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editorial

Blowin' in the Windhoek



John Liebenberg/Afrapix-Impact Visuals

Expectations have been cruelly lowered in southern Africa, as a cold gust of the new realism continues to cut a swath across the region. Nowhere is this more true than in Namibia, a territory that a year or two ago experienced its own brief flash of headlines in the world's press. But Namibia has since disappeared into the nether-world of global indifference, its dramatic liberation from South African overrule now, to many, not much more than a historical footnote. For the anti-apartheid movement the reasons for a certain lack of interest in a "liberated Namibia" are rather more complex than merely a short attention span, however. The fact that, in many particulars, the new SWAPO government has provided a pretty conventional "neo-colonial" denouement to the long freedom struggle waged by Namibians, helps explain this response. Even at a point when distinctly lowered and "more realistic" expectations are the order of the day, it is not easy to rationalize the very great gap that exists between

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the socialist promise of SWAPO's 1976 Political Programme (cited in Chris Tapscott's lead article in this issue) and the present, much greyer reality.

There is, of course, much more to be said about Namibia's present-day reality than we attempt to cover in the three lead articles (by Tapscott, Brown and Leys) that provide the thematic centre-piece to the current issue. But Tapscott's analysis is a sobering one, nonetheless, teasing out the signs that SWAPO leaders are being drawn, willy-nilly, into the small, self-referential world of a deracialized privileged elite in their country, at the expense of their presumed vocation to advance the interests of the much larger number of Namibian underprivileged. SWAPO leaders, queried recently on such matters by a member of SAR's editorial working group, were quick to highlight the broader constraints within which they have been forced to define their independence project: the gate forces that have blown apart the erstwhile "socialist bloc" and left standing ever more firmly a rapacious "new world order" under western capitalist auspices; the winds of change in the region that produced for SWAPO a transitional process and a new constitutional dispensation very far from that movement's heart's desire. Yet even when appropriate weight has been given to such factors, the central questions posed by Tapscott's analysis remain: has SWAPO much too readily trimmed its sails to catch the prevailing breezes? have its leaders much too comfortably made a virtue of the "necessities" that undoubtedly do crowd in upon them?

These are questions that can be asked of other leaderships in the region, of course, as the struggle continues to redefine "the art of the possible" on the very difficult terrain that southern Africa has recently become. In the Namibian case there may be additional grounds for scepticism about the present leadership's progressive credentials. After all,

the history of SWAPO's own evolution as a liberation movement is a checkered one, too often marked by the kind of authoritarian turns that produced, most graphically, the cruel and well-documented atrocities in SWAPO's own Angolan bases in the 1980s. The swirl of revelations around South Africa's Inkathagate scandal has recently produced further evidence of the way in which South Africa sought surreptitiously to tilt the balance against SWAPO in the elections leading up to independence, one more index of the way in which external forces have sought to conspire against the movement. Quite probably, this was one way in which very conservative forces within Namibian society have indeed been strengthened.

At the same time, the fact that such machinations may have helped keep SWAPO from gaining a two-thirds majority in the pre-independence election (and hence a much freer hand in constitution-making) is not deeply to be regretted. For this, in turn, forced SWAPO to accept a much more open political system than it might otherwise have been prepared to consider. True, it is the right (notably entrenched white interests) that has, up to now, most effectively taken advantage of this political space for its own purposes. Nonetheless, the possibility exists that popular forces will begin to emerge on this terrain that can, over time, challenge Namibia's new elites and pressure parties like SWAPO to be more honest to their stated left-populist purposes.

Not that the picture is entirely bleak, even as it stands. As Susan Brown documents in this issue, the SWAPO-sponsored Land Conference in June of this year provided an innovative and scrupulously open forum within which the central issue of land was intelligently debated and a wide array of voices heard. Of course, only time will tell whether this conference was designed primarily to be a mere lightning rod for

possible tension, a context for "letting off steam," or instead designed to facilitate the development of progressive policy innovations in this sphere. Nonetheless, the conference seems to have been a particularly impressive moment.

Colin Leys focuses on a rather less salient sphere, but one no less important to the health of emergent Namibian society than the resolution of the "land question": the sphere of policing, where the grim legacy of the past combines with the contradictions of the present in a way that stretches the imaginations of policy-makers in particularly challenging ways. Moreover, it is on just such apparently modest fronts that many of the most important advances will have to be made in southern Africa in the coming years. The anti-apartheid movement, with its eyes turned to the "big picture" and the overall pattern of development in the region, must also take seriously, as Leys does here, the complexity of struggle in such spheres.

Complexity is the key then, in Namibia as elsewhere in the region. Certainly, the Inkathagate scandal in South Africa was more complicated than most commentators, of left and right, suggested when it first broke earlier this year; Gerhard Maré provides SAR readers with some much needed perspective on Inkathagate, and some fresh questions, in this issue. The peace process in Mozambique? Not so very straightforward a matter either, for reasons Rob Davies draws out in another article in this issue. Indeed it is precisely with these kinds of articles that SAR is attempting to fill what we take to be our mandate. To work with others in the solidarity movement to sustain great expectations, but to do so, as the present challenging context of our work demands, on the basis of the most rigorous and realistic possible assessment of our circumstances, both in southern Africa and closer to home. To beat against the wind if need be, but not without a compass.

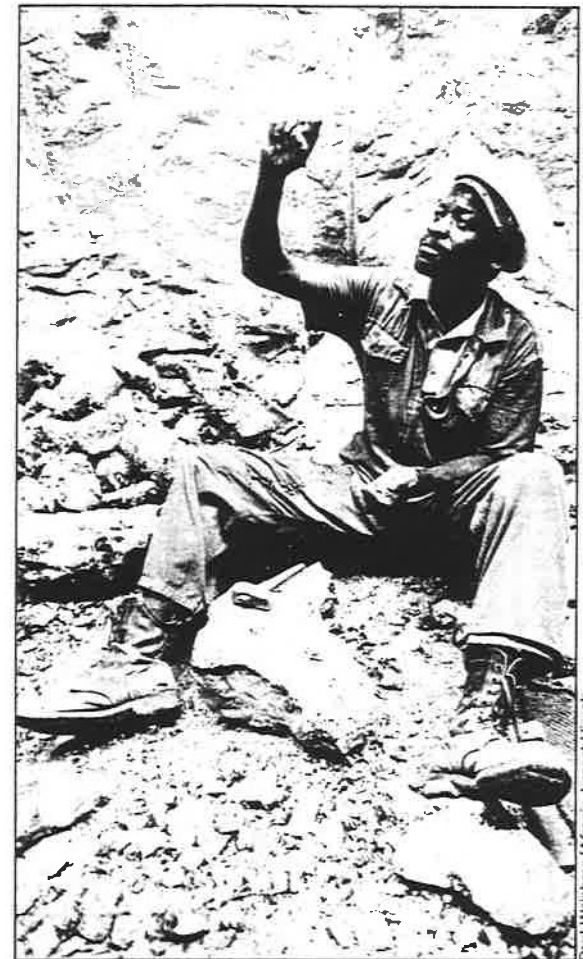
Namibia: A Class Act?

BY CHRIS TAPSCOTT

Chris Tapscott heads the Namibian Institute of Social and Economic Research (NISER) at the University in Windhoek, Namibia.

The independence of Namibia in March of 1990 brought to an end more than a century of colonialism. For the majority of Namibians the history of colonial rule was characterized by dispossession, national oppression and poverty. The policies of this era served, moreover, to reify racial and ethnic divisions within the society, to the extent that different communities were segregated geographically, economically and socially. As in South Africa, class and racial categories in Namibia overlapped, and the small white settler population (backed by Pretoria's military might) controlled the economy as well as the political order. The settler community, together with a tiny black elite which had emerged under the interim government, comprised just five per cent of the population but in 1989 were estimated to control 71% of the GDP. The bottom 55% of the population, in contrast, controlled just three per cent of the GDP. In the context of this structured inequality, most Namibians hoped that the advent of independence would lead to a more equitable and non-racial social order.

In the post-independence era, the form of social stratification does appear to be changing, but not in the way that the dispossessed masses of Namibia might have wished. While it is not possible merely to read off class formation from a series of social indicators, there is evidence of growing stratification in class terms that transcends previous racial and ethnic boundaries. Key to this is the emergence of a new elite, with members of the pre-existing white settler elite now being joined by a new class of senior



Worker in amethyst mine, Namibia

Paul Weinberg/Altraip-Imapact Visuals

black administrators, politicians and business people. This new elite inhabits an economic and social world largely divorced from that of the majority of the urban and rural poor. Small wonder that visitors to Windhoek comment with surprise at the number of BMW and Mercedes Benz cars in what is, after all, a third world country. With the limited resources available to the country, critics argue, sustaining the lifestyle of this elite must inevitably occur at the expense of development projects for the poor.

While this trend is by no means unique among newly-independent countries in Africa, it is of special interest in a country ruled by a political party that was, until recently, viewed by many western governments as Marxist in orientation. Furthermore, South Africa in part justified its continued occupation of Namibia in terms of the need to stem the spreading tide of communism, and in this scenario SWAPO was portrayed as being the hand-servant of Moscow. Nor was such a portrayal entirely the fictive creation of Total Strategy theorists seeking to drum up support for their notion of a "total onslaught" against South Africa. SWAPO had, in its 1976 Political Programme, firmly committed itself to the pursuit of scientific socialism and the introduction of a classless society on assumption of power.

Nationalism and elite formation

The abandonment of socialist ideals in post-independence Namibia should not be seen merely as some reflex of the global decline of the socialist order. True, certain segments of SWAPO did embrace socialist principles, while the party as a whole was heavily dependent on support from Eastern Bloc countries. Nonetheless, SWAPO was first and foremost a nationalist movement, composed of a broad spectrum of social strata mobilized towards national liberation. As has been true of many other national-

ist movements, SWAPO's populism, packaged in the rhetoric of socialism, became in significant part a vehicle for the self-advancement of specific interest groups within the movement. Although there is little evidence that individuals from among the (extremely small) indigenous *Mite* joined SWAPO specifically to advance their own interests (this only occurred, to a limited extent, towards the end of the liberation war), it is the case that the nationalist movement began to create its own elite, both amongst those in exile and even amongst those who remained at home.

Thus, beyond the consolidation in power of a cadre of political and military leaders who grew out of the liberation struggle and who now occupy leading positions in the new government, the primary determinant of social and economic standing in the post-independence era has become educational attainment. Of the 40,000 to 50,000 Namibians who went into exile, a relatively small proportion (15% at most) underwent comprehensive post-secondary training. The remainder were trained as soldiers or learnt rudimentary artisanal and agricultural skills in camps in Angola. And this differential access to training continues to differentiate exiles, both in their present employment opportunities and in the diverse life-styles to which it accustomed them: although educated individuals by no means lived lives of affluence in exile, their expectations regarding the good life post-independence were clearly influenced by their years in Europe, the USA and elsewhere.

Limitations of the Economy

While the demands of the liberation struggle may have served to differentiate its participants, the political economy inherited by SWAPO has also reinforced tendencies towards elitism. Namibia's economy is both dependent and narrowly based, and despite its size, the land is not richly endowed. The country's GDP

is largely accounted for by four sectors: mining and quarrying (32%), general government (18%), wholesale and retailing (13%), and agriculture and fishing (11%). A tendency towards greater capital intensity in both the mining and commercial agricultural sectors has increased the demand for skilled workers and, at the same time, has limited the potential for mass employment generation.

As a consequence of a distorted economy and as a legacy of apartheid rule, there is thus, paradoxically, both a critical shortage of skills (one exacerbated by the departure of many South Africans) and a severe problem of unemployment among the semi-skilled and unskilled. For those black Namibians with skills, demand generally exceeds supply and thus far there has been little competition for employment. Moreover, the jobs they fill tend to be in the urban areas (in Windhoek in particular) where social services are relatively good and life is easier. The converse applies to those who have limited skills. Competition for employment is fierce, wages are low, and many are forced to eke out a subsistence in the rural areas where services are limited or non-existent.

The decision to opt for a "mixed economy" - in practice a capitalist economy - was dictated in part by circumstance (Namibia's dependent economic status, and the collapse of support from socialist countries in particular). Once taken, however, it too limits any very egalitarian policy options that might be chosen by the new government. While SWAPO controls the political arena, it does not control the economy that continues to be dominated by forces which vary, in terms of their support for SWAPO, from indifference to outright hostility. Consequently, in its efforts to promote the confidence of the business sector (which retains the ultimate sanction of disinvestment from Namibia), the gov-

ernment has moved extremely cautiously on issues of affirmative action, minimum wages and the question of land redistribution.

In fact, the SWAPO government has yet even to fully capture the state. As a further consequence of compromises agreed to in the process of constitution-making, job security had to be guaranteed to the middle management of a public service still extensively controlled by civil servants from the former colonial administration. While some of these individuals have adapted to the new order, others appear insidiously to be obstructing efforts to build a more egalitarian and non-racial society.

National reconciliation and retention of the status quo

Viewed from one angle, the new government's pursuit of a policy of national reconciliation was both politically astute and economically necessary. Not only did it forestall the flight of much needed skills and capital, it also minimized the potential for political destabilization by disaffected opponents. Nevertheless, the policy of national reconciliation (mediated by a constitution which was forged through inter-party consensus) has done much to reinforce the status quo and further to strengthen trends towards elitism amongst the indigenous population.

Of course, defenders of the new order also point to the fact that subterfuge on the part of the South African government and other opponents of SWAPO in the run up to the 1989 elections (a charge further substantiated by recent revelations out of South Africa), helped deny the party a two-thirds majority in the Constituent Assembly. Such a majority, it is argued, would have freed SWAPO of the necessity of negotiating a constitution that entrenched many of the existing privileges of the colonial administration.

However, in assessing the motivations of the new elites in government, the aphorism that individuals



always have two reasons for doing anything, a good reason and the real reason, springs constantly to mind. It is true that most government policies can be rationalized as being in the interests of national reconciliation or as being determined by the inherent limitations of the constitution or the economy. Nevertheless, it is equally clear that certain specific segments of the population benefit more directly than others from the chosen courses of action. This is nowhere more evident than in state policy towards conditions of service in the public sector.

In that regard, Article 141 (1) of the Constitution served to reinforce the status quo by affirming that "any person holding office under any law in force on the date of Independence shall continue to hold such office unless and until he or she resigns or is retired, transferred or removed from office in accordance with law." This clause

has been interpreted to imply that individuals employed by the colonial government would lose none of their existing employment benefits including generous housing, pension, medical aid and car allowances. The provision, in essence, presented the SWAPO government with something of a dilemma: whether to implement a differential system of benefits for existing and incoming civil servants (many of whom were SWAPO members) or whether to equalize all employment packages. For various "good reasons" the decision was taken to maintain the existing system of benefits. The result: Namibia is now reputed to have one of the highest civil service salary structures in sub-Saharan Africa. However understandable at one level, this decision does little to redress one of the most glaring inequities of the colonial system, the disproportionate spending of public funds on a largely urban elite.

Inter-ethnic accommodation

On existing evidence, there is little to suggest that elite formation is proceeding primarily along ethnic lines, as many of SWAPO's opponents had predicted. A review of recent senior appointments to the civil service does not indicate any undue favouritism towards the Ovambo-speaking population who form the backbone of SWAPO and who comprise nearly 50 percent of the total population. Although race and ethnicity remain latent lines of stress, they do not, at present, appear to be a limiting factor in the development of a broader class identity.

As for racial integration in the post-apartheid era, that has tended to take place almost exclusively in the upper echelons of the social order. This process was set in motion by the establishment of a government of national unity, whereby a number of opposition leaders were brought into the Cabinet and white Namibians (not all of whom are SWAPO members) were appointed to key portfolios in the Ministries of Finance, Agriculture, Justice and Transport. But high incomes have also now ensured the purchase by most senior black civil servants of homes in the upmarket and formerly exclusively white suburbs of Windhoek. Not a single cabinet minister, for instance, now lives in Katutura, the African township formerly the bastion of political activism in Namibia. Senior government officials, in part for language reasons, have also tended to send their children to formerly exclusively white schools, where the medium of instruction is English and where the standard of education is generally higher than in predominantly black (but less expensive) schools.

Growing dissatisfaction

The government's caution in effecting extensive changes within the political economy has led to charges that national reconciliation is a one-sided process that is benefiting the white settler community far more than the poor majority. Such bit-

terness is perhaps most strongly felt by the thousands of repatriated exiles who are struggling to re-enter the labour market and to fully reintegrate themselves into Namibian society. For these individuals, the widening economic gap between themselves and their former comrades-in-arms is being most cruelly felt.

The "land question," in particular, remains a vexed issue. Unequal access to productive land and to water is a central feature of Namibia's colonial inheritance. In a context where both resources are absolutely scarce, the private ownership of some 45% of the total land area and 74% of the potentially arable land by some 4,045, mainly white, commercial farmers is a major factor in determining inequality of incomes and wealth. In attempting to redress these imbalances, however, the government once again confronts the challenge of matching increased production (or at least maintaining existing levels of production) with greater social equity, since much of Namibia is unsuitable for agriculture. Whilst a measure of consensus on the issue of redistribution was reached during the National Land Conference held in June 1991 (see the article on this conference by Susan Brown), the land question remains far from resolved.

The issue of social equity in the countryside is not confined solely to imbalances in land ownership between white and black Namibians, however. In the post-independence era the most vocal and articulate claims for land redistribution have come not from the land-scarce or landless poor but from wealthier black farmers seeking to increase their own access to land. Nor are these claims confined to the commercial farming areas. In a number of the communal areas (in Ovambo, Kavango and Hereroland in particular), there is a growing trend among certain larger-scale African farmers to illegally fence rangelands, hitherto recognized as communal pasture, for private use. For such indi-

viduals it is not the inequitable distribution of land *per se* that is unsatisfactory, but rather the size of their own share in the system. Although the government has indicated that it will take action against illegal fencing, it appears to feel little urgency to do so.

For many repatriated exiles, as well as many others who supported SWAPO during the liberation struggle, hard lessons are being learned about the distinction between party, government and state. For those repatriated exiles schooled in the old Marxist tradition, the three entities were supposed to be largely synonymous, or at least closely interactive. SWAPO was, after all, the party of the workers, of the students and of the dispossessed. Yet in the name of "national reconciliation," the government now chooses to portray itself as the government of "all Namibians." In so doing, it has not backed the workers in some celebrated instances of industrial dispute, for example, and has, in certain instances, pursued policies that favour minority groups rather than the masses.

Although there are no serious signs of desertion from SWAPO at present, there is unquestionably growing disillusionment in many quarters (particular in the populous Ovambo region - the party heartland) with the pace and form of economic and administrative reconstruction. NANSO, the national student organization and formerly a staunch SWAPO supporter, recently disaffiliated itself from the party. Rumblings within the trade union movement indicate similar dissatisfactions, particularly with regard to delays in the implementation of a labour code and the introduction of a policy on minimum wages. If present trends continue, the party might struggle to win a majority in the next election. Not that great numbers of former supporters would necessarily vote against SWAPO (traditional loyalties run deep). But it is quite possible they would demonstrate disapproval by abstaining.

Land in Namibia: Rhetoric, Reform or Revolution?

BY SUSAN BROWN

Susan Brown, a freelance journalist, lives in Windhoek, Namibia.

The National Conference on Land Reform and the Land Question ended in Windhoek on July 1st this year on an upsurge of goodwill and mutual congratulations by participants. A range of political parties congratulated the chairman, Namibia's Prime Minister Hage Geingob, on being a master of consensus. Black farmers expressed strong optimism; white farmers were subdued but not hostile. In the exhilaration of the moment, it appeared that the 24-point document adopted as "The Consensus of the Conference" would provide the foundations for a land reform policy with broad political support.

It was true the Prime Minister's concluding speech stressed it was a "consultative conference," implying that government did not regard the Consensus as binding, but optimism was the keynote.

Now, three months later, an astonishing range of people - from cabinet ministers to ex-combatants and returnees - are expressing cynicism, doubt or despair about prospects for land reform. The most optimistic comment to be heard was that substantive land reform will take at least a generation, and the legislative and executive framework to make it possible won't be in place for years. This slide into pessimism after a few brief months also indicates the volatility of post-independence expectations and the lines along which, consciously or unconsciously, land lobbies are beginning to form.

Content of the Consensus

One of the major issues many hoped the Conference would deal with was

the question of land nationalization. By the terms of independence, nationalization of land was effectively impossible because they specified that no person was to be deprived of property save in the public interest and subject to just compensation as determined by Parliament.

Most of the 500 delegates to the Land Conference were hoping that a way around this article would be found. The majority of Namibians - up to 80 per cent are still economically rooted in the countryside - saw this question as the test of the government's political will to transform the ownership base of the country.

The first eleven articles of the Land Conference's Consensus document deal with commercial land. The vast majority of commercial land in central and southern Namibia is ranchland, stocking cattle and sheep. The densely-populated communal areas along the northern border combine subsistence cultivation with stockfarming. The Consensus articles conclude that the unjust colonial distribution of land must be rectified, but they reject ancestral rights as a basis for land redistribution.

This marked one of three major defeats for the traditional leaders' lobby which had argued that the government had a duty to restore the status quo in acquiring, controlling and utilizing land. They also wanted to re-establish this historical importance and standing in the community. The efforts of traditional leaders to recapture for themselves the massively powerful political and economic role of appropriation, management and redistribution of commercial land had been an unrealistic hope from the beginning.

The issue of foreign ownership of land was also tackled. SWAPO's

position was that foreigners should not be allowed to own Namibian farmland, though they might lease and develop it "in accordance with Namibia's 'open door' policy towards foreign investment" SWAPO, in fact, favoured blanket expropriation of foreign-owned land, but this position was mitigated by the investment policy argument. According to the predominantly white Namibian Farmers Union, foreign landowners are a minute proportion of commercial farmers anyway.

SWAPO also wanted abandoned and underutilized commercial land to be "reallocated and brought into productive use." The commercial farm lobby let this go by, both because there is little, if any, abandoned and unused commercial farmland, and because the task of defining underutilization can be expected to lead into a legal bog.

Absentee landowners were also to suffer expropriation, according to the Consensus, but "there should be a distinction, in respect of owners who do not live on their farms, between citizen and foreign landowners." But the problem is the same. A definition of what constitutes absentee landlords will run into legal problems. A substantial number of the opposition MPs, black and white, are farmowners - and multiple farmowners at that, now supposedly forbidden - but so are many members of the present Cabinet. Those holding land managed for them in communal areas also qualify as absentee landlords.

The consensus was that there should be a tax on commercial farmland, a position supported by the "progressive" farmers that dominate the Namibia Agricultural Union. They hope it will ensure the productive use of land. However, con-

sidering the wide (though contracting) range of subsidies enjoyed by commercial farmers to date, the tax breaks available to them are so comprehensive that the commercial agricultural sector is a drain on government revenue. In response to that criticism, commercial farmers are quick to point out the sector employs 20% of Namibians with jobs, if the dire serfdom in which most Namibian farm workers live can be called employment.

Looking at what little progress has been made towards the re-allocation of land illustrates why people are angry. To deal with the policies on land, the Consensus calls for a technical committee to study the facts regarding underutilized land and absentee ownership, viable farm sizes in different regions of the country, multiple farm ownership and land taxation. Unfortunately, the government has been tardy in carrying out this recommendation and that has prompted a good deal of the doubt and cynicism of the post-Conference backlash. A proposed list of members for the Committee will be presented to Parliament by the government at the forthcoming session. Meanwhile, the government ministries most likely to be concerned in devising the measures - Agriculture and Rural Development; Land Resettlement and Rehabilitation; Local Government and Housing; Finance - say they know nothing of such a committee, and one Minister says it was his belief that the notion had sunk without trace.

The Prime Minister's well-known doubt as to the ability of some of his ministries to get things done, especially where shrewd negotiation is concerned (not to mention the kudos and power accruing to the politician who spearheads land reform), may well be powerful motivations for him taking the issue onto his own overcrowded agenda. But delay and disappointment may also exact political penalties.

The expansive and time-consuming discussions of the pre-

ceding issues prompted the Conference to impose three-minute limits on speakers. According to members of the Conference's organizing committee, when the draft of the Consensus document was submitted to

farmers security of tenure while unifying all land tenure under the ultimate ownership of the state. To make this transition, the state may assume the right of first option on leasehold land coming onto the mar-



Grain storage baskets, Ovambo, Namibia

the Prime Minister, he sent them back to amplify it, roughly following the SWAPO policy proposal. The result was the position that land is a resource of the state and communal farmland, now privately owned on freehold tenure, should be converted to leasehold which would give

ket and incentives should be established to encourage farmers to convert voluntarily.

No one was happy with that proposal - neither the opposition party nor the communal area farmers' unions. This would amount to nationalization of land, and was un-

constitutional, it was argued. It did not represent the discussion of the issue by the Conference. In the way of things, established farms would be the last to be converted and new black landowners would be entangled in red tape. It did not represent the discussion of the issue by the Conference. It would paralyse transfer of land to black co-operatives which managed to mobilize finance. Did this mean the state was going to take over communal land? It would end any prospect of job-creating investment in other sectors. It did not represent the discussion of the issue by the Conference...

With a snap, the chairperson-Prime Minister called a recess, during which he forcefully consulted the Attorney General, who shook his head gloomily. Unconstitutional.

Thus Article 9, as adopted, read not that land should be owned by all Namibians as represented by the state but that "all Namibians should have access..." to the land. The technical committee to be set up will "evaluate the legal options concerning possible forms of land tenure consistent with the Constitution."

There was another defeat for traditional leaders when the Conference resolved that households should not be required to pay traditional leaders for obtaining farmland under communal tenure for their own subsistence - required mainly in the heavily crowded Ovambo region, and to a lesser extent in Kavango, and again when widows or heirs take over land previously granted to a family head. If the land is for business purposes, users will pay, but to the government, not to traditional chiefs.

The Conference also agreed that communal areas, for the present, should be retained, developed and even expanded, where necessary. The Constitution says Namibians may live and move where they choose in the country, but by implication that could threaten customary land tenure, which would be politically disastrous. Thus Article 13 of the Consensus resolves that while

"all Namibian citizens have the right to live where they choose within the national territory... in seeking access to land, applicants should take account of the rights and customs of the local communities living there." Priority should be given to the landless and those without adequate land for subsistence.

An amendment to the article dealing with the rights of women (and put forward by an urban lobbyist), was accepted without enthusiasm by the predominantly-male conference. The amended version allows women to own the land they cultivate and to inherit and bequeath land. It provides for an affirmative action programme to help women through training and to provide low interest loans and other mechanisms to help them compete on equal terms with men, and it calls for the end to all discriminatory laws or practices, whether statutory or customary, that disadvantage women. While likely to be ignored by traditional authorities, at least at first, this may boost the efforts of the weak women's rights lobby. In time, it may give some leverage to a lot of women who might otherwise be bereft of everything they have - widows or single parent families usually shoved aside by competing neighbours in stock-farming areas, or widows in northern communal areas, who may be dispossessed from land and homestead by their husbands' families, who traditionally inherit.

Article 18, on land allocation and administration, again cuts into traditional leaders' and chiefs' prerogatives without satisfying those who want such powers curtailed. It specifies that their role should be legally defined (rather than customary and discretionary), and that the process of land allocation and administration should be institutionalized under the control of the state, but the Consensus doesn't specify the process. So although traditional leaders see this as a major erosion of their powers, local farmers and NGOs

worry the government has almost no structures to implement changes. In communal areas, with chiefs threatened by central or regional government's intention to usurp their hereditary authority, they can and probably will block efforts to deliver local reforms.

While some traditional leaders have lost legitimacy because of their collaboration with South Africa, or their corruption, ineffectiveness, nepotism and poor management of communal land, enough of them still have substantial influence and loyal local followers. If chiefs are convinced that the government intends to spurn them, they can be a formidable obstacle to district level reform - as in many cases they have been in Zimbabwe.

Article 20 resolves that all illegal fencing and enclosure of communal land must stop. This has been a major point of conflict because of the inequalities in wealth and political leverage endemic to the communal areas. But when in the wake of the land conference, the Ministry of Land, Resettlement and Rehabilitation began to assemble evidence to prosecute those who had fenced and enclosed, officials found that many had done so with support from legally-established structures.

Can it be done?

The major political pressure the government is experiencing is from returned exiles and ex-SWAPO combatants, who are becoming vociferous and hostile to politicians and officials as their disappointment grows over demobilization payouts, access to land and lack of jobs.

The great majority of them have settled in northern Namibia where they know the land and how to farm it. The more arid stockfarming regions in the south and central areas of Namibia are different except in a few cases where land is irrigated. Development Brigades, administered mainly by the Ministry of Land, have become discontented at "working for nothing" and at the

lack of food and resources. The Minister of Land and Resettlement was threatened with assault on a visit to one such project near Omega base, and a Ministry official was locked in a shed for two days.

This Ministry, which bears the brunt of discontent over unfulfilled expectations, like many others lacks the practical capacity to successfully implement programmes. Of six farms the Ministry bought this year before the land conference, none has been resettled, as far as is publicly known. With the radically differing regional agricultural systems, communal and commercial, ultimately district and regional solutions will be needed. Structures on this level are either incomplete or absent. They

may continue to be until regional councils are elected next year.

The forthcoming session of Parliament should see the delimitation of constituencies for regional elections determined, if not the framework for these elections. The new Agricultural Finance Bill should also come before the assembly, diverting a substantial proportion of cheap finance from white to black farmers. So some foundations may be laid.

Meanwhile, the major government ministries who must play a part in land reform - Land, Rehabilitation and Resettlement, Agriculture, Rural Development, Water, Finance, Local Government and Housing and of course the Prime Minister's office - must develop lines of

communication between one another as well as resources and the ability to implement programmes on regional and district level. Thus far, most expansion has been in central government.

But pessimists to the contrary, talk of land reform is not mere rhetoric. Nor, given the many limitations and obstacles - not least the current fundamental changes in the world system, and their effects on political policies available to African governments - is there likely to be a speedy revolution in land tenure and black Namibians' options of ownership. The conference itself is an indication that something is beginning to shift, though the timescale to watch is ten years rather than two.

Police Story: A Tough Transition

BY COLIN LEYS

Colin Leys is a professor of political studies at Queen's University. He has visited Namibia several times and spent six weeks there this summer.

If there has been a week since independence in Namibia when the police (NAMPOL) have not been in the news, it has no doubt been ringed in red ink on the calendar of NAMPOL's official spokesperson, Commissioner Sigi Eimbeck, because the news has rarely been good. The problems of creating an efficient, non-violent police service, committed to 'policing by consent', in place of the former South West Africa Police (SWAPOL) force, have been enormous.

At independence, the 6,000 members of the U.N. peacekeeping force dispersed to their home countries. Just over half of the 4,000 SWAPOL police officers packed their bags and mostly followed the last of South Africa's soldiers back to the Republic. Only about 1,500 police officers remained and over the subsequent months, their numbers dwindled further.

It is true that Namibia has a small population, estimated at about 1.5 million, but it is dispersed over a huge territory. Even with the assistance of 300 'student constables' (new untrained recruits) and 1,700 Special Constables (untrained policemen, paid on a day to day basis, and mainly doing guard duty, driving and the like), this was a completely inadequate force. Besides, at the time of independence, those who remained in Namibia were disorganized and disoriented, even if senior officers who stayed included some with a genuine commitment to build a new kind of police service.

SWAPOL had also become so discredited that no police service that might be seen as its reincarnation had any chance of success. At independence it had only 125 Ovambo officers (six per cent of the total) and only one Ovambo inspector, in a country where more than half the people are Ovambo. More importantly, SWAPOL had become almost wholly dedicated to the repression of SWAPO, which meant the repression of most of the black

population. It used harassment, intimidation, arbitrary arrest and torture in an increasingly routine fashion. Most accounts of brutality in Namibia during the war years focus on incidents perpetrated by the military or by Koevoet ('Crowbar'), the paramilitary counter-insurgency force developed for the purpose of killing members of SWAPO's military force (PLAN) and their internal helpers. What is less appreciated outside Namibia is the extent to which the regular police force had also become subordinated to South Africa's 'total strategy'. Even during the transition to independence in 1989-90, lawyers working for the Legal Assistance Centre in Windhoek discovered special 'interrogation units' in more than one police station, separated from the other offices and equipped with torture instruments.

Black Namibians had no illusions. In the north or in any other major town, if you went to SWAPOL for help to recover stolen property or complain about an assault, you were liable to be pulled in

yourself and assaulted by the police. In a case brought before the O'Linn Commission on Electoral Malpractices, two Ovambo men living in Windhoek's black township of Katutura went to the police station to collect a radio belonging to one of them. They were systematically tortured for no apparent reason other than that they were suspected as being 'SWAPOs'. With the partial exception of the sparsely-populated south of the country, the police were

dard, or Grade, Eight) to be trained as police officers were also wanted by other employers. With the help of Britain, Namibia began a difficult process to try to blend the remnants of SWAPOL with personnel from PLAN and other returnees, and to retrain and reorganize them into a new service dedicated to 'policing by consent'.

By mid-1991, the results were roughly as follows. There were some 2,250 regular police officers (which

these recruits did not have a true equivalent of Standard Eight, especially English-language skills; this was even truer of the Protection Officers, who now made up 51% of NAMPOL. Training courses were set up, again with British assistance, for all levels of the service, from basic training to 'management' training, to impart essential skills and the new values needed to turn the police into servants of the public and effective crime fighters.



Namibian boys joke & laugh at ex-Koevoet turned SWAPOL, Ongwediva, Namibia, 1989

justifiably seen as one of the main threats to people's security, not its main guarantors.

But the new SWAPO government could not scrap SWAPOL. To build a new police service would take time, and the experience, infrastructure and equipment inherited from SWAPOL were assets that could not be dispensed with. At the same time, while there were thousands of Namibians in need of jobs, including thousands of returning exiles, very few had police training. Those who had the necessary education (Stan-

included police women, a small but growing element) plus 2,400 Protection Officers, the new name for Special Constables, now permanent staff rather than paid on a daily basis. Most Protection Officers had been recruited from among ex-PLAN combatants, though a minority were former SWAPOL Special Constables. About half the new regular police officers had been trained abroad (mostly in Tanzania) by SWAPO, or were new recruits with Standard Eight or its equivalent. In practice, many of

But it was an uphill struggle. Training can't accomplish miracles, and there were and are severe tensions, causing avoidable inefficiency, between the remaining ex-SWAPOL officers and the incoming personnel, even though the Inspector-General of NAMPOL remains an ex-SWAPOL Afrikaner, Piet Fouche. Some senior ex-SWAPOL officers have adopted a negative, minimum-effort attitude, relishing the mistakes made by the newcomers that effective leadership on their part could have prevented; while some

John Limberg/Impact-Visuals



John Liebenberg/AfricaImpact-Visuals

Members of Koevoet counter insurgency unit with families at picnic at Ruacana, Namibia, 1987

of the incoming officers probably do lack essential skills and aptitude for police work, even though others are clearly well-trained and capable.

The result is that the police are widely seen – at least for the moment – as fundamentally useless. When notified of a crime, they seem slow to arrive, if they come at all, and are then seen as either unable or unwilling to do anything effective. Constables in charge-offices at police stations too often lack the English-language skills and the training and experience needed to prepare case-records on which a prosecution can be successfully based. There is a prevailing weakness in routine investigative practices, inherited from SWAPOL, that makes follow-up work difficult. NAMPOL is also too small a force – and current budget projections imply it won't get much bigger – for very extensive patrolling to deter crime. Much of the patrolling is done by Protection Officers, who were mostly trained as bush fighters rather than as police.

Given all this, the really interesting fact is that there is no real evidence of a 'policing crisis'. Much of NAMPOL's bad publicity involved a

temporary force of Border Guards and the Presidential Guard Unit, recruited wholly from PLAN. Both were originally in NAMPOL, but have since been hived off.

As regards crime levels, the evidence put forward is inconclusive. NAMPOL's own figures on the value of property stolen do not actually suggest a massive crime wave, although the media tends to imply otherwise. Insurance companies have increased their premiums for insurance against theft, justifying it by saying their losses are mounting. The impression that there is more crime may be based, at least in part, on other changes brought by independence. Black Namibians can now move freely in the centre of the capital and its white suburbs, where formerly they were apt to be arrested on sight after working hours. This gives rise to white anxiety and, perhaps, to a more 'normal' geographic distribution of criminal activities. But given current levels of inequality and poverty, and especially the very high unemployment in Windhoek – where at least three-quarters of all thefts (by value of goods stolen) are reported – it would be surprising if there had not been a

rise in crimes against property. And it should be remembered that people are no longer being killed on a daily basis as they were during the war, even if violent crime is a serious problem, especially for the residents of Katutura. Moreover, and this should not be underrated, while NAMPOL may be seen as inefficient, it is no longer seen as an instrument of terror. Some NAMPOL officers still use violence, especially in Windhoek, but it is no longer the norm.

A balanced view is probably that crime levels have settled down to a level 'appropriate' to a country with Namibia's social and economic problems. The police, for some time to come, will at best be able to deter and clear up most of the serious crimes, like murder or treason. But although their inability to do more than this is a problem, it is not (or at least not yet) as serious as one might suppose.

The point is this: if one took seriously the view promoted by most police forces – that they are all that stands between society and anarchy – one would think that the situation in Namibia was desperate. But what all research on policing

consistently reveals is that the police, at best, reinforce what communities do themselves to define and control crimes. All the evidence shows that increasing police patrols has virtually no effect in reducing crime levels. As for investigation, according to British sociologist Robert Reiner in his book *The Politics of the Police*, "if adequate information is provided [by members of the public] to pinpoint the culprit fairly accurately, the crime will be solved; if not, it is almost certain not to be." The tenacious police detective beloved of detective novels and television series, who solves crimes through painstaking methodical effort plus profound insight into the criminal mind, is not frequently found on the case in real life. What counts is community concern. A SWAPOL officer told a researcher in 1989, "policing in Ovamboland always used to be easy; in nine cases out of ten, an officer called to the scene of a crime would find all the witnesses waiting to see him, with the culprit." He may have thought he was making a point about the simplicity of the Ovambo; in fact, he was describing the essence of successful police work everywhere.

So far, this reality about policing with its implications for Namibia's new police service, has not been fully appreciated. In the understandable anxiety to get a new police service in place quickly, and confronted by so many other pressing policy issues, the SWAPO government has tended to leave policing policy to be determined mainly by policemen. NAMPOL has reached out to the public by forming a Police-Public Relations Council which has had some success in making the police service and some members of the public more aware of each other's problems. A local-level P-PR Committee has also been functioning for the township of Katutura. But many of the real determinants of people's security lie outside the scope of any body that is primarily concerned with the police as such.

For instance, in the rural 'communal' areas (non-settler farm areas), where the most serious crime is stock theft, the real problem is not the remoteness or inefficiency of the police, but the lack of any effective court system. People may identify stolen stock and even the thieves, but the traditional court system has become corrupted. At one time, the chief – who is also a judge – was hereditary, and was trusted to deal with most non-violent rural crime and awarded compensation to the victim rather than jail sentences or fines to the culprit. Under the South Africans, chiefs became political appointee and traditional courts are now increasingly untrustworthy. The magistrates' courts, meanwhile, are too far away, too slow, and rarely award compensation.

Conversely, in the urban townships where the biggest source of insecurity is robbery, often by gangs, measures like the provision of street lighting and more telephones in vulnerable neighbourhoods seem to be an obvious and not very costly step forward. So far, however, these needs have not been put at the top of the agenda. In particular, the police response to community-based self-policing committees has been lukewarm, on the grounds that the initiative to form them has generally come from political (SWAPO) activists. But that has to be expected, given that the black townships were divided, apartheid-style, into separate 'ethnic' neighbourhoods, and that SWAPO has been the main agency of political mobilization for most Namibians for more than twenty years.

The Minister of Home Affairs, Lucas Pohamba, a cautious but realistic man, thinks that in fifteen years the police service can become a fully professional

and effective force. Barring political upheavals, this could happen; but for this really to mean a higher level of security for most Namibians, a wider set of changes, such as those affecting the court system and reductions in unemployment and inequality, will also be needed. As Commissioner Eimbeck puts it, "the police must be the pivotal point for all crime prevention activities, but the public must be the main preventers of crime." If this is taken seriously, and the public's security needs in the widest sense are made the focus of policy-making, Namibia could pioneer some radical advances in policing. But this would call for a degree of empowerment and democratization at the community level which would challenge some traditional interests and thinking, from those of chiefs to those of many policemen and bureaucrats, and no doubt some politicians. The issues involved go to the heart of the relation between the state and its citizens. It is a dimension of post-independence development that deserves to be followed closely, not least for the lessons it may offer to South Africa.

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