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TOWARD A NAMIBIAN SETTLEMENT

INTRODUCTION

The U.S. now recognizes that the stability of southern Africa is crucial to its own national security. The area's command of the world's main sea-lanes, its relative abundance of scarce strategic minerals, and the presence of Cuban and East German troops in Angola all combine to draw U.S. attention to this once neglected region. In pursuing these newfound interests, the U.S. State Department has decided that the achievement of a negotiated independence for South-West Africa/Namibia is a matter of urgency. Consequently, Washington has spearheaded the efforts of the Western "contact group," composed of the U.S., West Germany, Great Britain, France, and Canada, to persuade the Republic of South Africa to grant full independence to its former protectorate. South Africa's ruling National Party has equivocated, however, asserting that a popularly elected Namibian government would threaten South Africa's security and the safety of Namibia's various minority groups, particularly the white population. The State Department has since sought to change South Africa's course by proffering a series of constitutional limitations which, the U.S. claims, would prevent an independent Namibian government from moving against South Africa or against its own white minority.

The crux of the Namibian negotiations thus has become the number and the nature of incentives that Washington can offer South Africa while maintaining broad international support for U.S. efforts. A series of constitutional and political provisions, taken together, could accomplish U.S. ends, reassuring South Africa while achieving a negotiated Namibian independence agreement with broad international support.

THE EMERGENCE OF AN AGREEMENT

The renewed efforts of the Western nations seem to be achieving results. Never before has Pretoria been so close to agreement with the five "contact" states on what would constitute a viable, internationally acceptable formula for Namibian independence.¹ The National Party in South Africa appears to recognize that Namibian independence is the final price that Washington will demand for its policy of "constructive engagement" with Pretoria. The party also sees that it cannot hope to control the political complexion of an independent Namibian government.

On the other side, the guerrilla leadership of the South-West Africa People's Organization (SWAPO), the territory's only fighting independence movement, must realize that, although it still has troops in the field, it has been militarily defeated. SWAPO has proved unable to expand its sphere of direct influence upon the Namibian populace and, consequently, remains closely associated with its original base of support, the Ovambo people of northern Namibia. This identification has tarnished SWAPO's image in the eyes of Namibia's other ethnic groups. Moreover, South African ground forces now dominate much of Ovamboland, while incursions into southern Angola have damaged SWAPO facilities and have wrought havoc in the guerrillas' communications system.

Though defeated militarily, SWAPO has not been annihilated politically. It has held on to its original basis of support, thus preventing Namibia's multi-ethnic coalition, the Democratic Turnhalle Alliance, from consolidating its power in the capital, Windhoek. Moreover, the Ovambo account for approximately 42 percent of the Namibian population. In light of its military failure, the SWAPO leadership may now feel that the time is ripe to abandon the military struggle and to capitalize on what can be expected to be Ovambo ethnic predominance in national elections. Thus, while an independence agreement must ensure elections, it must also prevent the Ovambo from abusing their numerical strength by suppressing all of SWAPO's critics and opponents.

The United States will play a leading role in the formulation of the final arrangements for Namibian independence. Canada, France, and West Germany, to date, have all alienated Pretoria. The radicalization of Great Britain's opposition Labour Party and the ambiguous Conservative role in the Zimbabwean settlement have rendered that nation suspect in long-term international dealings. The Reagan Administration, on the other hand, has taken pains to establish and maintain a working relationship with South Africa, despite considerable international criticism. Faced with a friendly Washington and a hostile Europe, Pretoria will be eager to ensure that any credit for achieving Namibian independence accrues to itself and to the United States, rather than to other members of the contact group.

¹ For a review of previous negotiations over Namibia, see Jeffrey B. Gayner, "Namibia: South Africa, SWAPO and The Settlement," Heritage Foundation Background No. 64, August 31, 1980.

Achieving Namibian independence undoubtedly would be a major international diplomatic triumph. It would enable the Reagan Administration to justify its reversal of the Carter-Young-McHenry southern Africa policy and to reburnish its somewhat tarnished foreign policy image. The promise of such benefits, however, is not without grave risks. A State Department that so far has had few notable foreign policy successes may rush into an agreement on Namibia to boost its own prestige, ignoring the long-range implications of such action. Little would seem to be gained, however, from any Namibian solution unless the basic outlines of a viable constitution for independent Namibia are established before national elections and formal independence.

AN EFFECTIVE CONSTITUTIONAL SOLUTION

Both SWAPO and the Democratic Turnhalle Alliance probably will prove willing to participate in a constitutional convention, once the contact group has made the holding of such a convention a prerequisite for formal independence. SWAPO's former refusals to participate in national elections have brought it no closer to success while the DTA's credibility will continue to weaken as long as Namibia remains closely aligned with South Africa. Only a constitutional convention can provide South Africa with the guarantees which it demands for its own security and for Namibia's 90,000 whites (9 percent of the total population). In protecting the latter, a constitutional settlement could help to prevent the type of white exodus which has proved so economically disastrous for Angola and Mozambique.

An effective constitutional solution must include at least the following main elements:

1. No political party should be allowed to come to power in an independent Namibia except by wish of the national electorate, as expressed in national elections free from intimidation and harassment. The "national electorate" comprises every Namibian man and woman of majority age, regardless of ethnic origin.
2. The Namibian electorate must be guaranteed continued political influence through elections at fixed periods.
3. Namibians must be assured freedom of speech, assembly, and worship, freedom from arbitrary arrest, and the right to hold property.
4. The Namibian government must recognize the physical inviolability of its neighbors.
5. The Namibian constitution must allow for some system of minority representation along ethnic and regional lines.

6. Namibia's neighbors must provide a climate conducive to independence talks. No constitutional settlement can be implemented and no Namibian national elections held until all foreign troops leave Angola and the competing forces in that country reach a political settlement leading to national elections. Similarly, should Prime Minister Robert Mugabe decide to enforce one-party rule in Zimbabwe, South African conservatives would be most unwilling to withdraw from Namibia for fear of a one-party SWAPO government being established in Windhoek.

NATIONAL ELECTIONS

Arranging Namibian elections under international supervision will pose few problems. It will prove difficult, however, to prevent the election process from being disrupted by violence and coercion. As the example of Zimbabwe demonstrated, "liberation groups" in southern Africa frequently intimidate voters. An international supervisory force cannot always be on the spot to stop such tactics. The supervising authorities, however, can be empowered to impose strict sanctions upon any individual or group intimidating the electorate. Declarations of constitutional principles and of high intent mean nothing unless the international supervisors can exclude from the electoral process all who violate their written commitments to fair play. Parties whose members attempt to coerce the Namibian voters could be punished by complete exclusion from the polls or by exclusion from polls in those areas where they attempted to pressure the voters.

In Zimbabwe, Prime Minister Robert Mugabe is frequently held to have gained power by intimidating the Zimbabwean electorate in 1980. These charges damage Mugabe's credibility, particularly in the United States. More rigorous oversight by the British High Commissioner, Lord Soames, and the interim government would have spared Mugabe these accusations and thus would have enabled him to establish a broader base of understanding in the U.S. Congress.²

It has become a pathetic truism that African leaders practice a system of one man, one vote, one time. This saying seems to be confirmed by the current trend towards one-party states and the suppression of multi-party elections in southern Africa. One-party states automatically restrict all political expression. Groups that oppose government policy have no legal mechanism for expressing their views. Consequently, opposition groups are obliged to resort to violence to influence policy. Since very few southern African states boast the healthy economy and the bureaucratic infrastructure necessary to withstand any prolonged period of internecine warfare, the adoption of one-party politics often proves to be the first step toward the practical downfall of the state.

² See Economist February 9, February 16, February 23, and March 1, 1980.

The members of the Western contact group could help to prevent Namibia's lapse into one-party politics by linking their continued economic assistance to the maintenance of multi-party politics in Windhoek.

INDIVIDUAL RIGHTS AND LIBERTIES

SWAPO and other radical Namibian groups must realize that South Africa will not withdraw its forces from Namibia before receiving specific guarantees of individual liberties within an independent Namibia. For South Africa to accept less would invite a major rebellion by the National Party's conservative wing, which could lead to the party's political downfall. Thus, the Western contact group has no hope of pressuring the National Party to drop its demand for guaranteed individual rights. Such guarantees, moreover, probably would reassure the country's 90,000 whites and convince them to remain in the country after independence. In turn, this would maintain Namibia's economic stability and its consequent ability to attract aid and investment from the U.S. and Western Europe.

SECURITY OF NAMIBIA'S NEIGHBORS

A Namibian government must recognize its obligations toward its neighbors. It must not harbor groups posing a physical threat to neighboring states, and it must not facilitate the entry of Cuban, East German, or other foreign troops into a continent where they already have caused such extensive damage.

Signatories of a constitutional settlement, including the Western contact group, should recognize that a Namibian government that threatens its neighbors would forfeit international assistance and would be subject to pre-emptive and hot pursuit actions by the military forces of its neighbors.

ETHNIC MINORITY REPRESENTATION

A Western-style, one-man, one-vote, winner-take-all election cannot provide a stable political system for any southern African country, particularly Namibia. Thus, the structure of government created by the constitutional settlement should provide for some system of proportional representation along ethnic lines.

A particularly diverse mixture of ethnic groups inhabits Namibia -- the Ovambo (42 percent of total population), the Damara (8.8 percent), Kavango (6.6 percent), Herero (6.6 percent), Whites (9 percent) and Bushmen (2.2 percent). None of these groups can be expected to tolerate a SWAPO/Ovambo-dominated government. Hereroes and Bushmen, in particular, harbor long-standing animosity towards the Ovambo, while SWAPO's Marxist orientation and its close ties with Moscow can be expected to

alienate the territory's white and colored middle class. If faced with a SWAPO/Ovambo-dominated central government, the other groups will be tempted to use violence to make themselves heard. This can be avoided if the Namibian constitution takes ethnic feelings into account.

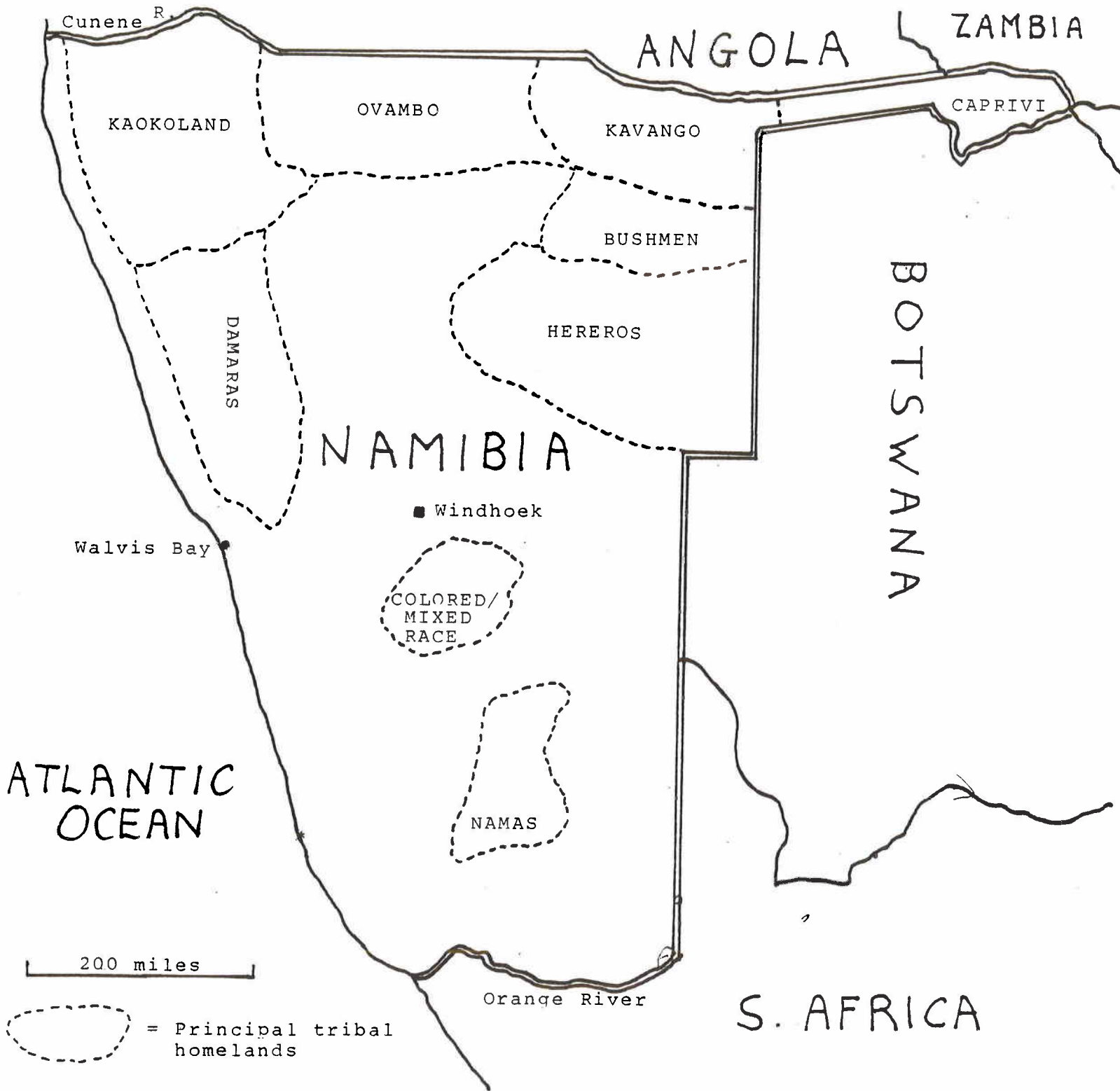
Both Zimbabwe and Mozambique offer useful lessons on enduring ethnic loyalties in southern Africa. President Samora Machel has attempted to eradicate all tribal feeling in Mozambique. During the struggle with the Portuguese colonial authorities his FRELIMO guerrillas made a policy of killing tribal headmen. After coming to power, Machel attempted to cut across tribal lines, but his complete failure has reduced him to the somewhat ridiculous course of legislating against tribal feelings; anyone found guilty of tribal loyalties is now subject to imprisonment. Meanwhile, FRELIMO's army is fully engaged in fighting a guerrilla movement which draws its strength from the very tribal structures that Machel hoped to eradicate.³

Zimbabwe provides a similar lesson. The negotiators of Zimbabwean independence at Lancaster House concentrated exclusively upon the safety of Zimbabwe's white population after independence, ignoring the country's broader ethnic problems. Consequently, the Shona supporters of Robert Mugabe and the Ndebele supporters of Joshua Nkomo already have clashed on several occasions, and their continued mutual hostility may ignite civil war. Western commentators tend to view these clashes as mere incidents in a general battle between Moscow's and Peking's differing approaches to Marxism. This may be true of Mugabe, Nkomo and their immediate supporters; the actual combatants, however, probably are motivated more by traditional tribal enmity.

Concentrating exclusively on the safety of Namibia's white population distorts the broader pattern. The Namibian problem requires a constitutional solution, which will allow Ovambos, Damaras, Hereroes, Kavangoes, Whites, and Bushmen to live together without any one group's dominating the governmental process and bureaucracy.

To acknowledge that Namibia's ethnic diversity is a problem does not necessarily imply the adoption of a South African bantustan or apartheid system. An independent Namibian government could operate easily on a multi-ethnic basis without physically isolating the country's various groups from each other. Legislative and executive powers, for instance, could be divided into two tiers. One-half of the national assembly could be chosen by national vote in the traditional Western manner. The other half could be drawn from the country's various ethnic groups.

³ See Africa Research Bulletin, Vol. 16, No. 3, p. 5198; Vol. 16, No. 7, p. 5344B; Vol. 16, No. 7, p. 5475A; Washington Post, January 31 and September 29, 1981; New York Times July 11, 1980; and Economist, June 26, 1981.



N.B. This map shows the borders which originally were allocated to the "tribal homelands". They roughly coincide with the primary areas of ethnic concentration. It should be noted, however, that Namibia has not adopted South Africa's homeland system or its pass laws. Namibians can move around the country freely, except in security zones, where access is denied to all.

Those European and American commentators who press for a simple one-man, one-vote election are calling for a system which would almost certainly lead to civil war. Such a conflict not only would be disastrous for Namibia, but would also be viewed by South Africa as yet another failed attempt to form a multi-racial society. Thus it would act as a major obstacle to changes in the racial system in South Africa. Conversely, a successful Namibian settlement, affording all groups access to and influence on the central government, would strengthen the case of South Africa's own reform movement.

ANGOLA

No Namibian settlement can endure without a similar settlement in neighboring Angola. The current Marxist regime in Angola, the Popular Movement for the Liberation of Angola (MPLA), has no legitimate claim to authority. It came to power in 1975 when it broke a cease-fire and seized the capital, Luanda, with the assistance of Soviet arms and Cuban troops. It then refused to negotiate with either of the two nationalist groups which had fought the Portuguese colonial administration. It also refused to hold the national elections to which the party's leadership had committed itself in the 1975 Alvor Agreement. Instead, the MPLA launched a full-scale offensive, attempting to use Cuban troops to wipe out its nationalist opponents.

The Cubans failed. The National Union for the Complete Independence of Angola (UNITA) has survived and flourished under the leadership of Dr. Jonas Savimbi; it now controls most of southern Angola. Facing a resurgent UNITA, the MPLA has come to depend heavily upon Cuban and Eastern German troops.

The Republic of South Africa fears that the Cuban and East German forces may take advantage of instability in Namibia to broaden the scope of their activities in southern Africa. This fear, combined with the presence of large numbers of SWAPO bases in southern Angola, has prompted a number of South African incursions and pre-emptive strikes into southern Angola.

Within the National Party it is widely believed that Cuban and East German troops definitely will seek to project their influence into Namibia if South Africa withdraws its forces across the Orange River before the arrangement of a satisfactory Angolan settlement. It is, therefore, highly unlikely that Pretoria will consider pulling its military units out of Namibia until all foreign troops leave Angola.

A resolution of the Angolan situation, in fact, may be close. The MPLA is gaining little from its alliance with the East. To the contrary, the Soviet Union is demanding payment of supposed "war debts" and is extracting great amounts of precious hard currency from the country. Meanwhile, the Cuban troops are refusing to fight either South African ground forces or UNITA

guerrillas. Angola's Marxists thus may well be interested in negotiating with UNITA if they can be spared Soviet-Cuban reprisals. It is probably no coincidence that the recent tentative offer of negotiations by the MPLA ambassador to Lisbon came while the Kremlin's attention already was riveted on Poland. If the Western contact group were to provide a forum for these talks, a settlement possibly could be reached.

Savimbi already has voiced his willingness to negotiate with the MPLA and has even withdrawn his original demand that all Cuban and East German troops leave Angola before talks begin. Yet, Savimbi may be a primary stumbling block to an Angolan settlement; his very popularity may cause the MPLA to hesitate before it accepts free elections. Savimbi's support from the Okimundu people (40 percent of the Angolan population) alone probably would provide the basis of a popular majority. As early as 1974, foreign diplomats in Luanda generally agreed that Savimbi would win a national election. His chances of victory seem greatly enhanced since he now can pose as the great Angolan nationalist who has fought Portuguese and Cuban alike in the battle for Angolan self-determination. Hence, the MPLA may be reluctant to negotiate with a man who, most likely, would oust it from power after elections.

The MPLA's reluctance could fade if an Angolan constitution similar to the projected Namibian settlement created a system of representation geared to recognize the country's primary ethnic divisions. A constitution could guarantee that the MPLA would not be excluded from power completely in the event of a UNITA victory at the polls and thus ease the MPLA's fear of negotiations.

CONCLUSION

A lasting Namibia settlement defies "quick-fixes." It requires a Namibian constitution that establishes democratic procedures and guarantees the security of the country's ethnic minorities and of its neighbors. A Namibian constitution cannot be implemented, however, until foreign troops have left Angola and the factions in that country have settled their basic differences.

The Reagan Administration's new policy toward all of southern Africa will be judged largely in the light of its success or failure in achieving a workable Namibia settlement. At stake is continued U.S. access to a broad range of strategic minerals and some of the world's most heavily traveled sea-lanes as well as the outcome of the current superpower rivalry in southern Africa. Namibian independence, achieved under U.S. sponsorship, could discredit the Soviet Union in Africa, where Moscow traditionally has postured as the liberator of oppressed peoples. The victory of Peking's candidate, Robert Mugabe, in Zimbabwe's 1980 elections already has partially damaged that image after Soviet successes in Angola and Mozambique. In short, a successful outcome to the

negotiations on Namibia could turn the tide of events in southern Africa in favor of the West and facilitate the development of stable, prosperous states in that region.

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