and the bulk of the mini-economy of Rehoboth. Many Africans own a few cattle, donkeys or goats and occasionally buy or sell these. However Africans in the 'homeland' areas were obliged to trade via the Bantu Investment Corporation, a South African state corporation, which was reconstituted in the early 1970s as the Ovamboland Development Corporation, and similar agencies for the other 'homeland' areas. In 1978 these were incorporated into the newly established First National Development Corporation of SWA (FNDC), generally known by its Afrikaans acronym ENOK. Its initial capital was R40 million and its aims include lending money to black businesses in Ovamboland and elsewhere as well as promoting foreign investment in the country, to which end it has published several glossy brochures outlining the tax and other advantages of investing in Namibia. Although its statutory responsibilities include launching projects to create employment that private firms are unwilling to undertake, the ultimate aim is to sell off these projects to private interests once they have become viable. The FNDC objectives reflect the new official and private sector policy of encouraging the development of a black entrepreneurial middle class with a stake in the existing free market economy.

However the majority of the black Namibians have a negligible share in the ownership of the economy. Their level of income from employment in white-run businesses is inadequate for more than subsistence, making it impossible for them to accumulate capital. In any case, they cannot own land anywhere and they cannot trade in the developed part of the country and so are prevented from even attempting to establish viable businesses.

CONCLUSION

There are few peoples who have suffered as long and as bitterly as the Namibians. Ever since the continent of Africa was divided between the European powers in the late 19th century, the Namibians have been a minority under the domination of an alien occupying power; firstly by the Germans, whose wholesale butchery of the local population can be compared to the later Nazi holocaust, and then by the South African regime, itself an oppressor of its own majority people, who have illegally occupied Namibia for over 70 years. The Namibian people have been murdered, imprisoned and tortured, their country has been turned into a battleground for contending armies, their land and natural resources have been stolen and exploited. This is despite the fact that Namibia has been on the international agenda for many years, firstly under a League of Nations mandate and later as a UN Trust Territory. It has been the subject of numerous resolutions from the UN and other international bodies, and yet no international political action has brought nearer any tangible moves towards true independence. Instead the South African government has made use of the settlement negotiations to try and secure an 'acceptable' political dispensation in Namibia, by procrastinating over any attempts to reach a peaceful, yet just, settlement.

The past century has seen many attempts by the peoples of Namibia to fight against foreign occupation. Many of these struggles were against hopeless odds, as a small and isolated group fought against invaders with superior numerical strength and weaponry. Yet from this struggle has been forged a unity of purpose and a determination to win back their country. Observers agree that SWAPO and its allies would gain a majority of votes in a free election. But such elections can only take place with the implementation of UN Security Council Resolution 435, under UN supervision and control, as a prelude to independence. Here the Western powers can play a vital role, especially the US and Britain, by placing consistent pressure on the South Africans, including economic pressure, to comply with the relevant UN Resolution. Namibian demands are those enshrined in the Declaration of Human Rights which countries such as Britain and the United States were instrumental in defining. The Namibians have fought too long and too hard to be satisfied with anything less.

The Namibian case was stated courageously by the great Namibian patriot and co-founder of SWAPO, Herman (now Andimo) Toivo ja Toivo, at his trial for 'terrorism' in 1967. It is as relevant today as then. It is too lengthy to quote in full, but it concluded:

'I am a loyal Namibian and I could not betray my people to their enemies. I admit that I decided to assist those who had taken up arms. I know that the struggle will be long and bitter. I also know that my people will wage the struggle whatever the cost . . . Only when we are granted our independence will the struggle stop. Only when our human dignity is restored to us, as equals of whites, will there be peace between us.'

APPENDIX 1

Main Political Parties of Namibia

South West African People's Organization of Namibia (SWAPO): founded 1960, president Sam Nujoma, secretary general Andimo (Herman) Toivo ja Toivo, vice president Pastor Hendrik Witbooi, national chairman David Merero. Exiled leadership based in Luanda; armed wing is People's Liberation Army of Namibia (PLAN). SWAPO has inter-tribal support, but strongest among Ovambo, Damara, Nama, Kavango and Herero communities, migrant workers; many supporters are also active members of the Lutheran, Anglican and other Namibian churches.

South West African National Union (SWANU): founded 1959 and claims distinction of being Namibia's oldest nationalist party. Membership predominantly from the Herero community; in 1984 the party split into a pro-SWAPO faction (president Kuzeko Kanguehi) and pro-MPC wing (president Moses Katjiuongua).

Democratic Turnhalle Alliance (DTA): founded in 1978 as coalition of 11 ethnic parties/tribal leaderships participating in the Turnhalle conference; most important constituents are white **Republican Party** (leader Dirk Mudge, also DTA chairman) and **National Unity Democratic Organization (NUDO)** a party of the Herero tribal leadership (headed by Chief Kuaimu Riruako, also DTA president).

SWAPO-Democrats (SWAPO-D): founded by former SWAPO information & publicity secretary Andreas Shipanga in 1978 as breakaway party after his release from two years' imprisonment in Tanzania following rupture with SWAPO leadership. Membership mainly from Ovamboland.

Damara Council: party of Damara tribal leadership, president Justus Garoeb, opposed to 'homelands' policy. It defeated DTA party twice in elections for Damara 'representative authority'. In 1984 withdrew from MPC and aligned itself with SWAPO.

National Party of South West Africa: represents the rightwing of the white Nationalist constituency (the 'verligter' - enlightened wing broke away in 1977 under Dirk Mudge.) Leader is A.P. du Plessis and is believed to be supported by many of the top officials in the administration and military; some leaders have cultivated links with the Conservative Party of Dr Andreas Treunicht which is opposed to the 'reformist' policies of P.W. Botha.

Christian Democratic Action (CDA): Ovambo administration party set up by Chief Minister Peter Kalangula after his resignation as DTA president in 1982; secretary-general Werner Neef, a former aid to Dirk Mudge.

Namibia Christian Democratic Party (NCDP): membership is drawn mainly from Catholic community in Kavangoland, leader is Hans Rohr, German-speaking white Namibian. Joined SWAPO delegation at May 1984 Lusaka conference.

Multi Party Conference (MPC): formally launched in September 1983, consists of DTA, SWANU, SWA National Party, SWAPO-D, Rehoboth Free Democratic Party and the Labour Party.

APPENDIX 2

Namibia: Chronology of Events 1966-1985

S.A. = South Africa(n) S.C. = Security Council

1966	Aug	SWAPO launches armed struggle to liberate Namibia from S.A. control via People's Liberation Army of Namibia (PLAN). SWAPO co-founder Herman Toivo ja Toivo and other SWAPO leaders arrested.
	Oct	UN General Assembly (Res. 2145) revokes S.A. League of Nations mandate to administer the territory which it formally renames Namibia.
1967	May	UN Council for Namibia established by General Assembly to administer Namibia until independence. S.A. refuses Council access to Namibia.
	Aug	Toivo and 36 other Namibians put on trial in Pretoria under Terrorism Act.
1968	Feb	Toivo receives 20-year jail term and is incarcerated on Robben Island.
	Oct	Development of Self-Government for Native Nations Act provides for the establishment of six tribal 'homelands'.
1969	Mar	UN S.C. calls for S.A.'s immediate withdrawal from Namibia, describing S.A.'s continued presence as illegal.

Aug	S.C. set October 1969 deadline for S.A. withdrawal; S.A. refuses to comply. South West Africa Affairs Act transfers the bulk of administrative and legislative powers to the appropriate government ministries in Pretoria.			consent of the S.C., the USA, UK and France (permanent members of the Council), together with Canada and West Germany (Council members for 1977-78) form a 'Contact Group' for these discussions.
1970 Jul	S.C. (Res. 270) requests all UN member states to refrain from any dealings with S.A.	Jul		Contact Group gains from Pretoria apparent agreement to abandon the Turnhalle formulae and to allow UN-supervised elections to take place with an Administrator-General (AG) to be appointed to rule by proclamation and co-operate with the UN over the holding of elections.
1971 Jun	International Court of Justice gives Advisory Opinion that the General Assembly had validly terminated S.A.'s mandate and that S.A.'s continued administration of Namibia is illegal.			S.A. annexes Namibia's only deep-water port, Walvis Bay, together with the 13 offshore Penguin islands, to the Cape Province.
Oct	S.A. rejects Advisory Opinion; S.C. (Res.301) adopts it.	Aug		S.A. judge M.T. Steyn is installed as AG. Executive Powers Transfer Proclamation AG.3 initiates process of transferring responsibility for Namibian matters previously exercised by S.A. ministries to 'directorates' in Windhoek under control of AG, although S.A. legislation remains in force unless specifically repealed by AG. Dirk Mudge breaks with National Party and sets up white Republican Party which joins with other ethnic delegations to form Democratic Turnhalle Alliance (DTA).
Dec	Strike by 20,000 'contract' migrant workers halts most of the mining industry.	Sep		S.A. Immorality Act, Mixed Marriages Act and sections of the pass laws repealed.
1972 Feb	Emergency powers (Proclamation R17) imposed in Ovamboland. S.C. (Res.309) requests Secretary-General Kurt Waldheim to initiate contacts with all concerned to effect Namibia's independence.	Nov		Proclamation R17 replaced by Security Districts Proclamation AG.9 applicable throughout northern Namibia.
Mar-Dec	Waldheim visits Namibia and S.A., appoints Dr A. Escher to continue contacts. S.C. ends Escher's mandate after he appears to endorse S.A. proposal for an advisory council for the territory.	1978 May		While the Contact Group is negotiating with SWAPO president Sam Nujoma in New York, SADF launches attack on Cassinga refugee camp in Angola in which 800 Namibians are reported killed.
1973 May	Ovamboland and Kavangoland declared 'self-governing homelands'. Hundreds of alleged SWAPO members rounded up and publicly flogged by tribal police.	Jun		Registration of voters in Namibia starts.
Dec	S.C. (Res.342) ends contacts with S.A. over Namibia; General Assembly recognizes SWAPO as 'sole authentic representative' of the people of Namibia.	Jul		SWAPO agrees to Western plan for elections; S.C. mandates Secretary General to appoint a Special Representative for Namibia 'to ensure the early independence of Namibia through free elections under the supervision and control' of the UN and also adopts Res. 432 noting that Walvis Bay is an integral part of Namibia.
1974 Feb	Former Irish Foreign Minister Sean MacBride becomes first full time UN Commissioner for Namibia.	Aug		UN mission headed by Spec. Rep. (and new Commissioner for Namibia) Finnish diplomat Martti Ahtisaari visits Namibia.
Apr	Revolution in Portugal alters power balance in southern Africa with prospect of imminent independence for Angola and Mozambique.	Sep		Secretary General's proposals for implementation of elections rejected by Pretoria which says it must hold an election by 31 December in line with its pledge to 'the peoples' of the territory. S.C. (Res.435) adopts Western plan for elections.
Sep	Council for Namibia adopts Decree No. 1 for the protection of the natural resources of Namibia.	Oct		Five Western foreign ministers visit S.A. in bid to get Pretoria to call off unilateral elections but the new S.A. prime minister P.W. Botha says the elections will go ahead.
Dec	General Assembly adopts Decree No.1. S.C. (Res.366) sets 30 May 1975 as deadline for a S.A. withdrawal.	Nov		S.C. declares the unilateral elections 'null and void'.
1975 Jan	Portugal reaches agreement with three Angolan groups for elections and independence in Nov.	Dec		DTA 'wins' elections, which are boycotted by SWAPO and most other anti-Pretoria parties, with widespread voting irregularities and intimidation.
Feb	Civil war starts with FNLA attack on MPLA in Luanda.	1979 Jan		UN team visits Namibia to prepare detailed plan for implementation of Res. 435.
Sep	Pretoria announces a 'Constitutional Conference' in Namibia, participation in which is limited to tribal leaders and parties agreeing to separately represent the interests of the 11 ethnic groups including whites into which the Namibian population is classified by S.A. SWAPO refuses to participate except as a national party representing all groups and denounces the participants as 'puppets'. The proceedings become known as the Turnhalle Conference after the former German army drill hall in which meetings are held.	Feb		Waldheim report to S.C. proposes 15 March as ceasefire date and 7500 strong Untag - Pretoria objects to this.
Oct	S.A. army column secretly enters Angola from bases in northern Namibia and joins UNITA in sweep north against MPLA; Cuba sends regular army units in support of MPLA.	Mar		SADF launches first of series of major 'hot pursuit' raids on SWAPO bases in Angola.
1976 Jan	S.C. (Res. 385) calls for the holding of 'free and fair' elections under UN supervision and control; S.A. withdraws from Angola.	Apr		Over 50 top SWAPO officials and members arrested under AG. 26.
Apr	East Caprivi declared 'self-governing'.	May		Constituent Assembly converted into National Assembly with legislative powers and DTA-comprised advisory council to the AG set up. Martial law extended southwards to Windhoek magistral district and now covers 80% of the population; Pretoria reported to have massively increased troop levels to 60-75,000 men; 130 Cassinga detainees revealed to be detained at Hardap dam near Mariental.
Oct	USA, UK and France veto draft S.C. resolution calling for economic sanctions against S.A. for failing to comply with Res. 385.			
1977 Mar	Turnhalle approves a draft constitution for a three-tier interim government comprising a first tier 'central government', second tier regional 'representative authorities' for each 'population group', third tier racially-stratified municipal authorities. Pretoria appears to be on the point of granting executive powers to a Turnhalle government and at the UN the Western powers ask for a last chance to negotiate with S.A. With the			

	Aug	Angolan Prime Minister Aghostino Neto proposes a Demilitarized Zone (DMZ) along both sides of the Angola/Namibia border. Gerrit Viljoen, former head of the Afrikaner Broederbond, replaces Steyn as AG.	Aug	'Proximity talks' between contact group, SWAPO and S. A. take place in New York – some progress made over impartiality issue and modalities of Untag deployment but Pretoria insists that agreement must be reached on Cuban withdrawal from Angola before implementation of Res.435.	
	Sep	Neto dies and is replaced by Jose Eduardo dos Santos.	Oct	Thirion commission of inquiry into alleged corruption and maladministration of funds in second tier authorities set up.	
	Dec	Pretoria accepts DMZ idea in principle but wants to have military bases inside it.	Nov	US Vice President George Bush visits Africa and stresses the need for a Cuban withdrawal in a 'parallel framework' with a S. A. departure from Namibia. Dr Willie van Niekerk, new AG, extends powers of National Assembly but only for three months.	
1980	Jan	AG announces amnesty for SWAPO guerillas, initially to April; successively extended to November 1984.	Dec	S. A. and Angolan officials meet in Cape Verde for the first time at ministerial level to discuss a ceasefire involving a 'cessation of hostilities' and pullback of Cuban and SWAPO forces. Namibian Bar Council calls for independent inquiry into the effect of the security laws on human rights.	
	Apr	Proclamation AG.8 outlines the powers of second tier 'representative authorities'.	1983	Jan	Hough dissolves National Assembly and assumes control of Windhoek administration for a 'temporary period' following resignation of Council of Ministers over S. A. refusal to modify interim government constitution.
	Jun	Waldheim asks for earliest possible implementation of Res. 435. Council of Ministers established as executive organ of 'interim government' with DTA leader Dirk Mudge as chairman, but AG retains right to veto its decisions.	Feb	Second Cape Verde meeting takes place. S. C. mandates Secretary General Javier Perez de Cuellar to conduct further negotiations with all parties on a timetable for implementation of Res.435.	
	Aug	SWA Territory Force (SWATF) set up, incorporating 90 existing SADF and tribal units and responsible to AG and Council of Ministers, although it remains operationally part of SADF.	Apr	At Paris international conference on Namibia SWAPO accuses Contact Group of delaying Namibia's independence by supporting linkage; Pastor Hendrik Witbooi is appointed new SWAPO vice president.	
	Oct	Viljoen replaced as AG by Transvaal lawyer Danie Hough. Compulsory military service extended to all male Namibians aged 16-25 irrespective of race. S. A. refuses to agree a date for a ceasefire and the implementation of Res. 435.	Jun	Van Niekerk announces plan to set up 'State Council' to formulate a constitution with the Western proposals as a starting point, but apart from the DTA most parties say they will not take part.	
	Nov	Ahtisaari tours African frontline states to gain support for idea of a UN-supervised conference to sort out outstanding problems on settlement plan; Waldheim announces that a 'multi-party pre-implementation' conference to take place in Geneva. Elections for five second tier authorities take place, boycotted by SWAPO. DTA loses to National Party in white election and to Damara Council, which opposes ethnic governments, in Damaraland.	Aug	De Cuellar visits Angola, Namibia and S. A. for talks on outstanding issues relating to implementation of Res.435 with exception of linkage; Pretoria says UN impartiality is no longer an issue but that Cuban presence in Angola is a 'decisive' obstacle. ICRC visits Hardap where SADF admits 146 detainees are held.	
1981	Jan	At Geneva conference SWAPO states its readiness to sign a ceasefire with S. A. immediately and co-operate fully with the UN. DTA says UN must prove its impartiality before implementation of Res. 435.	Sep	AG appoints commission of inquiry to review Namibia's security laws.	
	Feb	African frontline states call for economic sanctions against S. A. to force it to implement Res.435.	Oct	S. C. extends de Cuellar's mandate to 31 December and condemns linkage of Namibian independence to 'extraneous issues'.	
	Apr	US Assistant Secretary of State for African affairs Dr Chester Crocker tours African countries to consult on Namibia and find a new basis for a settlement acceptable to S. A. in line with Reagan administration's declared policy of 'constructive engagement' with Pretoria. Triple Western veto of draft S. C. resolution on economic sanctions.	Nov	First session of Multi-Party Conference (MPC) – initially participants include DTA, Damara Council, National Party, South West African National Union (SWANU), SWAPO-Democrats and Rehoboth Liberation Front. Namibian Christian Democratic Party (NCDP) withdraws after first meeting, while Kalangula's CDA declines to participate.	
	May	Contact Group consider proposals involving constitutional guarantees before holding of elections. Leaked US State Department papers confirm US is seeking to link a Namibia settlement to a withdrawal of Cuban troops from Angola.	Dec	SADF launches 'Operation Askari' allegedly to forestall a major SWAPO incursion from Angola; at S. C. S. A. offers to withdraw and observe initial one month truce from end of January provided no military advantage is taken by SWAPO or Angolan troops but makes no mention of Cuban forces. Angola initially rejects offer as it does not mention a Namibian settlement.	
	Aug	Major SADF incursion into southern Angola 'Operation Protea'.	1984	Jan	Angola informs UN Secretary General that it is ready to negotiate a separate truce provided S. A. agrees to withdraw all its forces including those occupying parts of Cunene province since 1981; Pretoria pulls out combat force involved in December attack; Angola and the USA hold meeting in Cape Verde, and after US conveys Angola's assurances over a ceasefire to Pretoria, P. W. Botha announces on 31st that S. A. would
	Sep	Council of Ministers granted some executive powers. USA vetoes S. C. resolution condemning S. A. for Angola invasion.			
	Oct	Contact Group proposals for constitutional guarantees presented to SWAPO and frontline states – main elements are provision for adoption of an independence constitution by a two-thirds majority of elected assembly, some element of proportional voting to ensure 'fair representation' of political parties, bill of rights and property guarantees.			
	Nov	SWAPO and frontline states accept most of the proposals except proportional representation.			
1982	Jan	Pretoria accepts the proposals and says it is ready to proceed with discussions over the composition of Untag.			
	Feb	DTA president and Ovambo chief minister Peter Kalangula resigns from DTA. Forms new party, Christian Democratic Action (CDA).			

- disengage its remaining forces in Angola.
- Feb At a meeting in Lusaka, Angola and S. A. agree to the establishment of a Joint Monitoring Commission (JMC) to supervise the disengagement process.
- Mar Toivo is transferred to Windhoek and there released on the orders of the AG. Only two of the four stages agreed for S. A. disengagement have been completed by the end March deadline; Pretoria blames delay on SWAPO forces.
- May President Kaunda hosts three-day conference between SWAPO and S. A. delegation headed by AG and including MPC leaders; signing of Lusaka declaration reaffirming general support of Res. 435 to establish basis of 'mutual trust' blocked by DTA and National Party who want specific reference to linkage; Damara Council, a section of SWANU leadership and NCDP align themselves with SWAPO in 'patriotic alliance'.
- Jul SWAPO President Nujoma meets with van Niekerk in Cape Verde for talks on ceasefire with Angola and US observers; talks break up without agreement after SWAPO offers to sign a ceasefire linked to an immediate implementation of Res. 435 while S. A. wants SWAPO to sign an agreement for a mutual cessation of hostilities without specific reference to 435.
- Aug De Cuellar blames linkage issue for stalemate in negotiations over settlement and says that agreement had been reached on virtually all other outstanding issues. Crocker begins visit to southern Africa; Pretoria warns that the completion of disengagement may be indefinitely delayed if Angola fails to control SWAPO. Toivo elected by SWAPO central committee to new post of secretary general.
- Sep SWANU congress resolves to work with SWAPO to ensure Namibia's 'total liberation'.
- Oct Crocker conveys specific Angolan proposals on an eventual Cuban withdrawal and completion of disengagement to S. A. at a further Cape Verde meeting. The MPC issues a declaration calling for urgent action to implement a settlement and announces a 31 December deadline for other parties 'representing significant constituencies' to join it to discuss independence, failing which it will start unilateral negotiations with Pretoria for independence 'at the earliest possible date'. Remaining Cassinga detainees released; conscription extended to all males aged 17-55.
- Nov Angolan President dos Santos unveils new proposals as a basis for 'a general accord' to end conflict in the region and promote implementation of Res. 435; S. A. presses for Angolan commitment to withdrawal of all Cuban troops within three months of implementation of 435.
- 1985 Apr S. A. announces withdrawal of remaining forces within Angola.
- May Angola announces capture of SA. sabotage team in Cabinda.
- Jun S. A. formally hands over power to an 'interim Government' headed by Moses Katjuongua of SWANU; widespread protests by SWAPO supporters and other critics.

FOOTNOTES

- ¹ Wellington, *South West Africa and its Human Issues*, Oxford, p 202.
- ² HMSO Command 9146 – known generally as the 'Blue Book'.
- ³ HMSO Cmnd 9146, the Blue Book, was produced to show evidence of this.
- ⁴ 1928 Administrator's Report to the Permanent Mandates Commission.
- ⁵ Administrator's Report to the Permanent Mandates Commission in 1939.
- ⁶ From Goldblatt, *History of South West Africa*, p 249.
- ⁷ UN A/C 94, 95, 96, 97, Of 1947 and Michael Scott, *A Time to Speak*, Faber, 1958.
- ⁸ I. C. J. Reports, 1950. An Advisory Opinion of the International Court of Justice, is an acknowledged definition of international law, but is not enforceable. However a Judgement, as opposed to an Opinion, may be enforced by the Security Council of the UN by whatever sanctions are deemed appropriate.
- ⁹ A binding judgement is enforceable by the Security Council – see note 8.
- ¹⁰ General Assembly Resolution 2145 (xxi) 1966: by 114 votes to 2 (South Africa and Portugal), with 3 abstentions (France, Malawi and UK).
- ¹¹ '... Almost any action displeasing to the South Africans or to the Territorial Administration is included in the definition of "terrorism" in the Terrorism Act 1967 (Act No. 83 Amended) and is subject to severe penalties. Terrorism is so broadly defined and so freely applied in the South African courts that virtually anything from forcible resistance to the government to obstructing traffic can be prosecuted as "terrorism",' according to: 'Zimbabwe-Namibia . . .', African American Scholars Inc. USAID sponsored report.
- ¹² Resolution 269 (1969).
- ¹³ *Hansard*, 21 May 1973, p. 961.
- ¹⁴ Mr MacBride has a distinguished record in international affairs. He has been Secretary-General of the International Commission of Jurists, Foreign Minister of Eire, Chairman of Amnesty International and was awarded the Nobel Peace Prize in 1975 during his tenure as Commissioner for Namibia.
- ¹⁵ Roger Murray writing in *African Development*, December 1976.
- ¹⁶ J. H. P. Serfontein, *Namibia?* Rex Collings, London, 1977.
- ¹⁷ *Africa* magazine, Sept 1976.
- ¹⁸ Agency report from DPA (Deutsche Presse Agentur) of 23 October 1977 recorded in *Facts & Reports*, Amsterdam, Netherlands.
- ¹⁹ *The Times*, 5 October 1977.
- ²⁰ Wellington, *South West Africa and its Human Issues*, Oxford, p. 415.
- ²¹ Assuming: rural white population of 24,000 farming 39m ha.; black 'homeland' population of 417,880 having 33m ha. available to them of which only about a third on average can be considered 'useful'.
- ²² J. Kane-Berman, *Contract Labour in South West Africa*, South Africa Institute of Race Relations, Johannesburg, May 1972.
- ²³ Rauha Voipio, *Kontrak-Soos die Owambo dit sien*, Evangelical Lutheran Church, printed by Christian Institute of South Africa, Johannesburg, 1972. Kane-Berman includes a translation of the main points of Miss Voipio's booklet in his paper *Contract Labour in South West Africa*.
- ²⁴ Adam Raphael, *The Guardian*, 8 May 1973.

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