

74

**THE DECLINE OF THE NAMIBIAN OPPOSITION 1990 - 1994, AND PROSPECTS  
FOR THE FUTURE**

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## Abstract

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Namibia's founding election did not bring SWAPO a two-thirds majority. Opposition parties' combined votes totalled a third of the poll, giving a strong minority of National Assembly seats to a number of opposition parties. Namibia seemed a ready example of a successful negotiated transition to multi-party democracy. However, in the first five years since independence the opposition parties have fallen behind as SWAPO has continued to consolidate its electoral and legislative power. In the first five years since independence the opposition parties have had little effect on government policy-making and have declined significantly in electoral strength - in the second National Assembly election in December 1994 the opposition parties combined decreased from 31 to 19 seats. SWAPO, therefore, gained a resounding two-thirds majority, raising concern that Namibia is largely a *de facto* one-party state.

This paper explores reasons for the lack of opposition party influence in the First Parliament and for the electoral decline experienced by the opposition. It is based on interviews with several opposition party leaders as well as other individuals with Namibian expertise. Conclusions are also drawn from primary research on the Hansard debates of the Namibian National Assembly, the Constitution and the *Standing Rules and Orders* of the National Assembly.

Institutional structures within the existing Namibian political system are one reason for the decline of opposition politics in the country: they limit opposition parties' ability to develop both a wider support base and, concurrently, to influence legislation. Equally important in stifling the growth of the opposition parties are organisational and other internal weaknesses on the part of the parties themselves. Socio-cultural realities in Namibia likewise affect the growth of opposition parties.

# Contents

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<b>Chapter I Introduction</b>	<b>1</b>
Namibian Political Context	1
Why Study the Opposition	3
Structure of the Paper	4
Explanation of Research	5-6
<b>Chapter II Understanding Parliamentary Opposition</b>	<b>7</b>
Defining the Opposition	7
The Role of the Opposition in a Parliamentary System	8
Democratic Models and the Opposition	10
<b>Chapter III Namibia's Political Arena</b>	<b>14</b>
The Legislative and Executive Branches	14
The Creation of Policy	15
Structures of Opposition Politics	16
<b>Chapter IV Legislative Effectiveness of the Opposition</b>	<b>22</b>
The Opposition in Cabinet and Committee	22
The Opposition in the National Assembly	25
Methodology	27
Qualitative Analysis of Opposition Participation	29
<b>Chapter V Institutional Considerations for Opposition Weakness</b>	<b>38</b>
Leveling the Electoral Playing Field	38
Opposition Weakness and the Electoral System	42
Free and Fair Elections: the Debate over the Directorate of Elections	44
<b>Chapter VI Internal/Organisational and Socio-Cultural Reasons For Opposition Weakness</b>	<b>47</b>
Organisation Shortcomings of the Opposition	47
Socio-Cultural Factors and the Opposition	54
The Nature of the Ruling Party	60
<b>Chapter VII Scope For Change</b>	<b>64</b>
Systemic Change	64
Other Institutional Change	66
Organizational Change	68
Other Prospects for Opposition Growth	70
<b>Chapter VIII Concluding Remarks</b>	<b>72</b>

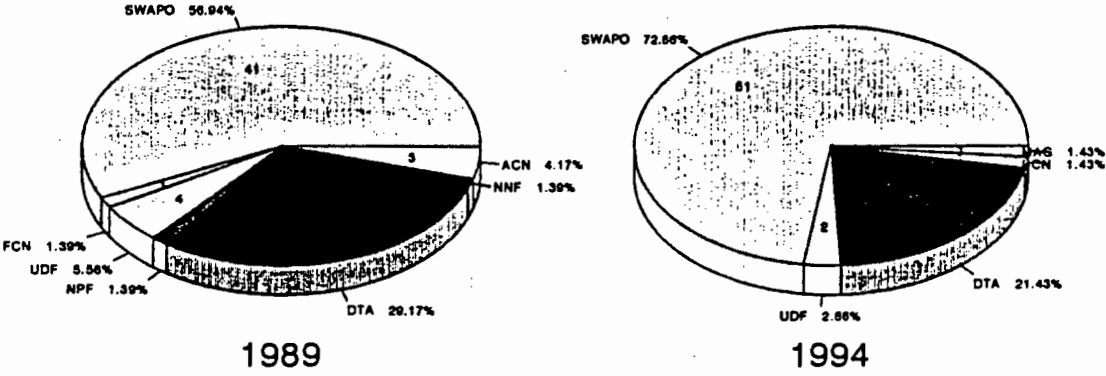
**CHAPTER I**  
**INTRODUCTION**

Namibia gained independence in 1990 after a non-racial democratic election coordinated and run by the United Nations. The founding election followed on the heels of a long and uncertain transitional period, in large part brokered by the international community. The new Namibian Constitution provided for a multi-party framework within a majoritarian parliamentary political system. The South West Africa People's Organisation (SWAPO) won the founding elections with 57.3% of the vote: giving it 41 seats in the Constitutional Assembly<sup>1</sup>. The party polling the second highest number of votes, the Democratic Turnhalle Alliance (DTA), became the formal opposition with 28.6% of the vote: the DTA obtained 21 seats in the Constitutional Assembly. Eight other parties contested the election and several of them gained a few parliamentary seats. The second parliamentary election in December 1994 saw an even greater dominance by the majority party, SWAPO, and a significant decrease in electoral support for the opposition parties.

# National Assembly Election Results

## Percentage of Vote/Number of Seats

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<sup>1</sup>The Constitutional Assembly was automatically transformed into the National Assembly upon ratification of the new Constitution; members of the Constitutional Assembly unanimously accepted the Constitution ninety days into the Assembly's first session.

The decline of oppositional politics<sup>2</sup> in Namibia, a country which has been hailed for its highly democratic constitution and tolerant, non-violent political culture, does not bode well for the firm consolidation of democracy in the country.<sup>3</sup> Although the Namibian political arena has made provision for opposition parties, and there is often active debate among members of opposing parties in the National Assembly, there is growing concern from within and without the country that Namibia is increasingly becoming a one-party dominated state. This is especially true since in the 1994 elections SWAPO won a resounding 72% of the votes, giving the party a constitutional two-thirds majority and, in many ways, transforming Namibia into a *de facto* one-party state. SWAPO now has the political power to rewrite the Constitution and almost wholly direct policy.

SWAPO is the most organised party, possesses broad national support<sup>4</sup> and significant human and financial resources. The party also has the advantage of being a liberation-movement-turned-political-party, a symbolic significance which has carried past the founding election. Only three parties, including SWAPO, contested the 1992 Regional and Local Elections, because, according to the other opposition parties, party and candidate registration fees were too high for smaller parties. In the majority of constituencies, SWAPO candidates stood uncontested. Opposition parties indicate that they have been unable to expand and consolidate their support bases in the past five years, which they partially attribute to insufficient funding and relative political inexperience.

In addition to lack of resources and inexperience, there is indication that structural factors also inhibit the growth and consolidation of a political opposition in Namibia. Opportunities for the Opposition to have a voice in policy-making may be constrained by the operating political system. The form that oppositional politics takes within a majoritarian parliamentary system is shaped, to a large extent, by

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<sup>2</sup>Throughout this paper the term Opposition will refer to all of the opposition parties as a whole. The term Official Opposition will refer to the electorally largest opposition party; in the case of Namibia, this position is occupied by the DTA.

<sup>3</sup>This paper is premised on a theoretical framework which posits that the consolidation of democracy is encouraged by, indeed is dependent upon, a two-party or a multi-party system. Future studies may challenge this framework and suggest that one-party democracy is possible in Namibia.

<sup>4</sup>Much of this support comes from the Ovambo-speaking people, who comprise nearly 60% of the population.

the procedures and norms of the executive and legislative bodies: the National Assembly, the Cabinet and the committees. Similarly, the cultural and social setting within which Namibian politics are played out may be a significant factor in limiting the influence and support base of the opposition parties.

### **The study of the Opposition**

Today one is inclined to regard the existence of an opposition party as very nearly the most distinctive characteristic of democracy itself, and we take the absence of an opposition party as evidence, if not always conclusive proof, for the absence of democracy.<sup>5</sup>

According to Dahl, the existence and role of opposition structures, and specifically of opposition parties, is integral to the democratic nature of a polity. The ability of a society to make room for and, indeed, to encourage organised opposition to the government is often vital to the overall stability of the state. When the Constitution of a country makes specific provision for opposition parties and provides structures for their proliferation and effective operation the country is usually considered more highly democratic than a country which either denies the existence of opposition parties or seriously restricts their ability to function effectively.

Opposition parties are the main agent of formal counter-policy to majority party legislation. As such they provide an outlet for citizens to protest against government policies while still accepting the integrity of the state; in a one-party state there is no such outlet against the government -- discontent with the government is often directly associated with discontent with the state.<sup>6</sup> There is, thus, a strong link between oppositional politics and democratic theory, and, a fair acceptance among scholars that the study of opposition parties within a country can provide significant insight into the democratic nature of that society.

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<sup>5</sup>Robert Dahl, *Political Opposition in Western Democracies* (New Haven: Yale University Press, 1966) p. xvi

<sup>6</sup>As Robert Dahl argues, 'a loyal and legal opposition can be viewed as a means of managing the major political conflicts of the society.' Quoted in Rodney Barker, *Studies in Opposition* (London: Macmillan Press, 1971) p. 5.

The study of opposition structures is particularly important in Namibia. Functioning political democracy is new to Namibia; the Constitution provides for wide-ranging rights and the political arena seems to encourage divergent viewpoints. The consolidation of a tolerant, democratic political culture, however, is still fairly tenuous. As with all new democracies, Namibia is at risk of losing the democratic precedents set by its founding elections. This is especially so in light of the emerging *de facto* one-party state system, or dominant party system, ushered in by last year's parliamentary and presidential elections.

The implications of a declining democratic political arena in Namibia have broad ranging implications for the rest of southern Africa, and perhaps for the rest of Africa as a whole. Namibia has a colonial history similar to many of its neighbouring countries; it suffers from similar underdevelopment and ethnic fragmentation. Like many other southern African countries, Namibia has a history of armed struggle for independence and a long transition to democratic governance. The success of the founding elections rested, in large part, on a platform of national reconciliation and national unity. Political parties with widely divergent views and constituencies came together in the interests of nation-building for the founding elections. This is likewise true for South Africa, and somewhat true for Mozambique and the current process under way in Angola. For five years Namibia has relatively successfully upheld a culture of tolerance and a culture of individual rights -- both emblematic of democratic values. Yet, the fall of the Opposition and the burgeoning of SWAPO bespeak a different story. If other countries seek to follow the example set by Namibia in the implementation of a democratic government and a peaceful first five years of independence, they should look closely at the record of the Namibian Opposition and the reasons for its demise.

### **Structure of the paper**

The overall goal of this study is to analyse the legislative effectiveness of the opposition parties in Namibia and indicate factors for their relative overall weakness in that arena, as well as their failure to grow electorally in the first five years since independence. The first chapter of this paper provides a theoretical framework on the nature of opposition parties within democratically governed societies: breeching such topics as the role of an opposition party, the importance of an Opposition for effective

and sustainable democratic government and most significant to the Namibian case, the role an opposition should play within a multi-party majoritarian parliamentary system.

The second chapter of this paper examines the structures of Namibia's political arena. Here I describe the political system in detail, noting how the National Assembly operates, how members are elected, and how policy takes shape. This section likewise contains an explanation of existing structures for political opposition; here I will examine the *Standing Rules and Orders* of the National Assembly, and indicate how the Cabinet and the committees are appointed. Here the provisions provisions which would or could help the opposition parties to affect legislation are explored. I also comment on non-structural provisions which have been established in an effort to encourage the growth and effectiveness of opposition parties.

The third chapter focuses on an analysis of opposition activity in the First Parliament, from 1990-1994. I review National Assembly records, giving both a quantitative and a qualitative analysis of opposition parties' participation. This analysis attempts to address the role that the opposition has set for itself in the actual proceedings of the legislative branch, and how this role is accepted and played out within Parliament. Central to the analysis is a study of debate on a key bill which makes note of amendments that opposition parties have influenced.

The fourth and fifth chapters of this paper make arguments for why and how the opposition parties have been limited in the Namibian political sphere. I base this section on a study of institutional factors and interviews with opposition party leaders and political analysts. This includes limitations of an institutional nature as well as those of an organisational nature on the part of the opposition parties themselves. Similarly, I examine the possible cultural and socio-economic factors which have an important affect on the influence and growth of the opposition parties.

Finally, in chapter six I examine the changes that are necessary to stay the demise of the opposition in Namibia and restrain the dominance of SWAPO. Based on the two preceding chapters and chapter two's account of the structural means available for the Opposition, I will make prescriptive

recommendations for improvements in the system and within the parties themselves.

Much of this paper is based on interviews I conducted with three of the opposition party leaders, all of whom held seats in the First Parliament and who likewise hold a seat in the Second Parliament: DTA leader Mishake Muyongo, DCN leader Moses Katjioungua,<sup>7</sup> and UDF leader Chief Justus Garoeb. While conducting my research in Namibia I also contacted Erin Martin, Namibia Director for the National Democratic Institute for International Affairs (NDI); she offered valuable insight and useful contacts. Before and after my trip to Windhoek various other individuals affiliated with NDI, especially Mary Elizabeth Johnson, gave me assistance in obtaining information and contacting people. I also gained information during an interview with CHR Michelesen Institute Research Fellow, Richard Moorsom. Other primary sources which I have used include: Republic of Namibia *Debates of the National Assembly* (Hansard), Vol. 1-42 (March 1990-October 1994); *The Constitution of the Republic of Namibia*; the National Assembly's *Standing Rules and Orders*; and various issues of *The Namibian*.

Throughout the gathering of data for this paper I encountered a number of difficulties obtaining information and getting responses from political party leaders and political analysts. For instance, I was unable to reach any other opposition leaders either before I travelled to Namibia or during the course of my stay there. The Secretary of the National Assembly was unable to provide me with any information on the committee system i.e. how they are appointed and which ones have or do exist. In fact, this was difficult information to obtain. None of the political analysts or party leaders whom I asked for this information responded to my numerous telephone calls, faxes and letters. I finally turned to the U.S. Embassy in Windhoek for assistance in gaining this information and received a prompt reply from First Secretary, Carl F. Troy, who provided essential insight into the Namibian committee system, as well as further contacts.

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<sup>7</sup>Moses Katjioungua was leader of the NPF in the First Parliament.

## **CHAPTER II**

### **UNDERSTANDING PARLIAMENTARY OPPOSITION**

## DEFINING THE OPPOSITION

... constitutional opposition belongs to a peaceful view of politics, not to a warlike approach in which the opposer is the enemy, an *hostis*... We say: an opposition must oppose, but not obstruct; it must be constructive, not disruptive. Indeed, in many accounts opposition is understood as a form of collaboration.<sup>1</sup>

The study of political opposition has a long history. Even a summary review of the literature indicates that there are many conceptions of the form that political opposition can take and also many divergent opinions regarding the importance that political opposition plays in a democratically functioning society.

Broadly speaking, political opposition represents the people, group or groups which initiate action against the status quo governing groups or structures. Opposition can manifest itself informally, as in spontaneous demonstrations against the government or particular governmental bodies; or, opposition to the state can be highly organised in the form of mass marches, or groups which stand permanently to protest government actions and attempt to alter the policy decisions of government.

The form of opposition with which I am concerned throughout this study is formal opposition embodied in political parties. According to political theory, opposition parties can perform one or all of several distinct roles within a political system. Opposition parties can be, first of all, a safety valve for discontent within a society. In this vein opposition parties allow frustration and anger to be expressed against ruling party policies - this is legitimate opposition to the government which, because it is constitutionally mandated, does not usually threaten to destabilise the entire political process in a country. The safety valve role of opposition parties is consistent with the two main models of democratic governance which will be examined in this chapter: majoritarian parliamentary democracy and consociational democracy.<sup>2</sup> Opposition in two-party or multi-party systems can also play the 'alternative government' role. In this capacity the opposition or opposition parties are

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<sup>1</sup>Rodney Barker, *Studies in Opposition*, (London: Macmillan Press, 1971), p. 33.

<sup>2</sup>Even within a consociational system minority parties which may form part of the government often have policy platforms which are not necessarily consistent with that of the majority party.

considered , by themselves, and by the electorate, as comprising that group of politicians who might form the government in the next election. This role is limited to majoritarian systems, however, as the consociational model rests upon the principle of government power-sharing in which opposition - minority - parties are already part of the government. Opposition parties are also generally viewed as an important means of censure on absolute majority party dominance - the watchdog role. This differs from the safety valve role which benefits, primarily, the party in power. Instead the watchdog role in to the benefit, theoretically, of the plural society and the maintenance of a freer, more open government. In a two-party or multi-party system, the opposition can vocalise dissent to government policy and can maintain, through various structures, pressure on the government to conform to pluralistic demands.

The Opposition does not denounce the structures within which it functions. As Barker suggests, "Opposition may be used to denote a loyal opposition which opposes the commanding group without either contesting its legitimacy or threatening or rejecting the basis of the state or the constitution."<sup>3</sup>

Opposition, therefore, is understood as a loyal opposition to the currently governing party. This formalised political opposition within the government structures will be referred to as Opposition, with a capital "O."

Although the Opposition may contest government policies, and denounce the actions of the party which holds the greatest number of seats in the legislative body, it remains an integral part of the government. Depending on how well opposition parties manage to fulfill the theoretical roles open to them - safety valve, watchdog or alternative government - given the specific political context, they are a vital part of continued democratisation in any country. The next section examines the three basic roles of opposition parties in greater detail.

## **ROLE OF THE OPPOSITION**

Since Namibia is a parliamentary system the role of the opposition in this study will be limited to

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<sup>3</sup>Rodney Barker, *Studies in Opposition*, (London: Macmillan Press, 1971), p. 5.

parliamentary models of democratic government. In the context of a parliamentary political system, the formal Opposition has a number of important roles to play. Robert Dahl, for instance, has suggested that "a loyal and legal opposition can be viewed as a means of managing the major political conflicts of a society."<sup>4</sup> Dissent and discontent with current policies have a greater chance of being directed at the party forming the government, rather than at the Government or State as a whole if there exists an outlet for this dissent, as explained above. Therefore, individuals are given the opportunity to register their dissatisfaction with the government by channelling support into the Opposition; since they can protest government policies through formal opposition parties there is less chance that they will be alienated from the State or that they will lose faith in the entire system of government. "The existence of multiple minority parties enables discontent, divergent interests and antagonisms between groups to be publicly registered, to be directed against the dominant party and against government, without being directed against the system."<sup>5</sup>

The opposition parties are also valuable in checking governmental powers, thereby limiting the dominance of the majority party or the ruling coalition. In this capacity the Opposition is acting as a watchdog on the government. Thus, while opposition parties may often lack the strength and numbers to introduce and pass legislation, they can provide a constant voice of protest in the legislative body. Opposition parties can also present criticism of government actions to the electorate, prompting the population to pressure the government or to reorient their support to one or another of the opposition parties.

In the traditional parliamentary setting with the majority party forming the government and the opposition party or parties representing a loyal opposition, the Opposition is the "alternative government" -- in the next election it could be at the helm. At times, however, the opposition parties are so small, their seats in the legislative body are so negligible, that they cannot be an actual alternative government; this is the case in Namibia's Second Parliament. If a party has only one or

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<sup>4</sup>*Ibid*, p. 9.

<sup>5</sup>Angela Sutherland Burger, *Opposition in a Dominant Party System* (Berkeley and Los Angeles: University of California Press, 1969), p. 283.

two seats in the legislature, as opposed to, for instance, fifty seats on the part of the ruling party, the electorate will have very little reason to view the Opposition as a possible "government in waiting." Likewise, there is little chance that the party members will consider themselves as an alternative government. In this instance the opposition parties will fulfill the other functions available to opposition parties within a democratically functioning society.

In performing these functions their legislators and party workers can participate in a variety of activities both in and outside the formal governmental bodies, some constitutional and some extraconstitutional. These activities are considered from a standpoint of building and maintaining opposition parties -- not with respect to how opposition parties maintain the existing political order by preparing alternative government leadership or policies, but how and to what degree the opposition participates in legislative and administrative policy decisions, or how they support or attack the existing constitutional order.<sup>6</sup>

## **DEMOCRATIC MODELS AND THE OPPOSITION**

The manner in which the opposition plays out its role, indeed, the very parameters of its role, are defined in large part by the type of governing structures which are operative in a country. Thus, the position and opportunities available to the opposition parties relates directly to the model of democracy which has been adopted by a society. The theoretical exploration of opposition parties in this chapter has been limited to parliamentary systems. Within parliamentary system a myriad of models are possible. The two ends of the democratic model continuum within parliamentary systems are majoritarian rule versus consociational rule. The next section will define these two models and explore the role of opposition parties within each.

### **The Majoritarian Democratic Model**

A majoritarian parliamentary model - of which the best example is Britain, hence the model is often referred to as the Westminster model - is characterised by majority party government. The party

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<sup>6</sup>Burger, p. 19. The author also notes that multiple political parties can be instrumental in mobilising increasing numbers of people. 'As part of the mobilisation process, they encourage the development of different kinds of groups on a broader basis than before - they help to organise and integrate a fragmented society.' p. 283.

which wins the greatest number of seats in an election gains executive power. The leader of this party often becomes the head of government - usually the Prime Minister - and the Cabinet reflects the dominant electoral strength of the majority party. This means that within the strict majoritarian model the cabinet usually consists of one-party though in the case of a minority party winning a strong minority of the votes, a bare-majority cabinet is usually formed, because the majority party does not have quite enough votes to form a cabinet without some minority inclusion. . In such a system, as Lijphart explains, 'A large minority is excluded from power and condemned to the role of opposition,' during the ruling mandate of the majority party.<sup>7</sup>

The losing party or parties, those left out of executive government during the ruling mandate of the majority party, take the role of the loyal opposition within the system. The opposition, in the majoritarian system, fulfils its role through the functions noted above: alternative government, watchdog status, and safety valve. It is in the strict majoritarian system that opposition parties fulfill a structured role..

### **The Consociational Democratic Model**

Whereas in the majoritarian model of democracy a highly structured opposition is necessary, as a means of criticising and acting as a check on the ruling party and in an effort to gain votes against the government, the consociational model presents a much less formal role for opposition parties. The consociational model implies a consensus government, whereby all parties form the government and make policy in a spirit of compromise and conciliation.<sup>8</sup> Therefore, though there may be a majority party -- which wins the greatest number of seats in the legislative body -- the smaller, minority parties are brought into a governing coalition; opposition interests are implicitly represented within the government.<sup>9</sup> The minority parties, within a consociational system, do not fulfill a role as formal

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<sup>7</sup>Arend Lijphart, *Democracies, Patterns of Majoritarian and Consensus Government in Twenty-One Countries*, (New Haven and London: Yale University Press, 1984) p. 6.

<sup>8</sup>Arend Lijphart, 'Consociational Democracy,' *World Politics*, Vol 14, no 2, (January 1969).

<sup>9</sup>The consensus system definition differs from Lijphart's earlier concept of consociationalism in which minority parties are constitutionally allotted cabinet and parliamentary committee positions in proportion to the percentage of votes they have polled. The main idea of a consensus system, therefore, is the inclusion of a number of parties, a number of political positions, into the executive, and hence into policy formulation.

Opposition. Since they are part of the government, they do not play a role in criticising the government or in presenting themselves as an "alternative government." Consociational models have been suggested as effective in highly heterogeneous or ethnically fragmented societies; such a system creates constitutional guarantees whereby minority positions are incorporated into the government.<sup>10</sup>

Countries often adopt consociational systems as part of a negotiated transition to a new democratic dispensation. In the South African case the old regime was convinced to concede power in part because it was guaranteed influence in a power-sharing system with the majority party. The problem with the consociational model, according to Shapiro and Jung, is its inability to create space for an Opposition; most problematic, suggest these authors, is the corresponding discontent focused on the state because there is no outlet for formal protest against the government.<sup>11</sup> In a consensus type of government, in which a party or party enters into a governing coalition, these minority parties forego their status as opposition - in many countries, such as Senegal, for instance, the minority parties which accept positions in the government often concede their liberty to critique the government while at the same time not gaining any tangible means of affecting policy.<sup>12</sup>

### **Namibia and the Role of the Democratic Model**

The eventual 1988 settlement in Namibia called for a founding election, though not one based upon a coalition of national unity as exists in South Africa. Instead of a formalised power-sharing arrangement for the first government, a less tangible, "officially encouraged climate of national reconciliation" was adopted by the contesting parties and then by the parties which formed the

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<sup>10</sup>Lijphart notes Switzerland as a main example of permanent consensus government. However, more recent examples of the model exist, such as that of South Africa's Government of National Unity. Indeed Namibia's First Parliament falls somewhere within the consensus model as it was an *understood* government of national unity, in which members of minority parties were included in executive positions.

<sup>11</sup>Ian Shapiro and Courtney Jung. *South Africa's Negotiated Transition: Democracy and Opposition in Comparative Perspective*, Institution for Social and Policy Studies, Working Paper No. 1052, Yale University, 1994.

<sup>12</sup>Minority party members who entered into a governing coalition in Diouf's majority PS ceded their guaranteed rights to criticise government policy: for instance, PIT members in executive positions were sent packing upon criticising the PS of bad governance. There is no set formula on the part of the PS for sacking minority ministers the important thing to note is that the opposition members who take positions in the executive cannot play their role as critical watchdog to its full extent in a consensus system.

government.<sup>13</sup> The winning party, therefore, was not constitutionally bound to include opposition members within Cabinet, for instance; although the principle of national reconciliation strongly encouraged SWAPO to do so.<sup>14</sup>

Since Namibia's government is not premised on the consociational model of power-sharing, there should be greater institutional opportunity for an effective formal opposition within Parliament. Indeed, the DTA represented a numerically strong oppositional camp in the first Parliament, with 29% of the National Assembly seats and a strong showing in the National Council.<sup>15</sup> DTA members within the National Assembly offered frequent critique to government policies, and the party chose not to participate in the first Cabinet, preferring to retain a role as the Official Opposition.

As noted in the introduction, despite the fact that a majoritarian model of democracy, rather than a consociational model, was adopted in Namibia, the country is increasingly moving toward a *de facto* one-party state within a multi-party constitutional framework. SWAPO has been extremely effective in consolidating its power both nationally and regionally. In the 1992 regional and local elections SWAPO gained 80 of the 90 possible regional and local government seats and 19 of 26 National Council seats. Indeed, in the current context, though its system should intimate a greater chance for strong oppositional politics, the country seems unable to sustain and further entrench a flourishing multi-party democracy. The following chapter explores the existing political system, analysing structures which exist to encourage effective opposition participation in the political arena.

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<sup>13</sup>Barney Mthombothi, 'SWAPO confounds critics,' *Argus*, 12 February 1992.

<sup>14</sup>SWAPO did, indeed, choose to include non-SWAPO members in its first Cabinet, including the position of Attorney General, Auditor General and the Ministers of Finance, Agriculture, Justice and Transport. Linda Freeman, 'Contradictions of Independence: Namibia in Transition,' *Transformation* 17 (1992) p. 37.

<sup>15</sup>In the National Council SWAPO held 19 of 26 seats in the first Parliament, while the DTA held the remaining seven.

## **CHAPTER III**

### **NAMIBIA'S POLITICAL ARENA**

## **THE POLITICAL ARENA**

### **The Legislative and Executive Branches**

As previously noted, Namibia has a majoritarian parliamentary system. The legislative branch is broken down into the National Assembly and the National Council. The 72 members of the National Assembly are elected on a proportional representation party-list system; the 26 members of the National Council are indirectly elected from among members of the country's thirteen Regional Councils by said members.

The National Assembly has the power to pass laws with the approval of the National Council and the assent of the President. The National Council has the power to review all legislation and make amendments, but no power of veto over acts passed by the National Assembly. The National Council is considered primarily a review body -- this house does not introduce legislation.

Namibia has both a President and a Prime Minister. The President is Head of State and Government; the Namibian Constitution vests executive power for the country in the President, subject to consultation with the Cabinet, including the Prime Minister; the Cabinet is appointed by the President from among members of the National Assembly,<sup>1</sup> including six non-voting members who have been appointed by the President. Parliament is called into session and can be dissolved by the President. The National Assembly may, subject to other provisions in the Constitution, with a two-thirds vote, "review, reverse or correct" any decision or action taken by the President.<sup>2</sup>

The Prime Minister is the leader of government business in Parliament; she coordinates Cabinet work and advises/assists the President in fulfilling the functions of government.<sup>3</sup> In addition to directing

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<sup>1</sup>Although the Constitution states that Cabinet members are appointed from among members of the National Assembly, this was not the case in the first Cabinet: President Nujoma appointed two individuals from the general public to ministerial positions.

<sup>2</sup>*The Constitution of the Republic of Namibia*, Chapter 5.

<sup>3</sup>*The Constitution of the Republic of Namibia*, Chapter 6.

the activities of the government ministries, departments and government parastatals, Cabinet members initiate bills in the National Assembly. They must also be available to answer queries in the Assembly regarding government policies, both within Assembly sessions and, if so called upon, at committee and sub-committee sittings.

### **The creation of policy**

The institutional framework and procedures for legislation in Namibia are modeled on the Caribbean/African Commonwealth parliamentary system.<sup>4</sup> According to this model, Cabinet members introduce legislation into the National Assembly. After consultation with the Attorney-General regarding the necessity of such legislation, the sponsoring minister submits a memorandum with a draft copy of the bill to the Cabinet. When the bill gains initial approval from the Cabinet, the Ministry of Justice makes a formal draft, which returns to the Attorney-General for full certification.

Once Cabinet has approved the formal edition of the bill it is introduced to the National Assembly for a first reading. Debate on the principles and processes of the proposal briefly ensue after the first reading in the Assembly. After the second reading the bill is debated again, with private members<sup>5</sup> of the Assembly offering possible amendments. Following second reading debate the bill may be ordered to be considered in a Committee of the Whole Assembly or it may be referred to some other committee for report and possible amendment. After the bill has passed the committee stage, it is reintroduced into the Assembly for a third reading, including a report on any amendments which have been suggested by members during the second reading, or amendments recommended by the standing or select committee. Once the bill has passed a third reading it is considered to have been passed by the National Assembly and is then referred to the National Council for approval. If the National Council returns the bill to the Assembly without amendment it is forthwith presented to the President for assent. If the President vetoes the bill it returns to the National Assembly where it must be passed by a two-thirds majority in order to override the President's veto.

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<sup>4</sup>NDI. *Namibia Briefing Paper*.

<sup>5</sup>Private members are non-Cabinet members of the National Assembly.

The National Council can make one of three responses to legislation sent over from the National Assembly. Firstly, the lower house can accept the bill in original form; in this case the legislative branch has passed the bill -- only the President's approval awaits. Secondly, the National Council can make amendments to the bill; in this case the National Assembly considers the changes and can either vote to accept the bill with amendments or pass the bill in its original form by a simple majority vote. Finally the National Council can reject the bill in principle if members disagree with the idea or need for such legislation. In order for the National Assembly to overturn a bill rejected by the National Council in principle, members of the upper house must repass the bill with a two-thirds majority.<sup>6</sup>

The National Assembly's Standing Committee on Rules and Procedures plans to institute additional committees with substantive specialties and to exercise policy oversight. The Assembly at present has little in the way of professional staff. Currently the Office of the Speaker and the Public Service Commission are negotiating conditions for additional staffing.<sup>7</sup>

## **STRUCTURES FOR OPPOSITION POLITICS**

### **The Constitution and the NA Standing Rules and Orders**

The negotiations for Namibian independence and subsequent founding elections did not usher in a power-sharing Government of National Unity; the opposition parties, therefore, retained their distinct place within a traditional parliamentary system. A study of both the Constitution and the National Assembly's *Standing Rules and Orders*, as well as a look at the less formalised parliamentary relationships, illustrates a significant lack of structures for an effective Opposition.

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<sup>6</sup>If the National Council does not pass a bill within three months or thirty days (in the case of a Money Bill) from its introduction into the lower house, it returns to the National Assembly in its original form.

<sup>7</sup>National Assembly of the Republic of Namibia, *Standing Rules and Orders*, pp. 40-41 and National Democratic Institute *Namibia Briefing Paper*, p. 13.

## The Committee System

Parliamentary committees and sub-committees present one manner in which opposition parties could have an effect on policy-making in a majoritarian system. After the second reading in the National Assembly bills are either discussed and amended in a Committee of the Whole Assembly or referred to a select or standing committee. According to the Speaker's interpretation of the rules and orders, "... the referral of the Bill to the select committee is only after certain aspects have been seen either in terms of its shortcomings, in terms of its coverage, what needs to be added, deleted, or what needs to be modified to provide an acceptable language to both sides of the House..."<sup>8</sup> Theoretically, much of the detail of legislation is worked out in committee, which could give opposition members an important means of influencing policy.

Unfortunately, neither the Constitution nor the standing rules and orders of the Assembly adequately describe the selection, appointment and boundaries of committees. The standing rules and orders merely indicate that "A committee shall consider such matters only as are referred to it by the Assembly," which begs the question how the referrals are made, i.e. how they are voted for -- because if any member can make a general proposal for the committee to research something, this could give the Opposition considerable space to influence policy. The rules and orders make no mention of standing committees, but do indicate that select committee members are appointed by the Speaker.<sup>9</sup> Though the Speaker, in explaining the committee referral process to the members, stated that Rule 84 of the standing rules and orders "provides for referral of a Bill to a select committee by way of a formal amendment," he is incorrect. The rule which mentions select committees, Rule 85, merely states that "When a bill has been read for a second time, it may.... either be ordered to be considered in Committee of the Whole Assembly on a day then named or be referred to some other committee." It is unclear how the referral is made, by whom and, equally significant, it is unclear how the committee members are selected.

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<sup>8</sup>Hansard. Vol. 42, p. 10.

<sup>9</sup>National Assembly of the Republic of Namibia, *Standing Rules and Orders*, Rule 113, p. 43.

In addition to the lack of any standard rules or understanding for how the committee system is supposed to operate in Namibia, there appears to be a significant shortage of functioning committees. The three opposition leaders with whom I spoke, as well as the Secretary of the National Assembly, were unable to describe the process of committee selection or to indicate which committees are existent. Carl F. Troy, Human Rights/Democracy Project Officer at the United States Embassy in Windhoek offered some insight into this apparent confusion:

Even in the short one year since all-race elections, the South African Parliament has moved forward on effective committee systems (and staffing) much faster than Namibia has done in the past five years. Until only very recently, there were no more than 3-4 staffers (including telephone receptionists and drivers!) for each house of the Namibian Parliament... After prolonged wrangling among themselves (mostly on to whom an expanded staff would report), a structure was approved for the hiring of 45 staffers, most of whom would serve jointly for both the Assembly and the Council...

In theory, there are a couple of Standing, Select, or Ad-hoc committees which exist to examine defense, civil service, and budgetary issues. However, unless and until the additional staffers... are in place and conversant with their duties, it has proved impossible for the Namibian Parliament to engage in an effective committee system. (No one to do the preparatory work, organise meetings, schedule hearings, perform follow-through, etc.)...<sup>10</sup>

The Standing Committee on Rules and Procedures of the National Assembly had indicated a desire to create additional committees "with substantive specialties and to exercise policy oversight," however, this did not appear to get off the ground before the completion of the First Parliament.<sup>11</sup> According to Richard Moorsom, Research Fellow for the CHR Michelsen Institute (Development Studies and Human Rights), the committee system in Namibia, much like the parliamentary rules and procedures there, takes place on an ad-hoc basis.<sup>12</sup> Procedures of the legislative branch have largely

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<sup>10</sup>Telefax communication: Carl F. Troy, 9 May 1995.

<sup>11</sup>NDI *Namibia Briefing Paper*, p. 13.

<sup>12</sup>Interview: Richard Moorsom, Cape Town, 15 May 1995.

evolved over time, with members learning and changing the rules as the need arises.<sup>13</sup>

### **Private Member's Bill**

The Namibian Constitution, however, does make provision for a Private Member's Bill<sup>14</sup> which could be more effectively utilised by the opposition parties. This article allows non-Cabinet members of the National Assembly to introduce a bill, provided it is supported by one-third of all Assembly members. The combined seats of all opposition parties in the First Parliament represented over one-third of the all National Assembly members; therefore, there was some scope for the Opposition to table bills in the legislative body. Although there is little chance that Private Member's Bills will be passed by the Assembly, they offer a good opportunity for the opposition parties to gain a voice in the policy-making process, and perhaps most importantly for their growth, to show an alternative position to the electorate. As Moses Katjiuongua has pointed out:

... even though the bill might not succeed, we as opposition can say, okay, let's talk about education, unemployment, about health service, about social security, those issues. We could say, okay, let's develop a common position and introduce a motion on the floor of the House, as opposition parties. At least the public out there will see that we have a vision, some direction in which we want to go, even if we don't have the votes.<sup>15</sup>

### **State Information**

Neither the Constitution nor the National Assembly's standing rules and orders make any provision for opposition party access to state information,<sup>16</sup> which can be a vital tool for the Opposition. Denial of state information helps contribute to a less-informed Opposition, which often manifests

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<sup>13</sup>This is very different from the South African case, in which the rules and orders were worked out as part of the negotiated settlement; procedures there are not flexible as in Namibia.

<sup>14</sup>*The Constitution of the Republic of Namibia*, Article 60 (2), p. 35.

<sup>15</sup>Interview: Moses Katjiuongua, Windhoek, 24 March 1995.

<sup>16</sup>This includes such material as government statistics, information regarding policy formulation and committee meeting reports -- all information which could help opposition parties understand more fully the needs and realities of the country and thereby formulate clearer policies. Access to information also aids opposition parties in criticising the government, because it gives them the transparency necessary to know the actions of the ruling party.

itself in uninformed or absent alternative policy formulations. The only guaranteed means that opposition party members have to state information, outside of the controlled question and answer sessions which take place at the start of each Assembly sitting,<sup>17</sup> are through committee meeting subpoenas of government officials.<sup>18</sup> Since there are so few committees, this is hardly a consistent source of information for the opposition parties. One of the most important institutional structures for the loyal Opposition in a majoritarian parliamentary system is guaranteed access to state information; the lack of this provision in Namibia's political arena provides one reason for the failure of the opposition parties to manifest themselves. Denial of state information also indicates that the link between the executive and the opposition parties is very weak; the ruling party exhibits distrust of the Opposition by withholding information or making it difficult to obtain.

### **Non-institutional provisions for effective Opposition**

There are few non-institutional provisions in the Namibian political arena which operate to increase either the numerical strength or the effective influence of the opposition parties. During election campaigns all political parties are granted equal time on the national radio and television stations; after the campaign has come to a close, this is no longer the case. The Namibian Broadcasting Company, however, does give daily summaries of parliamentary proceedings, which, if the Opposition is making a valuable contribution, and if the reporting is objective, could help the minority parties get word out that they are active, productive and offer consistent policy alternatives in legislative debates.

## **CONCLUDING REMARKS**

The institutional shortcomings detailed above highlight some of the difficulties which the opposition

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<sup>17</sup> "Rule 38: Questions, Any Private member may address a question to a Minister relating to a public matter for which he/she is responsible, either seeking information on such matter, or asking for official action with regard to it." National Assembly of the Republic of Namibia, *Standing Rules and Orders*. p. 16.

<sup>18</sup> "For the purposes of exercising its powers and performing its functions any committee of the National Assembly... shall have the power to subpoena persons to appear before it to give evidence on oath and to produce any documents required by it." *The Constitution of the Republic of Namibia*, Article 59 (3), pp. 34-35.

parties face in their attempts to influence policy. The confusion and unpredictability surrounding aspects of parliamentary proceedings in Namibia are significant in limiting the effectiveness of the Opposition. This chapter has featured the formal political arena and structures for opposition politics; it has focused on some of the possible tangible limiting factors in the Namibian political arena. There are, however, other factors which shape the opposition parties' role and sphere of influence. Issues of an organisational nature and socio-cultural realities in Namibia are explored in chapters four and five.

## **CHAPTER IV**

### **LEGISLATIVE EFFECTIVENESS OF THE OPPOSITION**

Over the first five years of independence the opposition parties have declined in electoral strength, losing a significant number of seats in the Second Parliament. During the parliamentary sessions they cannot increase their seat representation; however, the opposition parties might be able to gain greater influence in the Namibian Parliament based on participation in Cabinet, on committees, and their contributions in the National Assembly. Based on the structural realities of the Namibian political arena, how have the opposition parties fared in shaping legislation? Have the opposition parties managed to use the Parliament as an effective sounding-board for their views? Have they managed to critique the government effectively and to provide alternatives?

This chapter examines the influence of the Opposition in various policy-making domains: 1) the National Assembly, 2) the Cabinet and 3) in committees. There are essentially two parts to this analysis. One involves a listing of positions which opposition party members maintain in the Cabinet, where policy is initiated for the most part.<sup>1</sup> Given that the ruling party is not constitutionally mandated to give such positions to the Opposition, the minority parties are limited in their influence in this domain by the whim of SWAPO. The second part involves both a quantitative and, perhaps more significantly, a qualitative analysis of opposition party performance in the National Assembly -- which is their only guaranteed arena for expression.

## **THE CABINET**

When SWAPO gained power in 1989 the international and the domestic communities commended the ruling party for its inclusion of non-SWAPO members in Namibia's first Cabinet, comprised of sixteen ministries. The DTA refused any Cabinet position, preferring to adopt a strict role as Official Opposition.<sup>2</sup> SWAPO awarded the Deputy-Ministership of Justice to the NNF's Advocate Vekuii

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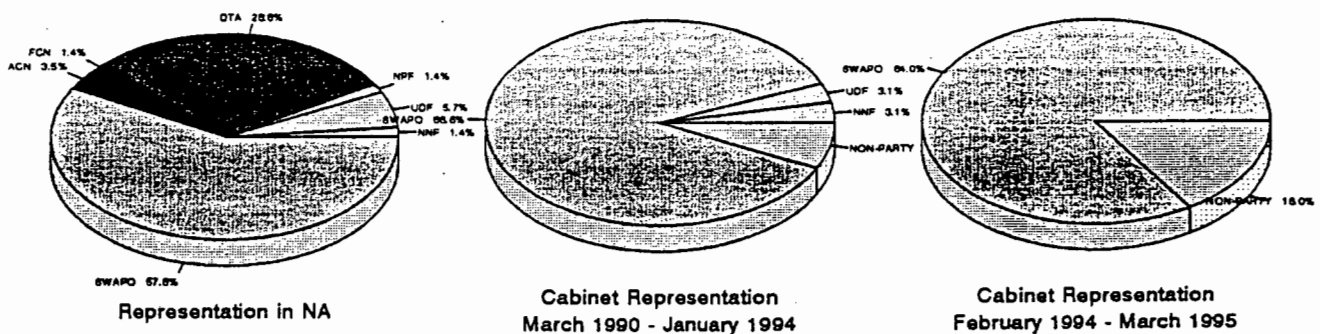
<sup>1</sup>Within a parliamentary system legislative committees can have a significant role in shaping policy; an close examination of Namibia's committee system, therefore, would help explain the role of the Opposition in policy making. Unfortunately, as the committees system is very undeveloped, and the rules and orders for establishing and appointing committees have been utilised on an ad-hoc basis in the First Parliament, concrete information on committees -- what they are, who sits on them, who chairs them, what they discuss, etc -- has not been available.

<sup>2</sup>Although the DTA refused Cabinet seats in favour of becoming the Official Opposition, this chapter will illustrate that the party performed relatively poorly in that role. The DTA might have gained much greater influence if its members had taken up positions in Cabinet.

Rukoro, and the Deputy-Ministership of Trade and Industry to the UDF's Mr. Reggie Diergaardt. The Ministry of Finance and The Ministry of Agriculture, Fisheries, Water and Rural Development went to two members of the general business community, not party-political members: Dr. Otto Herrigel and Mr. Gerhard Hanekom respectively.

By the fourth session of the National Assembly, October 15 - 18 November, 1991, the Cabinet had expanded to eighteen ministries -- with positions filled entirely by SWAPO members.<sup>3</sup> At this time there were a number of Cabinet reshuffles, but posts were shared among members of the ruling party or the two non-party community members; no additional ministry positions were offered to opposition party members. By the seventh session, 1 - 23 February, 1994, the Cabinet contained no opposition party members: the UDF's Diergaardt was out<sup>4</sup> and the NNF's Advocate V. Rukoro had vacated his seat in Parliament to fellow UDF member Mr. Gerson Veii, though he retained his position as Deputy Minister of Justice.

### Percentage of Party Representation in National Assembly vs. Cabinet First Parliament



<sup>3</sup>The Ministry of Education, Culture, Youth and Sport became two ministries: Ministry of Education and Culture and Ministry of Youth and Sport. The Ministry of Agriculture, Fisheries, Water and Rural Development split into the Ministry of the Ministry of Agriculture, Rural and Water Development and the Ministry of Fisheries and Marine Resources. Hansard, (Vol 15).

<sup>4</sup>Diergaardt resigned from the UDF, vacating his seat in the National Assembly. His cabinet position was not filled with another UDF member.

Relative to their representation in Parliament, opposition members' Cabinet representation is weak. The first Cabinet of the First Session of the National Assembly contained thirty-two appointable positions, excluding the Prime Minister, including sixteen Ministers and fifteen deputy-ministers and a deputy minister in the Office of the President. Of these thirty-two positions, SWAPO members held twenty-seven, or 84% of cabinet seats. The UDF held one seat, or 3% of total cabinet positions. The NNF held 1 seat, or 3% of total cabinet positions. The two remaining positions were held by non-party members, representing 6% of the Cabinet. Given that SWAPO gained 57% of the total vote, the party's representation in Cabinet, 84%, is substantial; the UDF gained 5.5% of total national votes and 3% of the Cabinet seats; the NNF won 1.4% of the vote and 3% of Cabinet positions.

Somewhat in the mode of consociationalism, SWAPO gave Cabinet positions to two of the opposition parties. However, since the ruling party was not under mandate to include opposition members in the Cabinet, especially not in proportion to their seats in the National Assembly, SWAPO retained the greatest percentage of Cabinet positions for itself. It is important to stress, similarly, that the positions awarded to opposition members in the Cabinet were all deputy-ministerships -- no ministerships went to the Opposition. Although deputy ministers form part of the Cabinet, their position is significantly less powerful and less influential than the position of minister. It must also be remembered that by the end of the First Parliament, neither the UDF nor the NNF retained Cabinet seats.

Since legislation is generally initiated by the various ministries, with the exception of the Private Member's Bill, influence in Cabinet is an important source of over-all party strength in policy-making. Given the overwhelming dominance of the ruling party in Cabinet, the seats held by the Opposition were more token measures of nation-building on the part of SWAPO than any real indication of encouraging opposition party influence in the development of legislation.

#### **COMMITTEES AND SUB-COMMITTEES**

Given the insignificant representation of opposition party members in Cabinet they can exert very little

influence in the executive domain -- this is in keeping with the majoritarian parliamentary model of democracy. However, there is a chance that opposition representation in committees would boost their opportunities to shape policy legislation. Committees -- standing and select - - and sub-committees are an important part of the legislative process in most democratic systems. Cabinet members introduce bills into the Parliament. All members then debate the bill, and opposition members have an opportunity to move amendments. However, if a general policy suggestion is referred to committee, legislation is either completely initiated at committee stage, as in the case of motions for select committees to investigate policy for a particular concern, or greatly fine-tuned as in the case of existing bills referred to committee for report. If opposition party members have wide access to committees and especially if the opposition holds chairs on committees and sub-committees, their influence in policy-legislation could be significant. Unfortunately for the opposition parties there were very few operational committees during the First Parliament; and, as detailed in chapter three, there was little standardisation on the appointment of committees. The Secretary of the National Assembly was not able to provide information on the First Parliament's committees: what they were, who sat on them and who chaired them. Interviews in the following chapter indicate that the opposition parties did not play a significant role in the First Parliament's committee system.

### **THE NATIONAL ASSEMBLY**

The opposition parties, taken all together, did not have the numbers in the National Assembly to overturn simple majority votes by the ruling party. They had the numbers, if voting in bloc, to affect voting where a two-thirds majority was necessary: in the case of the National Council rejecting a bill on principle the National Assembly is required to pass it with a two-thirds majority. However, with SWAPO making up 73% of the National Council, there was very little chance that the National Council would reject the ruling party's directives from the Assembly. As the following two chapters point out, there was, furthermore, little caucusing on the part of the opposition parties in the first Parliament; the parties were not able to consistently present a unified voice, nor to vote in a similar manner.

Despite a numerical inability to have a significant effect on policy-making in either the legislative or

the executive branches, the Opposition can gain influence in other manners. Given the theoretical role of the Opposition in a majoritarian parliamentary system, the opposition parties can play a significant role in the legislative bodies by presenting constructive criticism of the ruling party, suggesting policy alternatives, and by checking abuses by the government. The main means of fulfilling these roles is through effective debate and questions in parliament, and the recommendation of amendments to a bill. Thus, through both a quantitatively and qualitatively strong participation in the proceedings of the legislature the opposition parties are fulfilling part of their role in parliament. In the following sections of this chapter I will quantitatively and qualitatively examine the record of the Namibian Opposition -- did they fulfill the more limited role available to them in the First Parliament?

One way of approaching a quantitative analysis of Opposition participation in the National Assembly can be made by counting the number of questions asked by opposition party members in relation to the total number of questions asked. Although this by no means offers a complete determinant of opposition participation and effort, questions help to indicate which opposition parties make a concerted effort to use the available means of having a voice in parliament.<sup>5</sup> Insight into this part of the opposition role in Parliament is offered by Helen Suzman, long time lone opposition Progressive Party member in the South African Parliament: "I ask hundreds of questions in this House and I solicit information from honourable ministers not for any sinister purpose... Let me say that if as a result of these facts being used, certain situations in South Africa are duly improved, I think one has accomplished something... I am going to continued on these lines, because this is one of my duties as a member of Parliament."<sup>6</sup> An equally significant judgment of Opposition participation in the National Assembly involves a qualitative analysis of their contributions therein; therefore, in the second part of this analysis I will offer a critical qualitative evaluation of opposition party participation on debate of a controversial bill.

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<sup>5</sup>"Any private member may address a question to a Minister relating to a public matter for which he/she is responsible, either seeking information on such matter, or asking for official action with regard to it." (Rule 38) The National Assembly of the Republic of Namibia, *Standing Rules and Orders*, p. 16.

<sup>6</sup>Phyllis Lewsen, ed. *Helen Suzman's Solo Years* (Johannesburg: Jonathon Ball and Ad. Donker Publishers, 1991), p. 2.

## Methodology

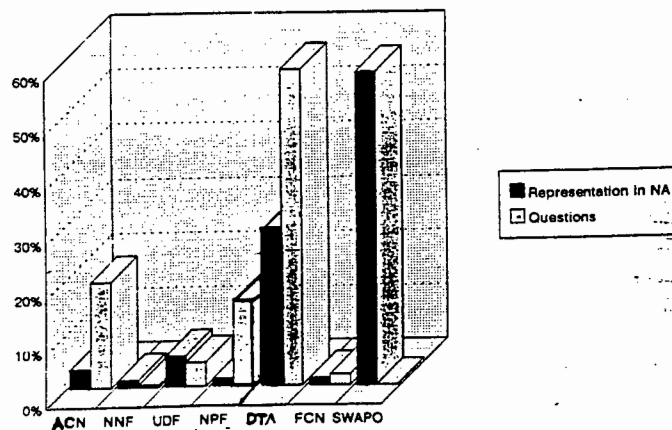
For the purpose of counting questions asked and studying the contribution of the Opposition on significant bills in the Namibian National Assembly I utilised Hansard. For a quantitative analysis of questions I used all five years of Hansards covering a period from March 21, 1990 through October 28, 1994.<sup>7</sup> The qualitative analysis is based on debates in Hansard Vol. 40-42. All references will be cited as Hansard; the volume and page numbers will be indicated in the text.

Questions counted were only the formal questions as indexed in Hansard, either to a Minister, or to the Prime Minister or President during their addresses to the Assembly. Questions as interruptions to a debate were not included in the measurement. Where sub-questions were included within a formal question, these were counted separately as long as they represented an inquiry for different information than the main question, rather than a rephrasing of the main question.

## Statistics

The number of questions asked by each party has been calculated by counting the entire number of questions asked by members of each party for the five years of the First Parliament and dividing that by the total number of questions in the Hansard transcripts, 877. The following chart illustrates the percentage of total questions asked by each party in the National Assembly relative to percentage representation in the Assembly.

Percentage of Party Representation in National Assembly vs. Questions Asked  
First Parliament



<sup>7</sup>Hansard, First Session -First Parliament through Ninth Session - First Parliament, Vol 1-42.

## ANALYSING THE DATA

### Question sessions

The above statistics reveal that some of the numerically small opposition parties participated in a much higher proportion than their seat representation in terms of questions in the National Assembly. The correlation between party representation in the Assembly and participation in legislative proceedings, therefore, is not wholly conclusive. The ACN, for instance, with three members, or 4.2% of the Assembly seats, asked a total of 171 questions over five years, or 19.5% of all questions asked. Likewise, the NPF, with one member, or 1.4% of the seats, asked a total of 137 questions, or 15.6% of total questions. The DTA, with 29 % of Assembly seats, accounted for 508 questions, 58%. On the other hand, the UDF, with four seats in the Assembly, 5.5% of the representative positions, asked considerably fewer questions than other smaller opposition parties; the UDF asked 39 questions, representing 4.4% of the total. The poorest numerical showing in asking questions was the NNF, with one member, and only four questions asked, or .46% of the total.

I partially attribute low rates of questioning from the NNF by their representation in the Cabinet. Until the seventh session of the National Assembly, the only member of the NNF with a seat in parliament was Advocate V. Rukoro, who held the cabinet position of Deputy Minister of Justice. During this time no questions were asked in the Assembly by the NNF, since, as a Cabinet member, Rukoro had access to state information and could ask any necessary questions in Cabinet meetings. The only questions which came from the NNF camp were made during the ninth session after Rukoro had left the party and was replaced by Veii, who was not in the Cabinet..

Similarly, for the UDF, low rates of questioning relative to numerical strength in the National Assembly can be somewhat understood in light of the party's cabinet position. With the greatest number of opposition seats in the Assembly, after the DTA, the UDF could be expected to participate more fully in formal questioning sessions; but a weak showing of 4.4% of total questions partially rests on the fact that for half of the First Parliament, only three UDF members occupied non-cabinet positions.

It is also important to note that SWAPO did not ask any questions in the Assembly proceedings. As the government party, SWAPO members were already guaranteed access to state information<sup>8</sup> and influence in policy-making. Unlike the opposition parties, the ruling party members generally do not utilise question sessions to garner information or to maintain pressure on the government.

The great majority of all questions asked by the Opposition during formal question sessions throughout the five years I have analysed were valuable and constructive inquiries. The opposition parties were generally effective in utilising question sessions to obtain state information and to indirectly critique the Government

As stated at the beginning of this chapter, a quantitative analysis of Opposition participation in the First Parliament is not alone indicative of the role played by the opposition parties. I now turn to a qualitative analysis based on a case study of debate of a controversial bill.

## **QUALITATIVE ANALYSIS OF OPPOSITION PARTICIPATION BASED ON CASE STUDY**

### **The Agricultural (Commercial) Land Bill**

In September of 1994, during the National Assembly's Ninth Session, the Minister of Lands, Resettlement and Rehabilitation, Mr. R. Kapelwa, introduced the Agricultural (Commercial) Land Bill. Land redistribution being one of the most contentious issues in Namibia, all political parties were deeply involved in the debate surrounding this bill. To further understand and judge the role which the opposition parties have taken and fulfilled in the First Parliament I will make a qualitative evaluation of their participation. Here I am not concerned so much with the amount of debate time taken up by the opposition parties; rather, I am interested in the quality of their contribution: are their

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<sup>8</sup>SWAPO members filled the majority of Cabinet positions in the First Parliament, giving them unlimited access to information.

speeches rational rather than purely emotive;<sup>9</sup> do they offer plausible alternatives and concrete suggestions for amendments -- in other words, are they constructive players in this aspect of the opposition political sphere? I will also comment on the amendments offered by opposition members, indicating whether or not they were accepted into the final draft of the bill. Equally important as part of the broader analysis of the space available to the Opposition in Namibia's political arena is a commentary on ruling party participation in the debate: the attitudes displayed by SWAPO Members of Parliament provide an indication of the ruling party's willingness to accept and even encourage Opposition as part of a consolidated democracy.

Throughout the debate on the Agricultural (Commercial) Land Bill, which spanned two months, the opposition parties generally displayed an impressive debate record. In the face of emotionally worded appeals, a barrage of insults and consistent threats by ruling party Members of Parliament, including the Minister of Justice, the Opposition members on the whole maintained an air of calm and thoughtful debate. Although all parties agreed to the principle of the bill, supporting the need for some measure of land redistribution in Namibia, both the ACN's Mr. Pretorius and the FCN's Mr. Conradie consistently presented legal arguments against the procedures laid out in the bill.

Pretorius argued that the manner in which the bill set out redistribution in terms of affirmative action based on colour would offend the Constitution. Presenting his opposition to the bill largely in legal terms, Pretorius tackled an extremely unpopular position calmly. He also made plausible suggestions, for instance, that the bill on land and agricultural policy be accompanied by legislation on water, the environment, communal land and traditional authorities. At one stage Pretorius, arguing from a historical perspective, suggested that redistribution as set out in the bill rested on unsolid ground because land had never been *stolen* from people in Namibia: "...it is a matter of fact that notwithstanding my research over years, I could not find a single example where under the guiding eye of the League of Nations land was stolen from anybody or that legislation existed which denied

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<sup>9</sup>Emotive appeals have a place in National Assembly speech-making. Yet, even a cursory examination of Namibian National Assembly debates illustrates that in most instances the purely emotional appeals lack factual basis or constructive suggestions. If the Opposition is to consistently perform a constructive role in the legislature, opposition members must effectively critique the Government and offer plausible policy alternatives.

anybody on the basis of colour to buy commercial land in Namibia."(Hansard Vol. 40, p. 59)

Another unpopular position was taken up by Mr. Conradie, who insisted that the bill went against the individual rights and freedoms enshrined in Chapter Three and in Article 16 of the Namibian Constitution. In much the same vein as Pretorius, Conradie made point by point legal arguments against the bill, though he stood by the principle of land redistribution. (Hansard Vol. 41, p. 141) He made a poignant observation regarding the bill, which was later echoed by other opposition party members and was given some consideration in the final draft of the bill: "It is highly unfair, Mr. Speaker, that the members of a body which is required to advise on any decision to be taken by the Minister and which may adversely affect the rights of the persons interested in such decision or to pronounce upon decisions taken by the Minister, should be appointed by the Minister who is to take such decisions, or by any other functionary of the State."<sup>10</sup> (Hansard Vol. 41, p. 173)

The ACN's Verster supported the bill in principle, but recommended a number of changes in the process. Foremost, Verster suggested that the land bill go before a select committee of the Assembly, especially to look into issues such as ecology, training for new farmers when land is redistributed, and sustainable development. Although his party colleague, Pretorius, had received numerous verbal insults from the Assembly during the debate, Verster did not present a uniquely partisan view, or attempt to defend Pretorius. Rather, seeming like a voice of reason in a sea of anger, Verster explained his more even-minded approach to the debate: "Mr. Speaker, what has been said in this House during the debate, especially by senior members of the ruling party, might justify retaliation. But because they have spoken from the hearts and it is an emotional issue, I do not feel compelled to retaliate. I shall let it pass." (Hansard Vol. 41, p. 243) Further, he points out that ".... if all of us would indulge in such debating, such mud-throwing and accusations, justifiable or not, Sir, an acceptable Land Reform Bill will never see the light during this session." (p. 243) Responding to continual threats to the Opposition by the ruling party, Verster said, "Mr. Speaker, Members, if

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<sup>10</sup>Here Conradie is suggesting that the Advisory Committee should be both more transparent and more democratically appointed. He suggests that the committee which is to advise the Ministry on land redistribution should not be appointed by said Ministry.

further threats that land can be confiscated are thrown at random across this floor, we are in for trouble." (p. 243)

Similarly the UDF's Mr. E. Biwa agreed in principle but offered improvements to the bill. His advice was non-emotive and sound. For instance, Biwa recommended that the issue of communal land be tackled simultaneously to the commercial land bill. He also suggested that institutions and measures be implemented by the bill which will ensure the continued agricultural development of land which is redistributed i.e. support structures for new farmers and the accessibility of farming equipment. Biwa also indicated specific proposals for part of the bill: he calls on the government to define the term "under-utilised" in Part 2, section 14 (3) (a) as well as the term "excessive land" in Part 2, section 14 (2) (c). (Hansard Vol. 41, p. 70) Further advancing a rational debate, Biwa inquired whether or not the government could finance the provisions in the bill for land redistribution, and also why the Land Bank of Namibia plays such an insignificant role in the bill.

Likewise advancing concrete proposals on the part of the UDF, party leader Justus Garoeb recommended the substitution of "economic unit" for "farming unit" in the interests of clarification. Garoeb also suggested an amendment to Part I, Section 3, subsection (2), such that the Advisory Commission on Land, as set out in the bill, shall only comply with directives from the sponsoring Minister at its own discretion -- this in the interest of giving the Commission greater independence and greater transparency. (Hansard Vol. 42, p. 101)

The Official Opposition, though presenting some solid proposals for improvement in the bill, did not fare nearly as well as the significantly smaller opposition parties. Arguments presented by DTA members were less solid and premised much more on emotional appeals than those offered by the other opposition parties. Mr. Mwilima's speech, for instance, did not offer any real alternatives or any concrete references to clauses in the bill, but rather vaguely touches on ideas within the bill. He commented that the productivity of farmland must be continued, but offers no changes to the bill to follow this argument. A typical example of what Mwilima said is "Mr. Speaker, when things go wrong with the farmer in this country, it will without exception have a snowball effect." (Hansard

Vol. 41, p. 73) Mr. Kaura, furthermore, made the main premise of his speech the suggestion that the Namibian government call upon the Contact Group members to finance much of the land bill. He argued that because these members of the international community insisted that the independent Namibian Government uphold the principle of just compensation, they should help foot the bill of land redistribution. (Hansard Vol. 41, p. 88)

The best example of ineffective DTA speech-making came from the party leader, Mr. Muyongo. Keeping with tradition, Muyongo made an impassioned speech mainly in favour of the bill; yet, he had little of real value to add to the debate and certainly no concrete suggestions. For instance: "... I want to appeal to those commercial farmers to accept the fact that land redressing has to be done, not for the sake of getting at them, but for the sake for affording every citizen the right upon land and to utilize it for his or her own good. This bill should not be seen as trying to victimize the commercial farmers, but to try and say to them, share with your fellow citizens what you have in excess and what you want to sell in the spirit of national reconciliation." (Hansard Vol. 42, p. 134)

The DTA's Mr. Moongo, however, did make several valid recommendations in his brief speech on the land bill. He suggested that land redistribution be premised on the effective utilisation of scarce land resources -- rather than ensuring ownership by the largest number of people, the bill should ensure that only those capable to using the land productively have access to it. As a further means of boosting the productivity of the land Moongo recommended that the government institute a program of agricultural and agrarian science for farmers. (Hansard Vol. 42, p. 131)

Mr. Veii of the NNF also presented level-headed alternatives and recommendations for the improvement of the land bill. Veii, in fact, was the first Member of Parliament to suggest that an independent commission be established as part of the land bill, rather than the Ministry appointed Land Reform Advisory Commission which is set out in the bill. "... we don't have trust and confidence inn the Ministry to be the sole implementing agency for land redistribution. The Ministry has proved incapable of dealing with this very sensitive issue. So far the land acquired by the state for resettlement had been given to party members and party supporters." (Hansard Vol. 41, p. 87)

Veei's speech and his recommendations represent a prime example of opposition fulfilment of a watchdog role on government.

Perhaps the best example of Opposition participation in the land bill debate came from the NPF's Mr. Katjiuongua. Imploring the Assembly members to comport themselves in a manner more befitting parliamentarians, he suggested that the members leave history behind and rather look for feasible solutions to the problem as it stands currently. Arguing rationally and in a calm manner, Katjiuongua gave valid recommendations. He supported Veei's suggestion for an independent national land reform commission; he also recommended use of existing institutions for processing land claims, etc, in the interests of avoiding over-bureaucratization. Katjiuongua further called for a programme for provision of extension services for new farm owners. All of Katjiuongua's recommendations are elaborated upon with necessary detail: "A national reform commission, independent, appointed by Parliament and working with existing financial institutions or agricultural institutions. While the commission itself will ensure accountability and transparency and representivity, the financial institutions and others will provide the expertise. The commission will have two vital functions: to organise resources, to determine first of all what land there is, where does it lie, and to mobilise resources to make sure that the land comes for redistribution." (Hansard Vol. 41, p. 247) What is most remarkable about Katjiuongua's contributions is their steady, consistently rational arguments -- his ability to stay clear of purely partisan debate in the House and maintain a steadfast commitment to offering solid policy alternatives. Katjiuongua was also consistent in supporting the rules, procedures and democratic nature of the Assembly; for instance, though he did not support the arguments of Conradie, he appeals to the House to stop interrupting Conradie: "On a point of order. Can the House stop interrupting as his time is running out." (Hansard Vol. 41, p. 145)

Given the support that all parties gave in principle to the bill, recommending changes of a relatively minor nature only, SWAPO members' comportment during this debate was surprisingly aggressive and emotive. Mr. Nathaniel, consistent with his behaviour throughout most debates, constantly interjected during Opposition speeches. Likewise, his formal speeches were rife with disorganised,

substantially unintelligible arguments; his most notable contribution throughout the land bill debate is to level condemnations at various opposition party members: "... listen to me, I know better than you, you have been asked a serious question by the Minister of Home Affairs: Where is your apartheid regime now? Why did you lose your power? You go to church every morning, every afternoon, asking God: "What happened dat die Kaffir ons onder hul voete het? God rejected you, God told you, don't ask me a stupid question..."(Hansard Vol. 41, p. 83) Furthermore, much of Nathaniel's debate in the Assembly illustrates a more authoritarian line within the SWAPO camp; his insistent insults at opposing viewpoints and seeming inability to accept democratic debate, especially in light of a bill that is certain to pass, are a threatening undercurrent to the ruling party's moderation. For instance, he stated, "If there is anybody here who doesn't want what we want, the road is clear. Pack your bag, put it in a ship, put it in an aeroplane, put it on a train or your car and go away where you come from..." (p. 83) To the discredit of the Speaker, Mr. Nathaniel's interjections and comments were rarely called out of order.

The least acceptable behaviour throughout this debate came from the ruling party's ministers and deputy ministers. The Minister of Justice, Dr. N. Tjiriange, refuted the arguments made by opposition party members, especially those of Pretorius and Conradie. In adversarial language, the Minister indicated that the ruling party has the power to and will indeed implement its policies, regardless of the wishes of others. He warned those who are opposed to certain features of the bill, "Change your ways while things are still calm. Our peoples' patience on these issues should not be mistaken for weakness." (Hansard Vol. 41, p. 137) And, "... the next one is to liberate the land from those who have stolen it. We must have land distribution. Whether somebody wants it or not, that is coming and it will come." (Hansard Vol. 41, p. 141) The Minister of Justice was likewise adamant in his frequent accusations of Pretorius, insisting that Pretorius is presently living on land which was stolen from his forefathers by Pretorius' forefathers. Echoing Tjiriange's threats, the Minister of Labour and Human Resources Development exclaimed, "I wish to make it very clear to all parties concerned that, despite its policy of Christian reconciliation, the Government shall not hesitate to have recourse to alternative measures should the necessary cooperation of the owners of the land not be forthcoming." (Hansard Vol. 41, p. 185)

Despite the frequent, largely rational speeches made by the Opposition, and the numerous recommendations offered from that side of the House, the final draft of the land reform bill, completed in a Committee of the Whole Assembly, contained only one clause which had been partially altered to reflect the suggestions made by the opposition parties: the Advisory Commission on Land Reform was not made completely independent as the Opposition desired, but all members of said commission would be appointed by the Minister upon approval of the National Assembly. (Hansard Vol. 42, p. 210) The UDF's Biwa made a motion that Clause 4 be amended to more clearly define certain terms; this motion was rejected. The ACN's Verster later made an attempt to have discussion on Clause 21, which was ignored by the Speaker. (Hansard Vol. 42, p. 224)

The contributions of the minority opposition party members throughout the land reform bill debate were impressive. Some of the more unpopular positions were rationally and calmly presented, even in the face of insulting interjections on the part of ruling party members. Much more so than the SWAPO members, the opposition party Members of Parliament made well-organised, constructive contributions which mostly served to progress the debate. Many ruling party contributions, contrarily, seemed largely pointless, serving an adversarial purpose alone. Furthermore, opposition party members tended to call upon the House for reconciliatory debate and level-headed conversation, while the SWAPO members tended to stoke the fires of conflict. Unfortunately, much of the debate by the Official Opposition was not nearly as effective as that from the smaller parties. As I have indicated above, the DTA members tend to make long, disorganised and unconstructive speeches, adding little to the overall effectiveness of the Opposition's participation in the National Assembly. This is surprising, given that, as the largest opposition party, the DTA has greater resources than the other parties, both financial and human; therefore, one would expect that their speeches would be better researched and their participation more concrete.

Of course, a rational and level-headed approach to debate on controversial bills is not alone an indication that the Opposition is effective -- regardless of the speeches made by opposition members, their recommendations were not voted into effect in the final draft of the bill. In a strictly tangible manner, then, the opposition parties were ineffective in influencing -- at least at the draft bill stage --

an important piece of legislation.<sup>11</sup> In a less tangible sense, however, the Opposition was effective throughout the land reform debate. If two of the main objectives of a functioning Opposition in a majoritarian democratic system are to act as a watchdog on the Government and to present critical evaluations of ruling party policy, then some of the opposition parties fulfilled that role.

## **CONCLUDING REMARKS**

Given the limited means available to the opposition parties for a tangible effect on policy, this chapter indicates that the Opposition performed satisfactorily. In both a quantitative and a qualitative sense, the opposition parties expressed their views, playing a vocal role in the National Assembly. Yet, as noted at the beginning of the chapter, effective expression in the formal legislative chamber is only one manner in which the opposition parties prove themselves: vocal and constructive participation in the National Assembly by no means insures the Opposition influence in policy-making or increased electoral support in the next election. In the Namibian case, as this chapter has shown, this happens to be one of the sole institutional means available to the Opposition to shape policy, given the absence of a tangible committee system.

Despite active participation in the National Assembly, the opposition parties did not have much influence on policy in the First Parliament, nor did they attract more electoral support. Much of the reason for not affecting policy changes, as the following chapters will point out, lie with an inability to unify their parliamentary positions and institute bloc voting. So, though the Opposition parties performed a critical, watchdog role in the First Parliament, they were unable to manifest themselves as an alternative government, with distinct policy goals; though the Opposition is good at opposing government policy, it has been largely ineffectual in proposing alternative legislation. The following chapters discuss reasons for both the electoral demise of the Opposition and institutional, organisational and socio-cultural reasons for the inability of the Opposition to perform more than a watchdog role on the ruling party.

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<sup>11</sup>It is likely that opposition party members did have some influence over the original idea of the land reform bill, perhaps through informal conversations and meetings with ruling party members and relevant ministers. Since there was no select or standing committee established to deal with land reform, however, this avenue of influence was unavailable to the Opposition.

## **CHAPTER V**

### **INSTITUTIONAL CONSIDERATIONS FOR OPPOSITION WEAKNESS**

## **INSTITUTIONAL FACTORS**

As indicated in chapter three, there are a number of institutional factors lacking in the Namibian political arena which could be instrumental in bolstering the Opposition. It is important to clarify here that I am dealing with two issues when addressing the need to bolster Namibia's opposition parties: the Opposition needs to grow both numerically and in legislative influence. In many respects these needs represent different sides of the same coin. As they grow in electoral strength opposition parties will gain greater legislative influence merely by virtue of increased parliamentary representation; and, in some respects, increased policy influence might engender greater electoral support -- if opposition parties are viewed as effective they will attract more votes.<sup>1</sup>

Based largely on personal interviews with opposition party leaders, political analysts and organisations working for the maintenance of opposition politics in Namibia, the following two chapters detail some of the reasons for the demise of the Opposition, both numerically and in legislative influence. Commentary on the validity of the given reasons will also be given, where appropriate. This chapter covers institutional shortcomings of the Namibian political sphere which play a role in limiting Opposition activity. Chapter five looks at other, non-institutional, causes for the decline of opposition politics: mainly internal, organisational failures on the part of the opposition parties and socio-economic and political realities in Namibian society.

### **Levelling the Playing Field -- Funding and Other Resources**

One of the major institutional shortcomings of the Namibian political structure is an absence of funding for political parties. The opposition parties do not have the financial resources which are available to SWAPO, in terms of member dues, outside donations and, as was pivotal in the 1994 election, in terms of state resources -- vehicles, planes, media, etc. Indeed, there is a complete dearth of political party legislation, which would place caps on party spending in elections, place limits on financial contributions from outside sources and perhaps even mandate disclosure by parties of their funding sources. There is also the possibility that party legislation would call for

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<sup>1</sup>A largely ineffective DTA lost significant electoral support in elections for the Second Parliament.

state funding to parties. Without such legislation SWAPO is significantly ahead of the opposition parties financially -- an enormous starting advantage in both campaigning and in constituency networking in inter-elections periods.

In fact, the playing field for political parties in Namibia is almost wholly disparate between the ruling party and the smaller, opposition parties. Opposition party leaders point out that until the playing field is levelled, or at least made more level, there is little chance that the opposition parties will catch up with the support that SWAPO now garners; they will remain weak and the ruling party will grow in dominance. "Unless... the playing field is levelled, so that we have equitable opportunities to campaign, to get our information across to the public and things like that, democracy will be undermined."<sup>2</sup> The ruling party has unlimited access to the resources of the state: campaigning members can take state vehicles, airplanes and helicopters to party rallies; state faxes, computers and telephones are at the disposal of SWAPO; and the state newspaper has become essentially a ruling party mouthpiece moreso than a non-partisan state media service. The National Broadcasting Company (NBC), while tending to give much focus to the ruling party, is still regarded as largely objective.<sup>3</sup> The state has actually billed SWAPO for use of state resources during last year's campaign period; however, that does not negate that fact that the ruling party had access to a myriad of state resources, resources which invariably put SWAPO at the top of the playing field.

There was significant debate surrounding the issue of state funding of political parties at the start of 1994, yet the issue seems to have slid off the table, without any positive progress as far as the opposition parties are concerned. Mishake Muyongo, leader of the DTA, points out that funding of the smaller, opposition parties is clearly not in the electoral interests of SWAPO, especially since the ruling party would like to continue to increase its political dominance.

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<sup>2</sup>Interview: Moses Katjiungua, Windhoek, 24 March 1995.

<sup>3</sup>Interview: Mary Elizabeth Johnson, Cape Town, 1 May 1995.

...they [SWAPO] say, why should we fund somebody who is one day going to overthrow us politically. If you keep him underfunded, the better, so that you keep on winning. This is the logic. To me it is very undemocratic... There is no way in our laws, or in the supreme law of the country, that only the ruling party has access to the resources during the campaign. The resources are supposed to be distributed evenly among the political parties that are partaking in an election. Just because the present people don't want the political parties in opposition to expand or to grow they try to refuse us these resources, so that we don't have access to the people. To reach everybody in this country you need resources whereby you put your message over the radio or you go there yourselves. And to reach every corner in Namibia you would definitely need resources in terms of transport.<sup>4</sup>

Yet, the issue of political party funding has not fully been accepted even by individuals who wholeheartedly support a multi-party system. Some suggest, for instance, that financial handouts to political parties may encourage the proliferation of opportunity seekers, who form a party in the interests of gaining the money forthcoming from the state.<sup>5</sup>

There is, likewise, scepticism that doling out state financial resources to political parties will guarantee the growth and influence of the Opposition. "An abundance of funding and/or financial resources would not have prevented the débâcle prior to the deadline for registration of presidential candidates, when parties split, others broke away and promised presidential candidates were not registered."<sup>6</sup>

Leaders of the opposition parties have suggested that even if state funding of political parties is not forthcoming, a less controversial step might be to make the national broadcasting services independent of the state, or, as Katjiungua sees it, "independent of the government..." According to him, this would signify the abolition of the Ministry of Broadcasting and Information, and the establishment of independent radio and television stations, "so that the opposition can come across."<sup>7</sup>

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<sup>4</sup>Interview: Mishake Muyongo, Windhoek, 23 March 1995.

<sup>5</sup>Gwen Lister, 'Political Perspective,' *The Namibian*, 3 June 1994, p. 6.

<sup>6</sup>Editorial, 'Ways to give impetus to democracy,' *The Namibian*, 11 November 1994, p. 7.

<sup>7</sup>Interview: Moses Katjiungua, Windhoek, 23 March 1995.

## Access to Information

Another major institutional failure confronting the opposition parties is the absence of guaranteed access to state information for all political parties. As previously noted, access to state information plays a significant role in allowing the Opposition to operate effectively vis-a-vis policy formulation and voting. In the Namibian political arena, however, the opposition parties have no guarantee that they will be able to gain necessary information. This is not to say that opposition Members of Parliament and their parties have no opportunities to ask questions, obtain answers, gather data; rather, the lack of guaranteed access can add difficulty and unnecessary time and effort to the gathering of information that is always readily available to the ruling party.

The only guaranteed means which opposition parties have of gaining state information is through standing and select committees and sub-committees: ministerial representatives and other government officials can be brought to testify before the committees. Committees are also used by many parliaments to get a diverse range of opinions and interests on new bills and policy. However, since few committees are actually operational and few opposition members have been appointed to serve on them, access to information continues to be restricted.

There have, according to the opposition leaders, been moves by their representatives in the National Assembly to pressure the Speaker to form more committees, in an effort to gain information and greater influence in policy legislation. Indeed, the NDI *Namibia Briefing Paper* indicates that the National Assembly Standing Committee on Rules and Procedures had plans to institute additional committees "with substantive specialties and to exercise policy oversight."<sup>8</sup>

Muyongo suggested that the refusal of the ruling party to set up means by which the opposition parties would be guaranteed access to state information indicates an unwillingness on the part of SWAPO to accept the Opposition as an integral part of the Namibian political system.

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<sup>8</sup>NDI, *Namibia Briefing Paper*, p. 13.

You know, I have visited a number of European and American countries during my life and I have sat in their parliaments and I've talked to their executives... And, I have seen how the executive takes the opposition into confidence when it comes to state matters. I am not saying that we are asking to be given the secrets of the state, but there is nothing wrong with sharing information with us. After all, we are part of the system.<sup>9</sup>

In line with the lack of information available to opposition parties is the current absence of a functional, useful parliamentary library. Once the library is organised and operational it will hopefully provide a needed source of information, allowing Members of Parliament to research bills and make well-documented policy suggestions. Currently the United States funded NGO, the National Democratic Institute, is working on updating the Namibian Parliamentary Library, getting a librarian to run it, and then opening it fully to Members of Parliament.

### **Electoral System**

The opposition parties do not frequently blame the electoral system for their small parliamentary numbers. The proportional-representation list system which is used to elect members to the National Assembly usually acts to help the smaller parties gain some representation in the legislative branch. This has been true in Namibia, especially in the 1994 elections in which both the DCN and MAG failed to reach the threshold number of votes needed to gain a seat -- they were given a seat each nonetheless. There is, however, beginning to be more debate regarding the need to alter the electoral system somewhat; most arguments in favour of revision suggest some type of a mixed system whereby a certain number of National Assembly members would be elected by the PR list system and the rest by a direct-vote constituency election. One recommendation has been to combine the National Assembly and the National Council, making the Assembly into a body of 98 elected seats. The 26 Council seats would maintain their constituency based electoral process, while the 72 Assembly seats would continue to be elected on the basis of proportional representation, party-list system. It is argued that in this scenario each of the 13 regions would continue to have direct representation, but it will be in the primary legislative chamber, the Assembly, because the Council,

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<sup>9</sup>Interview: Mishake Muyongo, Windhoek, 23 March 1995

It is uncertain whether or not such an alteration in Namibia's electoral system would benefit the opposition parties. Perhaps shifting the focus to constituency-based elections would tend to make them more issue-based, which the opposition parties believe would help them gain votes. Perhaps even more importantly are the implications for Assembly committees: if the National Assembly is expanded, as the first recommendation suggests, there will be a substantially larger pool from which to appoint parliamentary committees "which will not be dominated by deputy ministers [as is currently the case] who themselves are part of the executive branch of the government which the committees are supposed to monitor and close-question."<sup>12</sup>

### **Directorate of Elections**

A final institutional failure to which the opposition leaders consistently pointed is the existing Directorate of Elections. This body organises and supervises national elections in the country. Operating as a government ministry, the Directorate of Elections is regarded by some opposition members as not a completely independent, non-partisan body like its counterpart in South Africa, the Independent Electoral Commission. Namibia needs an electoral body which is completely independent of the government, of the ruling party. Elections have been declared free and fair by the international community;<sup>13</sup> nonetheless, there is a feeling among opposition parties that the election activities, polling, counting, security of boxes, etc, are so intricately linked to SWAPO that the electoral process cannot be considered completely non-partisan. According to Muyongo, "our electoral system is not an independent thing ... its being directed from a minister's office and obviously that minister, belonging to a political party, would like to have the influence of his political party in the running of the whole thing."<sup>14</sup> The DTA is presently contesting the 1994 national elections in

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<sup>12</sup>Opinion piece, deputy Justice minister, Vekuii Rukoro, 'Mixed Electoral System Favours Accountability,' *The Namibian*, 12 August 1994, p. 7.

<sup>13</sup>*The Namibian* reports that both the Commonwealth Observer Group and Awepa (European Parliamentarians for Afrika) described the December elections as free and fair. The groups released a press statement following polling stating that "There was no evidence of systematic attempts to undermine the system and the secrecy of the ballot was assured." Chris Ndivanga, 'President pledges: people will decide,' *The Namibian*, 12 December 1994. p. 2.

<sup>14</sup>Interview: Mishake Muyongo, Windhoek, 23 March 1995.

the federal court; the party believes that votes were miscounted in four northern regions.<sup>15</sup>

Muyongo explained that the DTA had anticipated an increase in the party's electoral support in last year's election, which was not borne out by the polling results. This, coupled with the manner in which the elections were handled, has led his party to believe that the polling was not fair. He complained that the returning officers (those bringing the polling boxes to counting centers), were all SWAPO members or SWAPO sympathizers. "The DTA, even if we were not going to form a government, we should have increased our majority in the house, but just because fraud was already built into the system, it was difficult to do this."<sup>16</sup>

Though there were irregularities in the December election, Muyongo's claims appear rather tenuous and reactionary: The December elections involved non-partisan observers from Egypt, Zimbabwe and European countries, as well as local diplomats currently serving in Namibia. *The Namibian* noted that observers would most likely be sent to less populous areas because the minority parties do not have the resources to post party agents in those areas. The newspaper also explained in a pre-election article that agents of political parties, not merely of the ruling party, would be allowed to accompany voting materials to and from polling stations.<sup>17</sup>

## CONCLUDING REMARKS

As this chapter has illustrated institutional factors play a significant role in defining the role available to opposition parties in the legislature and in setting the parameters for their electoral growth. Access to information and resources are important means of shaping effective and feasible policy;

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<sup>15</sup>The Electoral Directorate conducted an investigation into voting irregularities in the December 1994 national elections. It found that although there were in fact more votes counted than registered voters in four constituencies in the North (Engela, Ogongo, Okatjali, and Oshikango), this was not due to fraudulent behaviour. Rather the irregularities were most likely caused by voter confusion with the tendered polling situation, causing some to place tendered votes in a box not meant for tendered ballots. 'No Voter Fraud,' *The Namibian*, 21 December 1994, p. 3.

<sup>16</sup>Interview: Mishake Muyongo, Windhoek, 23 March 1995.

<sup>17</sup>'Nam poll preparations on schedule,' *The Namibian*, 21 October 1994, p. 3.

gaining the correct statistics and other background research is vital for the Opposition to propose concrete legislation. A level playing field during times of campaign, and perhaps even in inter-election periods, is likewise valuable in increasing Opposition chances of gaining support. Finally, institutional factors such as the electoral system and the manner of carrying out polling are also instrumental in shaping the role of the Opposition and defining its place in the system.

## **CHAPTER VI**

### **INTERNAL/ORGANISATIONAL AND SOCIO-CULTURAL REASONS FOR OPPOSITION WEAKNESS**

## **ORGANISATIONAL SHORTCOMINGS ON THE PART OF THE OPPOSITION**

Much of the blame for the current weakness of Namibia's opposition parties can be attributed to internal failures on their part. In addition to institutional factors, then, the Opposition is hampered by shortcomings that cannot be directly linked to the formal political structures. For instance, the failure of the opposition parties to establish shadow cabinets results in their not being able to be seriously considered as an "alternative government." Without this formal tool used by opposition parties within a parliamentary system, the Opposition does not organise and develop policy as if it were preparing to take-over the governing position.<sup>1</sup>

### **Alternative Policy Development?**

Directly linked to the absence of functioning shadow cabinets is the Opposition's inability to offer a clear alternative policy platform to the public. This is, perhaps, the most significant failure on the part of the opposition parties, and an important cause of their demise. Political analysts, newspaper editors, the ruling party, and even some of the opposition parties themselves realise this is one of their weaknesses. Most often they are accused of opposing merely for the sake of opposing, rather than suggesting coherent and plausible alternatives. As chapter three illustrated, however, the smaller opposition parties have been able to offer valid policy suggestions during debate on specific bills. Only the DTA was consistently unable, throughout the case study debate, to make specific suggestions -- unfortunately the DTA is the Official Opposition and, hence, numerically the largest opposition party. Thus, much of the criticism in this section is directed largely at the DTA. Likewise, though the case study showed the smaller opposition parties capable of offering alternative policy suggestions in debate, they are often unable to campaign on alternative policy platforms which are distinct from the ruling party. Ideological appeals and hapless critique of SWAPO highlight Opposition campaigns.

National Democratic Institute's Namibia Director, Erin Martin, for instance, explained that although

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<sup>1</sup>Only the DTA has the numbers to form a semi-complete shadow cabinet; and, as chapter four indicates, this has not been instrumental in helping the Official Opposition formulate concrete policy alternatives.

the opposition have been robust in their criticism against the government, they "have not been very strategic in how they criticised the government -- there is not a lot of logic or factual basis behind their attacks"<sup>2</sup> Martin's comments refer in large part to the DTA. Furthermore, the opposition parties must realise that criticism without alternatives will not sway voters in their favour: "SWAPO has way too much support for someone to switch over to them just because they're getting criticism."<sup>3</sup>

NPF leader, Moses Katjiuongua, agrees that the Opposition has an important role to play in providing alternative policies to the electorate and to the Assembly; he also agrees that the parties have not consistently fulfilled this role:

So the opposition has that role to play, not only to oppose for the sake of opposing, but to provide policy options. That has also been the difference between myself, or my party, and the DTA. The DTA says that everything is bad... but they don't say at the end of the day... this is what I would do should I come to power. And I think this has been the biggest problem of the opposition -- not to be seen to be providing policy options.<sup>4</sup>

DTA leader, Mishake Muyongo, however, contests the criticism levelled at his party. He insists that the DTA has consistently offered policy alternatives, but the suggestions are usually sidelined by the ruling party.

... we have, from the very beginning, proposed alternatives. If those proposals are seen by the executive as useful they will not take them up immediately. They will leave them to lie for awhile. After a month or two they bring them back as if they are their own suggestions... We realised that every time we suggested something in the course of our criticism it was found later on that it was brought back in the form of a white paper.

And, UDF leader Chief Justus Garoeb offered a similar view:

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<sup>2</sup>Interview: Erin Martin, Windhoek, 23 March 1995.

<sup>3</sup>Interview: Mary Elizabeth Johnson, Cape Town, 30 April 1995.

<sup>4</sup>Interview: Moses Katjiuongua, Windhoek, 23 March 1995.

...we have suggested alternative policy frameworks, but since we are but a minority in the National Assembly the ruling party did not take any of these proposals seriously. But one could see sort of a political strategy [on the part of the ruling party]. Some of the proposals made by the Opposition, which they [the government] have rejected are coming back through the back door of the ruling party as their own proposals. So we see at least we are doing something.<sup>5</sup>

There are, of course, instances in which the opposition parties have offered concrete policy suggestions and instances in which opposition members have brought important motions before the National Assembly -- the land reform law originated from a motion for a land conference brought by the NPF's Moses Katjioungua.<sup>6</sup> And, as evidenced in chapter three, the Opposition has had tenable, concrete suggestions on some issues. Similarly Katjioungua explained that he also brought a motion before the Assembly that all people of Namibian origin living outside of the country should be allowed to come back to Namibia at any time, without restrictions. This motion was unanimously accepted by the National Assembly.

In many cases, however, opposition parties do not present a clear platform, either in Assembly debates or in campaign manifestos. Muyongo is correct in stating that the DTA offers much criticism and in the course of it the party may offer a suggestion, but there is rarely any clear policy formulation from the party. Opposition parties, as previously discussed, are indeed limited in their chances of initiating policy in Assembly or in affecting legislation via committee participation; however, they can put forth a specific program in manifestos, and especially at campaign time. The DTA in particular has received much criticism on this level; as the Official Opposition they are called upon, perhaps more than any other opposition party, to clarify and specify their particular policy alternatives.

Gwen Lister, editor of *The Namibian*, criticised the DTA for its failure to elucidate real policies, to back up wordy manifestos with detailed plans, in the December 1994 national elections:

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<sup>5</sup>Interview: Chief Justus Garoeb, Windhoek, 29 March 1995.

<sup>6</sup>Hansard, Vol. 1, p. 44.

...one would have hoped that positive solutions would be spelled out in party election manifestos, particularly that of the main opposition DTA, but this is not the case...the DTA fails to impress with the principles they claim to stand for because they simply don't tell us how they would go about making them reality.<sup>7</sup>

Apparently, even obtaining specific information on the parties' policies was not an easy task. Individuals could attend party rallies and view party broadcasts on television and on the radio, but gaining access to party manifestos during the 1994 campaign appears to have been rather arduous. SWAPO, given its high level of organisation and resources, printed a multitude of election manifestos in a wide range of Namibian languages. The DTA offered a manifesto in English and Afrikaans. Manifestos from the smaller parties, on the other hand, were less forthcoming. The DCN, given its late start, followed by the withdrawal of SWANU from its ranks, provided an "elusive" manifesto; the UDF did not readily provide a published campaign platform; SWANU was said to have duplicated their 1992 regional election manifesto; the individual who compiled this report said he could not trace the FCN; the Worker's Revolutionary Party did not have a complete manifesto at publication of the article; and the Monitor Action Group likewise had not made available a complete manifesto. "With five years to prepare for these elections the parties had ample time to develop distinctive policy platforms. What is surprising considering this is the thinness and predictability of most of the manifestos."<sup>8</sup>

### **Disunity Among Opposition Parties**

The opposition parties have, likewise, failed to unify their efforts. They have not amalgamated their power either during campaigning, in the form of coalitions, or during parliamentary sessions through caucusing. Leaders indicate that the opposition parties are unable to come together before elections because there is invariably a power-struggle among the various party leaders. Chief Justus Garoeb explained that he attempted to get the opposition parties together before last year's election, for instance, but this turned out to be an unattainable goal: "... every political party seems to be sitting on its own island. They don't want to lose -- it's a little bit of a leadership squabble. Everybody wants

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<sup>7</sup>Gwen Lister, 'Political Perspective,' *The Namibian*, 28 October 1994, p. 6.

<sup>8</sup>Graham Hopwood, 'Do you really know what you're voting for?' *The Namibian*, 21 November 1994, p. 3.

to be a leader and the moment he merges with the other party to him it's quite a risk; so, he's afraid of losing his leadership."<sup>9</sup>

There had been efforts at coalition forming among several of the opposition parties before the December election; however, these efforts only partially materialised. For instance, in January of 1994, there were suggestions by Nudo<sup>10</sup> leader, Chief Kuaima Riruako, that talks between himself and Rehoboth Kaptein Hans Diergaardt and UDF leader Chief Justus Garoeb, would lead to an alliance in the elections. "An alliance with the two chiefs would prevent SWAPO getting a two-thirds majority, Riruako said."<sup>11</sup> The alliance never formed.

In June of 1994 the ACN, the NPF and SWANU formed the Democratic Coalition of Namibia (DCN).<sup>12</sup> The DCN gained one seat in the Second Parliament. However, this coalition was a result of the breakdown of a coalition from the First Parliament: the NNF, which comprised four parties, SWANU; the Namibian Independence Party (NIP); the Rehoboth Volksparty; and the United Namibia People's Party (UNPP). The NNF had occupied one seat in the National Assembly in the First Parliament. The NPF, likewise, had one seat in the First Parliament. The amalgamation of the NPF and the NNF did not result in additional seats; rather, the DCN occupies a single seat in the Second Parliament. This may be the result of the late withdrawal of SWANU from the DCN alliance.

### **Inability to Caucus**

Although it may be difficult for the opposition parties to form enduring coalitions, there is little excuse for their inability to caucus effectively during parliamentary sessions. The parties do not

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<sup>9</sup>Interview: Chief Justus Garoeb, Windhoek, 29 March 1995.

<sup>10</sup>Nudo belongs to the DTA.

<sup>11</sup>Josef Motinga, 'Nudo returns to the DTA,' *The Namibian*, 7 April 1994, p. 3.

<sup>12</sup>Also included at the outset of this coalition-building exercise were the UDF and the FCN. The UDF pulled out, stating that "any change of name and character of a party on the eve of very crucial elections might seriously jeopardise its chances of success." The FCN withdrew at the last minute because of alleged links with right-wing lawyer and leader of the Aksie-Vrye Volk, Daan Mostert. Chris Ndivanga, 'New political coalition to mount election challenge,' *The Namibian*, 30 June 1994, pp. 1-2.

meet and decide to take a common stance on an issue. They do not often agree to vote similarly in an effort to counter the majority of the ruling party. In the First Parliament there were six opposition parties represented, with a total of 31 out of 72 seats -- over 43% of the voting seats of the National Assembly were occupied by opposition members. If the opposition parties had practised more effective block voting, they could have exercised a great deal more influence than they did. For instance, a bill passes the National Assembly with a simple majority in favour, then goes onto the National Council for approval. If the National Council does not consent to the bill in its present form, and the National Assembly does not approve the amendments made therein, it must pass the Assembly, in its original form, by a two-thirds majority in order to override the Council's decision. Since the Opposition occupied enough seats to thwart SWAPO's effort at a 2/3rds vote of the Assembly, it is feasible that the opposition parties could have overcome legislative dominance by the ruling party in some cases.<sup>13</sup>

But throughout the five years that have passed, nothing happened in that direction. It was a major failure on the part of the Opposition, that the Opposition could not develop a common cause. Very often on the floor of the house we vote differently. Some vote for the government, some abstain, some vote against and it's sort of, you know, a cocktail of behaviour. This also weakens our parliamentary position -- people not seeing that we can caucus ... then at least the public outside there will see that the Opposition, collectively speaking, has got a position. So at least that will project in the minds of the people, over a period of time, that the Opposition can work together, and if we work together during those stages we could have created the possibility of forming an alliance, but we kept on competing amongst ourselves and in the process, helping the ruling party.<sup>14</sup>

Garoeb agreed with Katjiuongua, suggesting that "if we [the Opposition] come together and decide how we will tackle the issues, then we have a much better chance of fighting the ruling party in the National Assembly."<sup>15</sup>

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<sup>13</sup>Although SWAPO holds a majority in the National Council, members of that house are more influenced in their policy formulation by constituent needs than members of the Assembly since the Council seats are elected by a particular constituency. A further study might analysis the voting patterns of the parties in the National Council.

<sup>14</sup>Interview: Moses Katjiuongua, Windhoek, 23 March 1995.

<sup>15</sup>Interview: Chief Justus Garoeb, Windhoek, 29 March 1995.

Katjioungua pointed out that because the Opposition numbers are reduced in the second parliament -- from 31 to 19 -- the quality of private members' contributions has to be even greater. With fewer voices in the National Assembly the opposition parties will have to make their debate time, their questions, all the more poignant -- and this will be aided by a more unified voice.

There have been infrequent instances in which the opposition parties have managed to provide a collective voice, though with little legislative effect. For example in October of 1994 UDF M.P., Eric Biwa, introduced a motion in the Assembly on missing persons. The house was divided after Biwa's speech motivating the motion: all opposition members voted in favour of the motion, while SWAPO opposed. The motion was subsequently defeated by SWAPO's majority 26 votes to the opposition's 17.<sup>16</sup>

Although caucusing and unified voting are valuable Opposition strategies, they are not always feasible. There are ideological differences between some of the opposition parties which cause them to have vastly dissimilar viewpoints on some issues. For instance, the right-wing ACN voiced serious objections to wording on the Walvis Bay treaty which implied that the enclave was a historical and natural part of Namibian territory; party leader, Pretorius, preferred that the treaty signify that South Africa was transferring the territory to Namibia, rather than stating that Namibia was reintegrating the enclave. The other, more left of center opposition parties, such as the DTA, the UDF and the NNF, would in no way support Pretorius' argument that historically the land at issue had legally belonged to South Africa. Unified positions and voting are not possible on all issues, due in large part to ideological differences; however, many issues offer an opportunity for the opposition parties to bloc vote or to support one another's debate because the Opposition agrees to the policy in principle, such as the legislation on land reform. Furthermore, caucusing does not have to entail similar positions by the entire Opposition; if the largest opposition party, the DTA, brought one or two of the ideologically similar opposition parties into a caucusing session, the interests of unity

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<sup>16</sup>Tyappa Namutewa, 'Motion on detainees defeated in house,' *The Namibian*, 19 October 1994, p. 3.

would be served.

## **SOCIO-CULTURAL FACTORS FOR OPPOSITION WEAKNESS**

In addition to institutional and internal factors which have proved limiting to the growth and influence of Namibia's opposition parties, socio-cultural facets of the country also seem to play a role in the demise of opposition politics.

### **Ethnicity**

The role played by ethnicity is a contentious issue in Namibia. There is ongoing debate about the effect that ethnic affiliation has on voting patterns, and thus, on the consolidation of national political parties.<sup>17</sup> Understanding the degree to which ethnicity defines the electoral process in Namibia is extremely valuable (albeit very tricky) -- whether or not one believes that the Namibian electorate votes along ethnic lines or that a particular party garners specifically ethnic support will set the prescriptive parameters for a consolidated multi-party democracy in the country. Opposition leaders tend to agree that the ethnic nature of Namibia's political sphere is integral to their inability to make inroads into the traditional SWAPO areas. SWAPO garners most of its support from the country's Ovambo-speaking majority (nearly 60% of the population).

...the politics in this country... is mostly based on an ethnic basis, that's why the ruling party has already a built-in majority of more than 50% because of its Ovambo-speaking ethnic base -- which makes the opposition parties a little bit weaker. Before we even started campaigning, we have already lost more than 50% of the electorate.<sup>18</sup>

According to Potgieter, voting patterns for the 1989 elections distinctly follow an ethnic

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<sup>17</sup>See especially P.J.J.S. Potgieter, 'The Resolution 435 Election in Namibia,' *Politikon*, Vol. 18, no. 2, (June 1991), pp. 26-48, and Lindeke et. al. "Namibia's Election Revisited," *Politikon*, Vol. 19, no. 2, (June 1992), pp. 121-138. Also useful for a general summing up of numerous arguments on the ethnic factor in Namibian voting patterns is *A Study on the Voting Behaviour in the 1992 Namibian Regional and Local Government Elections, Plus Election Statistics*, prepared by Prof. Wade Pendelton et. al., University of Namibia, October 1993.

<sup>18</sup>Interview: Chief Justus Garoeb, Windhoek, 29 March 1995.

configuration. He explains that SWAPO polled 92.3% of the vote in Ovambo. The party came first-place in only nine out of twenty-three national polling districts. "This means, of course, that the SWAPO victory was due primarily to massive support from the Ovambo and that its strength among the other population groups was rather thin."<sup>19</sup> He also explains that throughout the country parties gained support predominantly from particular ethnic groupings: The UDF gained 54.6% of the vote in Damaraland, while SWAPO polled only 26.8%; in Hereroland SWAPO gained 14.4% and in Kaokoland (home of Herero tribes) SWAPO again polled only 10%; in Nama majority areas, Mariental and Bethanie, the DTA polled 57% and 56% respectively, and SWAPO gained 20%.<sup>20</sup> Potgieter concludes from his statistics that while the Ovambo people "voted overwhelmingly in favour of SWAPO... most of the other population groups voted explicitly anti-SWAPO."<sup>21</sup> Following his argument, then, if any of the opposition parties had been able to gain a degree of support among the Ovambo, they would have gained considerably more seats in the Constituent Assembly. Mishake Muyongo supports this view:

...at the moment the political support in Namibia is very ethnic... Its divided on ethnic lines. SWAPO, in 1989, they were saved from defeat by the support of the Ovambo in the North. 1994 they were saved by the same regions in Ovamboland. There are 13 regions in this country. Ovambo has 4 out of 13. SWAPO won these 4, then they won Kovango, which is neighbouring on them. Five regions. The rest were won by the DTA, but just because in these 8 regions which the DTA won the population were small, we were able to lose. That's it, its totally ethnic. Had we even managed to break through in Ovambo, even 20% or even 15%, the DTA would be running this country.<sup>22</sup>

Lindeke et. al., however, refute Potgieter's argument; they insist, rather, that SWAPO is not an ethnically based party, but one with a national platform and national appeal. They explain that although SWAPO did gain most of its winning votes from Ovambo-speaking people, Potgieter has

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<sup>19</sup>Potgieter, p. 34.

<sup>20</sup>*Ibid*, p. 35.

<sup>21</sup>*Ibid*, p. 44.

<sup>22</sup>Interview: Mishake Muyongo, Windhoek, 23 March 1995.

undermined the significance of the party's support outside Ovambo. "He and others have suggested that the Democratic Turnhalle Alliance (DTA) won a majority of the 'election districts', and that this shows how weak SWAPO was outside Ovambo areas. The evidence does not support this."<sup>23</sup>

The authors explain that SWAPO gained a majority of votes cast in the country's third largest district, Kavango, as well as in Luderitz, Tsumeb and Swakopmund. In Damaraland, Grootfontein, Keetmanshoop, Okahandja, Caprivi, and Otjiwarongo, furthermore, SWAPO obtained between 25 to 40 per cent of the vote. The party did do poorly in Herero-speaking areas. Lindeke et. al., contend, moreover, that the districts used to compile voting data were arbitrary units: "Do political scientists really think that the nineteen hundred and ninety votes from Bethanie are equal in importance to the more than two hundred thousand votes from Ovambo? Eight of the districts had less than ten thousand total votes, fewer than needed to elect a single candidate."<sup>24</sup>

The authors argue that since tendered votes are not part of statistical analyses on ethnic voting patterns, the data is incomplete. They point out that SWAPO won more than fifty thousand 'tendered' votes<sup>25</sup>; "Since these votes were not officially broken down according to districts, their inclusion could easily reverse the district outcomes and the assertions that SWAPO lost in some of the districts assumed to have been won by the opposition."<sup>26</sup>

The various viewpoints in the ethnicity/voting pattern debate indicate the importance of the issue in determining the fairness of the elections and the political arena and in predicting the future success of consolidated majoritarian democracy in Namibia. As with all statistical analyses, data has been utilised to support a particular perspective; likewise, unavailable data, as pointed out by Lindeke et. al., could substantially alter one's understanding of the issue. There is little doubt that ethnic

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<sup>23</sup>Lindeke et. al, p. 128.

<sup>24</sup>*Ibid*, p. 129.

<sup>25</sup>Tendered votes occur when a voter registered in one district casts his vote in another.

<sup>26</sup>Lindeke et. al., p. 129.

affiliations factored into the 1989 election to some degree.<sup>27</sup> Whether or not the parties actually cultivated ethnic division is less clear. Also up for debate is the degree to which all the parties attempted to overcome ethnically patterned political affiliation and develop broad national appeal after the founding election, in campaigning for both the 1992 Local and Regional Elections and the 1994 national parliamentary and presidential election

A group of political scientists have done a study on the 1992 elections, part of which attempts to analyze the ethnic nature of Namibian voting patterns. The survey illustrated that party loyalty was the primary reason for choice of vote among 85% of the respondents. The second strongest category for voter decision was support for an ethnic or racial group. The survey's authors, in explaining this data, point out that, "Within the post-apartheid context, it is difficult to separate voting on the basis of party loyalty from ethnic loyalty," because Namibia is a country in which particular parties dominate particular regions/population groups.<sup>28</sup>

However, the survey report indicates that voting appears to be moving away from an ethnic pattern: "The fact that the ruling party (SWAPO) won in DTA strong holds in the South indicates the flexibility of voters as well as the ability of SWAPO to convert the opposition. The results also indicate the inability of the opposition to win the votes of floating voters."<sup>29</sup>

There are presently no comprehensive studies on voting patterns in the 1994 elections available; however, polling details indicate that though SWAPO once again won overwhelmingly in the northern areas, the party also gained substantial support in most constituencies. Furthermore, the DTA's defeat in the north was nowhere mirrored by SWAPO outside of the Ovambo-speaking northern districts.

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<sup>27</sup>Even Lindeke et. al. concede that "ethnicity played an instrumental, rather than an independent role in the 1989 elections as SWAPO utilised strength in numbers of the Ovambo-speaking population to overthrow a repressive regime." Gerhard Totemeyer, 'Reflections on the Electoral Process,' in *A Study of Voting Behaviour in the 1992 Namibian Regional and Local Government Elections, Plus Election Statistics*. Prepared by Prof. Wade Pendelton et. al. for University of Namibia, October 1993.

<sup>28</sup>Pendelton et. al., p. 18.

<sup>29</sup>*Ibid.* p. 19.

And, according to an editorial in *The Namibian*, "SWAPO's support in areas outside Owambo cannot wholly be put down to Oshiwambo speakers who have moved south as the DTA would like to claim."<sup>30</sup>

Although some of the Opposition leaders continue to blame ethnic voting patterns and the ethnic dominance of the ruling party on their inability to increase their electoral support, this is becoming an increasingly tenuous claim. Furthermore, many of the opposition parties have done little to overcome the ethnic tendencies of political affiliation in Namibia, despite complaints that it harms their growth potential. In fact, the opposition parties have often reinforced ethnic support patterns, because they are highly ethnically and tribally organised.<sup>31</sup>

**Non-Issue Voting**

Another socio-cultural factor which the Opposition suggests operates against them is a politically undereducated population, and, following on this, non-issue based voting on the part of the majority of the electorate. SWAPO is still carried by the symbolic appeal afforded a liberation movement; policy platforms are less important in gaining votes than ideological manifestos. It has also been argued that SWAPO's northern Ovambo support is not wholly ethnic; rather, it is very much a historical vote -- the north suffered as the main conflict zone during the war of liberation, and much of the population identify strongly with SWAPO. On the contrary, the DTA continues to be regarded by many as a puppet of the colonial administration, something that will take time and faded memories to overcome.<sup>32</sup> In fact, it is likely that the DTA's popularity will not augment until the party changes its name, its symbols and gets new leadership. Carrying this symbolic and ethnic voting pattern is a high illiteracy rate,<sup>33</sup> a highly rural populace with little access to forms of mass

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<sup>30</sup>The Election and the Future of Democracy,' *The Namibian*, 11 November 1994, p. 7.

<sup>31</sup>Editorial, 'Ways to give impetus to Democracy,' *The Namibian*, 11 November 1994, p. 7.

<sup>32</sup>Editorial, 'The Election and the Future of Democracy,' *The Namibian*, 16 December 1994, p. 7.

<sup>33</sup>Namibia's illiteracy rate is estimated at 2/3rds of the population. Jeffrey Balch and Jan Nico Scholten, 'Namibian Reconstruction and National Reconciliation: Putting the Horse before the Cart,' *Review of African Political Economy* (ROAPE), No. 49 (Winter 1990), p. 86.

communication, and a relatively newly initiated democratic culture. Opposition parties, for instance, complain that norms of political tolerance that exist in functioning democracies do not always pervade the Namibian population: campaigning in SWAPO strongholds, for instance, is sometimes risky for opposition parties. "They allege that SWAPO encourages its supporters to 'use any means necessary' to disrupt and derail opposition parties from actively campaigning in the area."<sup>34</sup>

Opposition parties argue that they will have a greater advantage once the electorate identifies parties with specific policy platforms and begins voting on issues related to these platforms. Much of the responsibility for altering the elections to an issue-base lies with the political parties themselves. Smear campaigns, character defamations of opponents, and constant criticism of one another, which are practised by all Namibian political parties, are not helpful in building a political arena in which issues predominate. One example of the ruling party resisting a movement toward issue-based campaigns was President Nujoma's refusal to accept a pre-election debate with the DTA's presidential candidate, Mishake Muyongo. Muyongo challenged Nujoma to a debate, which the President declined: SWAPO spokesperson, Ignatius Shihwameni, said that Nujoma declined on the grounds that Muyongo was "not in a position" to challenge the President.<sup>35</sup> The refusal to address serious issues in the form of a national debate appears to reinforce a culture of emotional, personalised politics.

### **Civil Service**

De-politicisation of the civil service, another step in the direction of spreading the democratic culture, would be beneficial to opposition parties, they point out. The proposed Public Service Bill seeks to prohibit civil servants from holding office in any political party. It does not disallow membership in a political party, nor attendance of party meetings or other functions, but, rather, attempts to make civil servants less answerable to a party and more regarded as a servant of the state, not a particular government or party. SWAPO members of the National Council took sides with the bill, suggesting that, among other disagreements, it was unconstitutional to ban civil servants from political activity.

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<sup>34</sup>NDI, *Namibia Briefing Paper*

<sup>35</sup>Opinion letter, 'President Should Not Opt Out of Debate,' *The Namibian*, 18 November 1994, p. 8.

Asser Hango, SWAPO member of the National Council, said he "did not believe in neutrality when it came to politics and ideological principles."<sup>36</sup>

Opposition parties point out, however, that the Public Service Bill, in line with many western democracies such as the U.S. and Britain, would be a valuable tool in increasing their support. Chief Garoeb believes that many civil servants are unwilling to alter their allegiance and support one or the other opposition parties because they fear losing their jobs. He also claims that "to a certain extent, there is evidence that pressure is being exerted on these people by the ruling party, otherwise they might face losing their jobs... and of course, people who are opting for the favours of the ruling party don't want to be associated with the opposition parties."<sup>37</sup>

### **Nature of Ruling Party**

A final socio-cultural concern noted by the opposition parties is what they call the undemocratic nature of SWAPO.<sup>38</sup> SWAPO is blamed for its lack of sincere desire to encourage a flourishing multi-party democracy in Namibia. Although SWAPO cannot be held to account for its current two-thirds parliamentary majority, critics suggest that the ruling party's campaign goal of such a majority is indicative of a growing tendency toward dominant party status. Throughout the formal campaigning period Nujoma called on the electorate to give SWAPO a total win, claiming that the party would win all seats in the National Assembly. At SWAPO's official launch in October 1994, President Nujoma "vowed that SWAPO would sweep all 72 seat in the Parliamentary elections and that he would remain President."<sup>39</sup> This, according to Katjioungua, may suggest that SWAPO is not

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<sup>36</sup>Tyappa Namutewa, 'Public Service Bill pounded,' *The Namibian*, 22 February 1995, p. 3.

<sup>37</sup>Interview: Chief Justus Garoeb, Windhoek, 29 March 1995.

<sup>38</sup>SWAPO has a history of authoritarianism as a liberation movement. Since independence the opposition parties have consistently called upon the government to fully investigate what has become known as the 'detainee issue': "in exile hundreds of SWAPO's own members were detained, starved, tortured or even killed, and their claims to a democratic voice in the movement were silenced." For more on the history of SWAPO detentions and other examples of the party's non-democratic history during the liberation struggle, see Colin Leys and John S. Saul. *Namibia's Liberation Struggle, The Two-Edged Sword* (London: James Currey Ltd., 1995).

<sup>39</sup>Christof Maletsky, 'SWAPO wants 'total power,' *The Namibian*, 31 October 1994, p. 3.

sincere about the proliferation of democracy in the country:

They [SWAPO] would like to see a semblance of opposition parties, to look democratic, but they do not want the Opposition to have such numbers or such weight or access to the public to have political significance as an Opposition... when you have 57% of the vote in the National Assembly and two-thirds in the National Council, what more mandate are you looking for? What is more solid than that when you have a democracy... In Europe the governing party can be in power by one vote, and that's democracy -- so why is our government wanting to have everything by themselves? Its true that when you have a list of seventy-two people, you want to have all of them elected, but the point is that you say you want to win, but you don't say, I want to eliminate my opponents.<sup>40</sup>

SWAPO has also been noted as highly intolerant in the face of criticism, a characteristic not befitting an image of promoting democratic values across the country, one of which is free speech and freedom to openly contest government policies. Gwen Lister explores this topic: "SWAPO ... must stop equating criticism, however constructive, with being unpatriotic or with anti-government sentiments. That is absurd in the extreme and people must dispense of blind obedience to the ruling party."<sup>41</sup>

The ruling party has also been noted for its exclusion of the other parties in government decision-making. While it has had a consistent majority in Parliament the government still neglects to bring some policies before the legislative body for discussion with private members. A prime example of this was the government's decision to donate two million Namibian dollars to the campaign funds of the African National Congress and the Pan-Africanist Congress, without any parliamentary discussion on the issue. Opposition parties were excluded from a decision which bore the mark of the Namibian government, but which was actually a unilateral act by SWAPO. Gwen Lister once again offers insight: "The ACN also protested on the grounds that it [the donation] had not been part of the approved budget. It would indeed be interesting to establish why this was not discussed beforehand by Parliament -- after all it was a contribution from the Government of Namibia and not the ruling

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<sup>40</sup>Interview: Moses Katjioungua, Windhoek, 23 March 1995.

<sup>41</sup>Gwen Lister, 'Political Perspective,' *The Namibian*, 15 April 1994, p. 6.

party -- and from which votes the money is to be allocated."<sup>42</sup> There was, likewise, much opposition in the National Assembly from the DTA, the NPF, and the NNF regarding the government's unilateral decision to enter in the United Nations, without any consultation with the legislative body.<sup>43</sup>

A further indication that SWAPO may be straying from its democratic platform is the increasingly personalistic role played by President Nujoma. He has been criticised for not setting limits and delegating authority to ministers and other government officials. Likewise, as an opinion piece in *The Namibian* points out, the President's office has been continually misused in a manner which entrenches an increasingly symbolic importance to Nujoma.

...the head of state is not the one to open a radio station - that is the role of the Minister of Broadcasting and Information. The head of state is not the one to open a law department at the University of Namibia - that is the role of the Minister of Justice or the Chief Justice. The head of state is not the one to entertain young American Peace Corps volunteers - that is the role of the Minister of Education and Culture... He is not the one to open a small road in the north - that is the role of the Minister of Transport. He is not the one to open agricultural projects and taste corn - that is the role of the Minister of Agriculture.<sup>44</sup>

Furthermore, in his newest Cabinet Nujoma has himself taken over the Ministership of Home Affairs, in a professed effort to improve the law and order situation in the country. The portfolio of Home Affairs Minister includes the police.<sup>45</sup>

## CONCLUDING REMARKS

Although the Opposition points to structural limitations of the system as a prime reason for their

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<sup>42</sup>Gwen Lister, 'Political Perspective,' *The Namibian*, 29 April 1994. p. 6.

<sup>43</sup>Hansard, Vol. 1, pp. 17-20.

<sup>44</sup>Dr. Joseph Diescho, 'Namibia's Going the same way as Africa - the wrong way,' *The Namibian*, 3 June 1994, p. 6.

<sup>45</sup>Lucienne Fild, 'Reshuffle heralds major changes,' *The Namibian*, 22 March 1995, p. 3.

inability to gain substantial policy-making influence in the First Parliament, internal failures have also played a significant role. This chapter has illustrated that opposition parties did not caucus effectively, nor did they present alternative policy platforms. Caucusing is important for minority parties if they want to overcome the strong voting bloc of the ruling party; unified positions are equally important in providing an image to the public, as Katjioungua pointed out, that the Opposition has a vision and utilises limited means of implementing it. While caucusing is important during Parliament, for shaping policy, and during campaigns, for attracting support, presenting alternative policy platforms is vital at election time. I illustrate in chapter four that the opposition parties did suggest concrete alternatives to the proposed land reform bill, however, they have been largely ineffective in presenting campaign manifestos containing solid policies and means of implementation.

Furthermore, the socio-cultural realities of Namibia have placed constraints on the ability of the opposition parties to grow in electoral strength. Ethnicity, non-issue voting and the rural and illiterate nature of much of the population combine to limit, to some degree, the capacity of the Opposition to attract new support. Yet, the socio-cultural realities should not force the opposition parties into the position of victim -- as much as they would suggest that these are somewhat static phenomenon, the opposition parties are in large part responsible for overcoming what are really dynamic factors. The Opposition, then, is largely responsible for presenting broad national policy platforms -- to gain wide appeal on the basis of issues, and for getting their message out to the rural and illiterate sectors of the population.

**CHAPTER VII**  
**SCOPE FOR CHANGE**

There are a number of issues at hand when considering prescriptions for elevating the position of opposition parties in Namibia. Firstly it is important to keep in mind that encouraging the growth of the opposition parties is an integral component of encouraging the consolidation of a multi-party system in the country. Secondly one must realise that the opposition parties must grow both numerically (not a proliferation of parties, per se, but an electoral growth within the parties) and in legislative influence. As noted previously these two goals enhance one another, and therefore, should be simultaneous and mutually reinforcing aims in any changes meant to reinforce opposition politics in Namibia. This chapter explores some of the possible alterations which could be made within both the formal political sphere as well as within the broader social context in an effort to enhance the opposition parties' opportunities for growth and influence. Furthermore, I explore non-engineered processes which might affect the future of the Opposition.

## **SYSTEMIC CHANGE**

System change is one method whereby the opposition parties may be able to gain a greater voice in actual policy-making. Systemic change involves more altering the electoral processes by establishing an independent electoral commission, or amending the electoral processes of the legislative body to some type of a mixed PR party-list and constituency based branch. Currently Namibia's political system is based on the concept of majoritarian democracy, in the mould of many traditional western democratic nations. However, recently there has been much debate concerning the merits of a consociational form of government for countries which are deemed 'ethnically divided.' Though a systemic change to consociationalism has not been seriously raised within Namibia, the opposition parties which claim that Namibian politics continue to be highly ethnically motivated might consider the options offered within such a model.

A consociational system can be effective in assuring a voice for the minority parties and groups, because minority rights are entrenched within a consociational constitution. Namibia's founding election brought to power an *intended* government of national unity -- the ruling party, in principle, agreed to uphold national reconciliation and nation-building; but, SWAPO was, in fact, under no

constitutional obligation to include opposing party members in the executive branch, nor in committee positions. SWAPO did include minority members in a few cabinet positions, but since the DTA declined to take any ministerial posts -- preferring to maintain a strict role as Official Opposition -- the opposition parties were not represented in Cabinet or on committees in any proportion to their representation in the legislative body.

If Namibia had chosen a consociational style of government the opposition parties might be represented in Cabinet posts and in committee positions in direct proportion to the number of votes they gained in the election. In such a system the majority party is under mandate to include the minority parties in the formation of the government. Hence, the minority parties do not become the Opposition -- they are part of the government and their input is thus theoretically integral to the effective functioning of the consociational government. In this manner, the minority voice gains access to the policy-making institutions of the government.

As mentioned above, consociational democracy has been lauded by its proponents as the ideal system for an ethnically divided society. Because it entrenches power-sharing among the various parties within the constitution, consociationalism is meant to be a carefully engineered means of nation-building and consensus politics. Arend Lijphart claims that in ethnically divided societies political instability tends to destroy efforts at democratisation. Therefore, consociational structures have been developed to stabilise such divided countries: "Consociational democracy means government by elite cartel designed to turn a democracy with a fragmented political culture into a stable democracy."<sup>1</sup>

One of the possible drawbacks of a consociational model of democracy, as pointed out by Shapiro and Jung, and elucidated in chapter one, is the lack of institutional structures that exist for political opposition. Of course, this is in line with the model, which seeks to limit any outside opposition, and rather deal with conflicting opinions within the consensus, power-sharing government. However, since consociational models are often used in an effort to secure conflicting parties' participation in

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<sup>1</sup>Arend Lijphart. 'Consociational Democracy,' *World Politics*, Vol 14, no. 2, (January 1969), p. 216.

democratic elections and governance, they may not always be intended to be the enduring form of government in a country. For instance, there is little doubt that South African legislators will alter the system there to reflect less governing coalition consociationalism and more majoritarian model democracy: the Government of National Unity of the founding election was intended for the first parliament, not for all ensuing parliaments.

## **OTHER INSTITUTIONAL CHANGE**

### **Independent Radio and Other Non-Governmental Media**

A significant institutional change would be the abolition of a government newspaper, which tends to be heartily pro-SWAPO, and the encouragement of a flourishing non-partisan print media. Namibia already boasts a highly free and lively press, but the resources available to *New Era*, given its pro-government slant, are instrumental in setting SWAPO at the head of the playing field. A national daily, in the vein of *The Namibian*, with the resources to publish in a number of Namibia's languages, would be helpful in presenting issues and party platforms on a daily basis, rather than merely at election time. Such a newspaper would also be important as a non-partisan means of criticizing the government to the electorate, on a daily basis.

However, a consistently non-partisan country-wide, multi-language newspaper will not reach the large percentage of the population which is illiterate. Since most of the rural illiterate population is dependent on radio as a daily news source, a non-government run radio station, with the resources to broadcast to all of the country's language groups is necessary. The need and the desire already exist for these structures, but the resources continue to be lacking. A new, independent radio station was established last year, Radio 99, but at this point it broadcasts solely in English and Afrikaans, and only in the Windhoek, Skakopmund and Walvis Bay areas. International aid money should be earmarked for development of these non-partisan media sources: the greater the access to information on the part of the voting population, the greater the chances that issue-voting will grow, that informed, non-symbolic electoral support will increase. These factors are vital to the growth and sustenance of a multi-party system.

## **Party Legislation**

Introduction of party legislation provides another means of levelling the playing field between the ruling party and the Opposition. This would not necessarily entail state-funding of political parties, which continues to be controversial in Namibia. Instead, party legislation would set limits for campaign spending, financial and other contributions, as well as determine parameters for government use of state resources and hopefully give access to free media during campaign periods. Opposition party leaders consistently observed that SWAPO's unlimited access to state resources played a significant role in the continued electoral success of the ruling party. Use of planes, vehicles, state computers, faxes, telephones and other resources gave SWAPO the advantage of easily reaching a wide audience frequently.

... you can't oppose somebody who is flying by helicopter, who is flying by jet all over the country. He can address twenty meetings all over the country... you are driving by road -- it's already unfair. He can appear on television even if you address a meeting on the same day, his meeting takes precedence. Yours comes as an afterthought.<sup>2</sup>

The goal of party legislation would be to give the opposition parties access to some of the state's resources or to limit SWAPO's access to them during the campaign period, in an effort to level the playing field among the parties.

## **State Information**

Another significant institutional change involves creating structures whereby the opposition parties can gain access to information. During the course of interviews, opposition leaders focused on their need for ready access to state information, though there is evidence that general information also needs to be made more available. Along these lines the government should create structures which guarantee opposition party access to state information; such guarantees could be outlined in the constitution or, more easily, in the standing rules and procedures of the National Assembly and the National Council. As previously discussed, the opposition parties can gain information through

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<sup>2</sup>Interview: Mishake Muyongo, Windhoek, 23 March 1995.

ministerial and official testimony in committee or through questions to ministers in the legislature; however, this is not always the most effective or timely means of obtaining vital information.

### **Committee Participation**

Most policy-making actually occurs outside of the formal debating chambers of the legislative body in Namibia. Cabinet, dominated by SWAPO, introduces bills into the National Assembly; since there are few operational committees, the entire Assembly usually discusses amendments to a bill in a Committee of the Whole Assembly. The opposition parties have no means of guaranteeing their participation in cabinet, therefore, they need to become a more significant force within committees and sub-committees. As discussed in chapter three, there are no clearly defined rules or procedures for establishing or appointing members of committees of the National Assembly. Therefore, the challenge for the opposition members is to lobby the government to establish rules which guarantee Opposition participation on committees; this would most likely require an alteration in the standing rules and orders of the Assembly. In the interests of entrenching multi-partyism, the ruling party should be called upon to encourage such Opposition representation on committees. Little information is available regarding the committee system; even the minutes of the Standing Committee on Rules and Procedures, which might give insight into how committees are meant to be formed, are not available to the public. Without tangible proof it is difficult to argue that SWAPO has purposefully virtually nullified the committee system in the interests of ruling party dominance, but this is a possibility to consider and to research further. The opposition parties also have a responsibility to be perceived as effective participants of the Assembly and thus useful members of parliamentary committees, especially among their peers. Moreover, the committee system needs to become more fully operational; the few committees which exist now will not give the opposition parties adequate scope for influence.

### **ORGANISATIONAL CHANGE**

Although certain institutional alterations within the Namibian political sphere may be instrumental in setting up additional structures whereby the opposition parties can participate more fully in policy-

making and can increase their electoral support, greater emphasis must lie with the Opposition itself. The largest opposition party, the DTA, has the numbers and the funding, more so than any of the other parties, to have effective branches throughout the country. While an independent, non-partisan, multi-language media will help the opposition parties to spread their message, the onus must be on them to reach the electorate. So, for instance, the organisational structure of the DTA should be evaluated to ascertain whether or not effective networking is being carried out -- getting the party's message out to the people as well as bringing in the opinions of the electorate to party headquarters, and more importantly, to the members of parliament.

### **Alternative Policy Formulation**

Part of gaining greater support and becoming more effective participants in the legislative branch requires that the opposition parties run issue-based campaigns and that they oppose government policy with concrete alternatives. This would be one way in which to overcome the ethnic political divisions about which some of the opposition party leaders complain. Presenting concrete party manifestos over time will give the electorate specific policies with which to identify the various opposition parties -- giving them the chance to attract people based on specific needs and desires.

### **Opposition Unity -- Coalition Building and Caucusing**

Perhaps the most significant organisational change that the opposition parties could affect within the Namibian political arena, in an effort to swell their ranks and increase their legislative influence, involves an exercise in caucusing, in unifying their voice at particular moments. Since their numbers have decreased substantially in the second parliament -- down to 19 from 31 -- the Opposition is even more dependent on some manner of unified strategy if its voice is to be heard over the ranks of the ruling party. There is probably little chance that all the opposition parties will unite into one coalition, forming a two-party system, at any time in the near future: ideological outlooks appear too divergent for that. Even coalition building among the smaller opposition parties has not ensured their electoral growth; the DCN gained only one parliamentary seat, though it represents the union of three parties with representatives in the first parliament.

The opposition parties, however, should be able to unify their voices during parliamentary sessions, caucusing effectively on legislation. The Opposition does not have the numbers to influence policy, which is necessary to be perceived as effective and policy-solid parties. One of the only available alternatives is for the opposition parties to band together, to make pre-session plans to vote similarly, to know and understand each others' positions on various policy: to caucus. None of the parties in the Second Parliament has the numbers to alter a SWAPO vote or to crowd debate periods with their views. It is only by unifying their positions during the parliamentary sessions that the opposition parties will be able to make themselves heard and seen. The constitutional provision for a private member's bill provides a means by which minority members can introduce a bill on the floor of the Assembly given support of one-third of all members. Given the constitutionally mandated party discipline, which acts as a check on SWAPO member support, a private members bill has no chance of being utilised by the Opposition in the Second Parliament; with just over 26% of the seats in the house, they do not meet the criteria for introduction of such a bill. Yet if their numbers rise even a small amount in the next parliament greater use of Article 60 could increase the level of Opposition influence.

## **OTHER PROSPECTS FOR OPPOSITION GROWTH**

The nature of Namibian society and especially the fact that the country is extremely new to a democratic culture and democratic structures of governance contribute significantly to the failure of the opposition parties to grow in numbers and in influence. The antidotes for ethnically ordained voting patterns include a movement toward issue-based campaigning and polling, which is dependent on greater education; increased non-partisan media coverage and an augmented effort on the part of all political parties to provide substantial alternatives and concrete policy platforms. All of the previously mentioned factors, in fact, directly or indirectly tie into the means of altering the ethnic basis of the society and of entrenching a culture of democratic values in Namibia. Political tolerance in all areas of the country and an issue-conscious electorate will benefit the opposition parties as long as they present policy platforms; these factors will, it is hoped, be advantageous for the growth of the Opposition.

## **Ruling Party Split**

In the near future, given the relatively bleak performance of the opposition parties in the First Parliament and their subsequent numerically dictated inability to gain much influence in the Second Parliament, the most likely space for Opposition growth lies within the ruling party itself i.e. a split in the SWAPO ranks. There has been increasing debate within Namibia about a possible future split in the ruling party. The numbers of SWAPO supporters has grown over the past five years, as indicated in the party's improved electoral standing; if the rate of growth continues, SWAPO will not be able to meet the contiguous needs and expectations of all the divergent support bases it now holds. In this instance, there is bound to be a split. This seems especially likely given the lack of young leaders in the party -- the split may be along these lines. Furthermore, unless SWAPO alters the Namibian Constitution to make way for a third presidential term for Nujoma, the party will lose its vital figurehead in five years time. Much in the vein of South Africa's Nelson Mandela, Nujoma has an intense symbolic appeal which no other party presidential candidate could attempt to approximate at this time. Losing Nujoma could cut the electoral support currently afforded SWAPO, though probably not significantly unless the opposition parties make effective concurrent overtures to the population. Nonetheless, the loss of Nujoma will be instrumental in affecting a schism within the party as factions form around proposed new presidential candidates. A split in SWAPO would provide a needed boost to opposition politics in Namibia.

## **CONCLUDING REMARKS**

The prescriptions I have offered in this chapter could be instrumental in shaping the future of the Namibian opposition parties and, therefore, the entire political arena. All of the suggested changes will take time and effort to implement. Establishing party legislation, access to state information and an established committee system require lobbying of the ruling party by both the opposition parties, and civil society, including the NGO population. Independent radio and non-governmental media sources can be aided by NGO funding. Likewise, increasing the literacy and consolidating a democratic culture among the population are important goals of voter education projects such as the ones conducted by NDI.

**CHAPTER VIII**  
**CONCLUDING REMARKS**

This paper indicates that the Opposition in Namibia has shown varying degrees of effectiveness in the First Parliament. The opposition parties have not been able to present themselves as a sincere "government in waiting," either in policy or in number. Nor have they managed to affect legislation to any large extent. However, as chapter five points out, they have used some of the space available to the Namibian Opposition to play a watchdog role on the ruling party. Criticising the Government will not alone gain the opposition parties greater actual legislative influence or electoral support; yet, it is an important aspect of opposition politics.

I have noted a number of reasons for the overall poor showing of the opposition parties in the First Parliament and their subsequent inability to gain increased electoral support in the 1994 national elections. Institutional changes, such as guaranteed access to state information and a functioning committee system, would be important enabling structures for the opposition parties. However, as I have explained, alterations in the formal political arena will not alone engender greater influence on the part of the Opposition. Rather, much of the responsibility for gaining electoral support and increased legislative efficacy lies with the opposition parties themselves -- individually they need to present clear policy alternatives to attract votes and in the National Assembly they need to caucus effectively to increase the influence of their small numbers. The opposition parties are not victims within the system; rather, they should be active players, shaping their destinies with strong actions and effective platforms. The formal rules of the game can be adapted -- such as changing the nature of access to information or improving the committee system -- but by and large the structural political game board is permanent. Chapter five illustrates that the Namibian opposition parties still need to become good players of the opposition game.

The socio-cultural context is another factor limiting the Opposition's growth, and, consequently, influence. The population in general does not cast votes based on specific issues. As Richard Moorsom indicates, "policy has virtually no effect on voting patterns in Namibia."<sup>1</sup> Rather, Namibians tend to vote according to a party's image or the broad ideological values which it

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<sup>1</sup>Richard Moorsom, Cape Town, 15 May 1995.

espouses. Development of civil society might be instrumental in politicizing the electorate, subsequently decreasing the occurrence of ethnic and symbolic-appeal voting patterns. At the same time, opposition parties must provide real policy alternatives to encourage the populace to cast issue-based votes.

Consensus was the mainstay for much of the First Parliament; all parties in the Constituent Assembly, and then the National Assembly, felt a certain pull toward national reconciliation and nation building. Though they tackled a number of controversial issues, the government and the opposition parties often emphasised compromise in policy legislation. Moorsom points out that the "sense of joint ownership of the legislative institutions [which marked the First Parliament] could become much more fractious with time."<sup>2</sup> In the context of the First Parliament, then, there was limited scope for policy which differed significantly from that of the ruling party. With independence firmly behind, I anticipate increased policy division among political parties, marking a turn toward distinct policy platforms.

A common theme throughout this final analysis is that time and experience will be important factors for increasing the electoral support and legislative influence of the Namibian Opposition, and, for the consolidation of multi-party democracy. Increasingly entrenched and understood government procedures will benefit all political parties, as will political experience. Opposition parties should become more adept at using the means available to them to influence policy. Time will also bring increased literacy and greater media sources to the population, encouraging voters to examine issues and candidates rather than just party image.

Although the opposition parties bear substantial responsibility for increasing their influence and numbers, and for countering current socio-cultural factors which impede them, the ruling party likewise has a significant role to play in encouraging multi-partyism. As the government, SWAPO can either make Opposition structures more assessable, or close them off more fully; the ruling party

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<sup>2</sup>*Ibid*

can encourage transparency through the open dissemination of information to opposition parties, encourage alternate viewpoints through a functioning committee system which guarantees Opposition involvement, and promote political party legislation to level the campaign and inter-campaign playing field. In their analysis of the 1992 Local and Regional Elections Pendelton et. al. respond to the overwhelming win on the part of SWAPO: "It is dangerous to lose sight of the fact, however, that this political outcome was the result of free and fair elections."<sup>3</sup> Yet, even a democratically-elected one-party state indicates the demise of a democratic culture and principles, both within the society and on the part of the ruling party. In a one-party system the ruling party can more easily become undemocratic, discouraging all forms of opposition. SWAPO will be judged critically for indications that the ruling party is stifling or even merely not encouraging the survival and indeed the increased influence of the opposition parties.

This paper has focused on the role of the Opposition within a majoritarian parliamentary system; it has offered an analysis of the effectiveness of the Namibian opposition parties based primarily on the roles of watchdog and alternative policy formulation. Future studies might focus on other structures of opposition within Namibia, particularly the role of civil society in shaping policy decisions and in warding off one-party dominance.

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<sup>3</sup>Prof. Wade Pendelton et. al. *A Study of Voting Behaviour in the 1992 Namibian Regional and Local Government Elections, Plus Voting Statistics*, (Windhoek: University of Namibia, October 1993), p. 11.

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