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Mwange, Matomola Vincent

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Civil-Military Relations in Namibia, 1990-2005

Matomola Vincent Mwange

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CHAPTER 1

BACKGROUND AND RESEARCH PROBLEM

Background

The patterns of civil-military relations in independent Africa are influenced by the discourse of the western armed forces, and Namibia is no exception. The emerging patterns of post-independence civil-military relations are marked, at the level of institutions and mechanisms, by a strong similarity between the formal mechanisms and institutions of civil control found in the metropole and those introduced in the newly independent countries. For example, Namibia's Constitution, which serves as a formal control mechanism over the military, was heavily influenced by Western European countries such as Britain, Germany and the United Sates of America who helped negotiate the country's independence process. The constitutions of most independent African countries, Namibia included, have a provision that makes the president commander-in-chief of the armed forces like in the United States of America (Edmonds, 1988:77). The incorporation of the provision in the constitution was to prevent the military from exercising undue power and influence. Similarly, military institutions such as Namibia's Ministry of Defence (MoD) mirror that of Britain in design. The researcher argues that such military establishments reflect the Western model of civil-military relations inherited by newly-independent African countries. Chapters 5 and 6 give more details of Namibia's civil-military relations in transition and context. Since the end of the Cold War many countries have been preoccupied with demilitarisation, security and sustainable development. Consequently, security sector governance has emerged as a key element in the process of democratisation.

Democratic governance is an essential element of the stable and secure setting necessary to support human development and human security in a country. Governance has thus received increasing consideration in Africa since the early 1990s. Nonetheless, Ball & Fayemi (2006) argue that while good governance was accepted as fundamental to supporting democracy and to promoting good development results, very little attention was given to the question of how the security sector was governed until the late 1990s. However, it has been found that sound governance of the security sector is crucial for the success of democratic consolidation, poverty

reduction, and sustainable economic and social development. It is also important for the quality of security, which is about creating a safe and secure environment for the state and its entire population.

In Namibia, various national policies have been justified by the maintenance of 'peace and security' as a precondition to 'nation-building'. The Government has recognised that the military has tremendous power which it can use against the state. Therefore, the politicians, who are elected representatives of the people, found it important to control the utilisation of this coercive power for the benefit of society rather than for uncontrolled and self-serving ways. The term civil-military relations is usually used in a generic way to cover relations between the armed forces and society or the political authority. Independent Namibia opted for democratic civil-military relations with the aim of ensuring civil control over the military.

Much has been written on civil-military relations; however, very little research has been produced on democratic civil-military relations in Namibia since independence. The term civil-military relations has a varied usage depending on the context within which it is applied. It is somewhat self-evident that the term can only be used in societies where a sufficient level of institutional differentiation exists between the armed forces and the civilian authorities (Williams, 1998:1). Nevertheless, there are a number of different senses in which the term civil-military relations can be used. This research attempts to fill the gap by looking at the political institutions that are necessary for democratic civil-military relations and how they have contributed to peace and stability in Namibia.

Nature and Scope of Empirical Material

The scope of this research is to examine the generally held western assumptions of Civil-Military relations and how they were institutionalised in Namibia since independence between 1990 and 2005. The study will focus on Namibia's civil-military relations in the context of the Namibian Constitution which outlines the principles, structures, responsibilities and relationships that are necessary to secure democratic civil-military relations. In addition, the Ministry of Defence,

budgetary mechanisms and military professionalism will be examined as they are critical to successful civil control over the armed forces.

Significance of the Research

This research study seeks to improve understanding of the interaction between different factors relating to civil-military relations and their significant bearing for democratic control of the military in Namibia. Although the subject of civil-military relations has been researched in great detail, not many in-depth national case studies have been written. It is therefore hoped that the findings of this research will help improve the actual practice of civil-military relations in Namibia.

The military has the capacity to use substantial force and potential to overthrow the civil authority and destroy democracy. The purpose behind establishing the military is to defend the country against external attacks. The role of the military is to uphold, in a non-partisan manner, the rule of law and the territorial integrity of the state, or else democratic governance is endangered. However, post-independent African countries such as Nigeria, Ghana, Lesotho etc experienced military coup d'états (Nathan, 1996:1). The question is how to address and manage the power of the military so that they do not interfere in the political governance of the country. Feaver 1999:215 noted that “A direct seizure of political power by the military is the traditional worry of civil-military relations”.

Study focus

The preceding paragraphs highlighted the significance of civil control over the military and the state’s ability to enforce democratic governance. This study explores the broad theme of civil-military relations to establish a framework for Namibia’s civil-military relations that ensures successful democratic civil control of the military. Specifically the study

- examines the patterns of civil-military relations in independent Africa to comprehend the emerging patterns of post-independence civil-military relations in Namibia,

- explores requirements needed for democratic control of the armed forces to determine Namibia's civil military relations,
- assesses the interface among different democratic institutions and mechanisms necessary for civil control of the military in Namibia, and
- examines the influence of the international context and involvement of external actors in shaping Namibia's civil-military relations. However, since civil-military relations take place in unique settings, the study will draw some conclusions and practical policy recommendations to strengthen civil-military relations to sustain peace and stability in Namibia.

Research Problem

Governments in colonial Africa were supported by a well established military and security establishment. Post-independent states in Africa are largely shaped by the colonial states that existed before. At independence most African states essentially rearranged the political structures that they inherited from their former colonial masters. The state has been defined by some scholars as "the organized aggregate of relatively permanent institutions of governance" (Chazan *et al*, 1999:39). The main mechanisms of state comprise the executive and parliament as decision making bodies, the civil service as decision-implementing agency, security forces as decision-enforcing organisations and courts as decision-mediating institutions. Chazan (1999:39-40) further posits that for state organs to operate effectively the military should be able to maintain the territorial integrity of the country.

The post-colonial period saw the growth and strengthening of the military in Africa. The military was retained as a symbol of sovereignty and national independence. Equally, in other countries such as the former Zaire, the military was sustained and expanded to provide necessary support for the weak government of Mobutu Sese Seko. The collapse of Somali's central government in the 1990s was attributed to the government's inability to fulfil critical functions associated with a modern state, especially to provide security, safety and law and order (Andersen, 2006:3). The state in Africa is often viewed, among other things, as repressive, fragile and absolutist, because the power inherited at independence was mainly concerned with domination rather than legitimacy. This has

caused instability associated with illegitimate and bad governance in some African countries. The military was also seen as an instrument of oppression that supported autocratic rulers rather than serving the interests of the nation as a whole. The end of the Cold War ushered in a new period of security and development nexus, and bad governance was seen as the root cause of state failure. According to the Organisation for Economic Co-operation and Development (OECD), an international organisation helping governments tackle the economic, social and governance challenges, Security Sector Reforms are aimed at ensuring that the security sector in a given country is capable of meeting the security needs of both state and people in a manner consistent with democratic norms, good governance and the rule of law (OECD, 2005:16). The task facing African countries, Namibia included, is reforming the security sector in a manner consistent with democratic norms and values necessary for the development.

Civil supremacy of the armed forces in a democracy embraces the idea of the sovereignty of the people. In Namibia the military is subordinate and accountable to civilian officials who are elected by the people. This is meant to ensure that the state is in a position to base its values, institutions, and practices on popular will rather than on the choices of military leaders. In a democracy, military leaders obey the government as they accept the basic national and political goals of a democracy and because it is their duty (Janowitz, 1960:79). However, the armed forces in Africa have often contributed to political instability and armed conflicts (Luckham, 1988:1). The military is an important state institution as it holds coercive power. The primary duty of the armed forces is usually to protect the sovereignty of the country against external aggression. Nonetheless, the military also has the potential to overthrow the civil authority and destroy democracy to achieve its own objectives or its perception of institutional security or national objectives. As Feaver (1999:217) suggests, military coups are the usual concern of civil-military relations. He adds that coups radically represent the main crisis of the military, because they take advantage of their coercive power to replace civilian rulers. It should, however, be noted that the study of civil-military relations not only focuses on coups but on other issues such as the relations between the military, as a political, social and economic institution, and the society as well as the military relations with the political authorities. Scholars on civil-military relations have suggested that “the problem of the modern state is not armed revolt but the relation of the expert to the politician” (Huntington, 1957:20). The researcher agrees with this argument because often the relationship between the

military and politicians is characterised by a lack of understanding of each other. One will find that the ruling politicians seem not to have knowledge and understanding of the military, and therefore are not interested in what is happening in the military institutions. On the other hand, the military tends to be involved in political issues to advance its interests, thus straining the relationship with politicians.

The period 1960-63 saw the achievement of independence by most African countries. Afterwards the continent witnessed numerous military coups or attempted coups. Nevertheless, with the end of the Cold War and pressure from Western countries for the continent to democratise, many African states have emerged from authoritarian rule. Consequently, most countries have found it important that the power that is held by the armed forces be utilised in a responsible way for the benefit of the society. To achieve this, they have opted for the subordination of the military to the civilian authority, although coups and coup attempts have persisted (Nathan, 1996:1).

Beyond the absence of legitimacy as a result of political and socio-economic strains that characterise most African societies, scholars such as Decalo (1991:67) remind us there has been little agreement on what propels the military to overthrow a civilian government. Nonetheless, there are several different reasons that have contributed to military coups in most of post-colonial Africa. Undemocratic political processes, weak civil society, economic deprivation, gross failure of civilian governance, weak societal institutions, extreme nationalism and ethnic conflicts are some of the contexts in a state that may cause military intervention in politics. Similarly, the military justify coups in order to rescue the state from bankruptcy and corrupt civilian regimes that fail to pay the salaries of soldiers. As Edmonds (1988) fittingly puts it, the military will interfere in the political process especially when civilian authority can no longer deliver the social goods and does not possess the capacity to exert control within the country. Additionally, rapid cuts in the military budgets that largely violate what has been traditionally regarded as the institutional prerogatives of the armed forces, and restriction of the military's organisational autonomy, have been cited as some of the reasons for coups (Thomson, 2000:129).

For Bratton *et al* (1997:212) coups take place when there are social changes in the country that threaten the interests of the military and their allies, as happened in Algeria in 1991, where the

military prevented the fundamentalist Islamic Salvation Front from coming to power after their electoral victory, or when the military seeks to change the society entirely, for example, the overthrow of the authoritarian government of Ethiopian Emperor Haile Selassie in 1974 by a military-based socialist movement. From Thomson's (2000:20) point of view African states lack legal-rational authority, that is, state institutions constituted to serve the interest of citizens. By implication, most African states have been weakened by some form of authoritarian regime that has characterised the continent. In some countries that are undergoing a transition to democracy, the state is not only weak, but sometimes nonexistent outside the capital city. Such states have weak civil control over the military. As a result it is easy for the military to exert undue pressure on the government. Researchers such as Cottey *et al* point out that weak states such as Nigeria are characterised by ineffective governmental and political structures, deep social/political divisions and disunity in society, thus creating significant conditions and reasons for military intervention in civil affairs (1999:12).

In most independent African states, power is centralised in the hands of the executive branch of government. Equally, most countries on the continent are by and large governed by personal rather than institutional rule, combined with clientelism to retain legitimacy within the political system (Bratton, 1997:107). Disappointingly, some new African leaders have sought to remain in power by perpetuating their regimes, have restrained the work of the opposition political parties because they see opposition as a threat to their own positions, and have been unwilling to leave their comfortable jobs through democratic elections. Some have failed to establish and consolidate democracy because of their failure to replace colonial instruments that were manifestly designed for domination, oppression and exploitation with the ones for popular participation and others. The researcher argues that the consolidation of power with strong authoritarianism has characterised most African states, thus undermining democratic civil-military relations.

Some independent African states have failed to make a transition from authoritarianism to democratic governance. Among the reasons put forward for the failure of such transformation is the weakness of control mechanisms such as laws that ensure checks and balances that have allowed leaders not to be held accountable for their actions, economic dependence on former colonial masters, lack of skills and resources etc. Tribalism and ethnicity have also been given as reasons

for the failure of nation-building in many African states. Eritrea, which was a province of Ethiopia, broke away and formed a new independent state. But this is also true in other continents, such as in East European countries where the world has witnessed the reappearance of nationalism in the 1980s that led to the break up of the former Yugoslavia and the Soviet Union and the formation of new states. It is also common in most African states, Namibia included, to find political movements based mainly on ethnicity. One can give the examples of the Inkhatha Freedom Party in South Africa, and the United Democratic Front in Namibia as largely ethnic-based political parties. Therefore, among other things, colonial heritages, weak state institutions, lack of democracy and unregulated political ambitions have largely contributed to the failure of the African state, resulting in brutal civil wars and other conflicts in many countries.

In contrast to the above scenario on the continent, Namibia, along with Botswana, South Africa and many others, is considered to be a democratic state. Namibia enjoys a free press, holds regular elections and there is little or no violence during or after elections as compared to other countries such as Nigeria (Keulder and Tania, 2005:8). Accordingly, there has not been a coup d'etat, attempted coup d'etat, or any form of unacceptable influence over the political process by the military in Namibia since independence. On a continent where the involvement of the armed forces in politics is common, Namibia's success story is remarkable and thus needs to be examined.

To understand the dynamics of Namibia's civil-military relations experience one has to look at existing paradigms that describe the informal dimensions of civil-military relations rather than only examining the obvious formal, institutional arrangements. In addition, it would be interesting to find out what worked well in civil-military relations in Namibia and why. Thus by engaging with these issues this study is conducted in order to shed light on how the concept of civil-military relations has been institutionalised and dealt with since independence. The study explores other factors which may shape civil-military relations, suggesting that these are the following: the ways in which historical patterns, in particular the German and South African colonial period, as well as the liberation era, laid the foundation for a strong civil supremacy in Namibia; civil-military relations in the African context; the Constitution and institutions such as the Ministry of Defence (MoD) arrangements relating to civil control of the armed forces.

Chapter 1 provided a broad and general background to the research problem with regard to the military contributions to political instability in African countries. The chapter also highlighted the importance of democratic civil control of the armed forces in order to guarantee sustainable peace and stability. Chapter 2 will address the research questions and methodology for collecting data to support the findings of this thesis.

CHAPTER 2

RESEARCH QUESTIONS AND METHODOLOGY

This study explores the nature of civil-military relations in Namibia. In order to do this, the research examines the political institutions in the country that are necessary for democratic civil-military relations and how they have effectively contributed to the prevailing peace and stability in Namibia.

It is generally acknowledged that democratic governance plays a critical role to ensure a stable and secure environment for the state and its citizens. Similarly, it has been observed that democratic governance of the security sector is crucial for the success of democratic consolidation and social development (Ball, et al 2006:1). Nevertheless, a fundamental transformation of the security sector, aligning it with core democratic governance values, principles and practices, is needed to ensure effective democratic governance of the sector. In pursuit of the above, this research study was guided by the following sub-questions:

1. What formal mechanisms of constitutional and civil control are in place, how do they operate and are they successful?
2. What criteria have been used to govern civil-military relations in the context of democratic politics in Namibia?
3. What is the role of the Executive and Parliament in civil-military relations?
4. Are civil stakeholders empowered to engage in defence matters?
5. How are the Ministry of Defence and military organised?
6. What is the role of the Minister of Defence and the Permanent Secretary in civil-military relations?

Methodology

Introduction

The study adopted a qualitative method of research. This method led to a description of the concepts that underpin civil-military relations in the context of independent Namibia. This approach was appropriate given the study's research questions and the guiding theoretical framework. The descriptive approach assisted in testing the assumption of civil-military relations in the present situation in order to explain civil-military relations. Landman (1988) says descriptive research is "primarily concerned with describing the nature or conditions and degree in detail of the present situation" (http://www.petech.ac.za/robert/resmeth.htm).

This approach assisted in examining the general aspects of civil-military relations. Thereafter the study narrows to the identification of the main features of Namibian civil-military relations. This approach, in addition to a literature survey, also involved participant observation in the Ministry of Defence, where the researcher worked. The researcher spent some time conducting interviews and observing the application and implementation of civil control of the military in the country. In this regard, the researcher used the experience gained as a former official in the Ministry of Defence and as a Parliamentary official. Moreover, the approach sought to find "a deep understanding of the meaning found in the literature and then relate it to the whole" (Neuman, 1997: 68). Accordingly, the methodology assisted in measuring the practice in Namibia against the experiences discussed in the literature.

Methods of Data Collection

Interviews

In pursuit of the research objective, as well as to facilitate recording of empirical information on civil-military relations, in-depth interviews and discussions were conducted with major resource persons and stakeholders including:

- Senior Government Officials – the nature of the relationship between the Executive Branch and the military can help determine the prospects for the role of the military so it does not impinge upon the transition towards democracy
- Politicians/Parliamentarians – Parliament provides a critical check on decisions, authority and roles of the military establishment and structures
- Serving and former Namibian Defence Force (NDF) officers who were/have been involved directly in policy making and implementation
- SWAPO party officials – to establish mechanisms used to subordinate PLAN to civil authority/party. This assisted the researcher to understand why the NDF, which is mostly comprised of former PLAN soldiers, easily accepted civil control during the defence force's inception stage
- Official opposition parties – to determine the role of political parties in ensuring checks and balances in the governance of the defence force
- Academics and experts who offered an analytical viewpoint of civil-military relations practice in Namibia
- Private sector, civil society actors, organisations and individuals – to establish the extent to which civil society is permitted or wants to engage in defence or security-related issues. This can be a barometer of the country's maturity for civil-military relations.

By interviewing the above respondents, the research gathered diverse input to come up with conclusions to the research questions. Thirty (30) individuals were interviewed. These individuals were carefully selected for their ability to provide answers to the exploration of the theoretical, institutional and implementation context of civil-military relations as well as its impact. Some of these respondents also gave some readings and documents that were appropriate for studying the research problem. The Interview Guidelines are attached as appendix 4.

Sample Selection

The research used purposive sampling as a means of selecting individual respondents who are responsible for key functions. By using this kind of sampling to collect the data the researcher selected individuals and institutions who could give the most relevant information (see interview list

attached as appendix 5). In addition, this method allowed the researcher to rely on respondents' experiences and insights on the subject being studied (Welman and Kruger, 1999:63). The researcher was also aware of the problem with this kind of sampling as it is biased towards people whom the researcher thinks possess important information. But the benefits of the method are that it targets people with specific knowledge. Also this is an accepted practical method of sampling in qualitative research.

Primary data was collected by means of interviews with key informants, internet searches and seminar/workshop participation, government reports and documents, research papers and participant observation. Primary data was sourced through semi-structured interviews with key questions. These types of interviews allowed, where necessary, the probing of respondents' answers for clarification. At the same time, the researcher was aware not to ask leading questions as they might influence the participants' responses to the interview questions.

Primary documents

Primary documents such as parliamentary reports on debates on defence and security, policy documents such as policy statements, discussion papers, Ministry of Defence Annual Reports and other related material were used. A search of appropriate web sites, including Institute for Security Studies, United States Information Services, and United Nations comprised an essential part of the data gathering process. UN documents and flyers were particularly helpful as it was impossible to interview UNTAG personnel who had left Namibia long before the time of undertaking this study.

Secondary sources

The researcher also used secondary sources in the form of books, reports, periodicals, articles, and newspapers with information relevant to the topic of this research. Appropriate conferences, seminars and workshops with academics were attended at the Center for Defence and Security Management (CDSM), Wits University and at the Joint Authors' Symposium of the Danish Institute for International Studies (DIIS) and the Southern African Defence and Security Management Network (SADSEM) in Windhoek. The researcher also attended a series of seminars at the Danish

Institute for International Studies in Copenhagen, Denmark to further develop the understanding of approaches to security and research. Preliminary research findings of this study were presented and discussed at some of these research forums.

Archival materials

The study also used archival materials such as historical records on SWAPO's liberation struggle and other related documents to access historical data on civil-military relations. These historical sources were used to derive a representative reflection of how civil-military relations evolved and institutionalised. In using these sources, the researcher was aware that the accuracy of the study might be undermined because historical sources are only reflective of recorded events and might leave out relevant undocumented data; government reports, for instance, might be biased as they may reflect the position of the governing party and not be representative of non governmental organisations and agencies; and information from official press releases may not necessarily include the views of other political parties. Moreover, the researcher was aware of the problem of accessing such documents because of the secrecy surrounding them. Nonetheless, the researcher was allowed access to documents relevant to the study.

The researcher hopes that combining the secondary sources will help reduce their individual limitations as well as increase their reliability, thus increasing the overall reliability of this study.

Data Analysis

The study utilised thematic analysis. This method of analysis focuses on identifiable themes and patterns of behaviour. Aronson (1994) has identified four steps in the thematic analysis of data. The first step is the collection of data from interviews or literature and the listing of patterns of experiences. This can come from direct quotes or paraphrasing common ideas. The next step of thematic analysis is to identify all data that relate to the already classified patterns. Thereafter the identified patterns are expounded upon and all data that fit under a specific pattern are identified and placed with the corresponding pattern. The next step is to combine and catalogue related patterns into sub-themes or recurring activities, followed by building a valid argument for choosing

the themes. The researcher does this by referring back to the literature to gain information that allows him or her to make inferences from the interviews and literature. Once the literature is interwoven with the findings from the interviews, the research is likely to produce a researched study that stands with merit.

The researcher utilised this method in an attempt to compare the broad empirical pattern of civil-military relations to find a correlation with that being practiced in Namibia. A review and analysis of the relevant existing literature and available data on civil-military relations was carried out. The purpose was to address a variety of questions on the concept of civil-military relations and assess the use of civil-military relations in the country. In analysing data, the researcher examined civil-military relations in the context of Namibia's history, social, political, and economic background as well as international factors that might have shaped the country's democratic civil control over the military. In this regard, the historical approach was used in addition to the interviews. The study involves the historical accounts of civil-military relations in Namibia in order to evaluate the evident and important implications. The approach also made it possible to avoid the risk of getting caught with analysing the subject of civil-military relations which is generic.

Both primary and secondary source materials, including archival documents, policy documents, UN Reports and media articles, were scrutinised by this researcher. Where appropriate the stated aims, oversight mechanisms and reports on defence and security constituted vital yardsticks for evaluating the impact of civil-military relations in the country.

The research was based on the available and conceptual framework of civil-military relations. Therefore, the nature of civil-military relations in Namibia was explored and analysed on the basis of existing theoretical and operational frameworks of civil-military relations.

Reliability, validity and ethical issues

The qualitative approach allowed the researcher to test the validity of certain assumptions that are inherent in the theoretical formulation of civil-military relations. The study used triangulation which involves various and divergent sources of data such as interviews, internet searchers,

seminar/workshop participation, government reports and documents, archival searches, research papers, newspapers, books, magazine and research of others in the field of civil-military relations so as to enhance the validity and reliability of the study findings. To this end, the researcher cross-checked what the literature says about the theory of civil-military relations in a broad sense with the civil-military relations being practiced in Namibia to see if the study findings agree with what is written in the literature.

Researchers such as Lincoln and Guba (1985) cited in Babbie and Mouton (1998:277) propose that the issue of reliability should not focus on getting the same results from the data collected, but rather on whether the results are consistent with the data collected. This will verify that data collected is both accurate and reliable.

Finally, in view of the sensitive nature of defence and security research, and in keeping with the ethical standards governing this form of research, every effort was made to adhere to the university rules and regulations. Permission was granted for interviews and for accessing documents. All participants were told about the purpose of this research, and where they agreed to be interviewed, their responses were taped with their permission. The researcher asked all participants whether they wanted to be anonymous and anonymity was ensured. The data acquired in this research will only be used for this study.

The limitations of the research

In an attempt to examine civil-military relations in Namibia, the researcher recognises the limitations of dealing with the sensitive and sometimes secret nature of defence and security issues. The researcher anticipated problems of access to information relevant to the study. Lee sums it up as follows: “This may affect the availability and quality of data with usually adverse consequences for levels of reliability and validity” (1995: 2). However, the researcher is well known to most defence policy makers in Namibia, which allowed for access to certain data. Another constraint for the researcher is that not much has been published on civil-military relations in Namibia. The study did not deal with the private security sector or the Special Field Force (SFF), a paramilitary unit of the Namibian Police under a different ministry, but concentrated on the military.

Therefore, this research limited itself to the Namibian Defence Force, and oversight and management structures related to defence.

Limitations of this study also came about as a result of time constraints and lack of resources such as books on civil-military relations in Namibia. The other limitation was bias that could have arisen in the research. According to Leedy, bias is any influence or condition that disturbs data from what may have been obtained under conditions of pure chance (1989:213). Moreover, bias is inherent in all research, and descriptive studies are particularly susceptible to distortion through the introduction of bias (Leedy, 1989:213). There are several sources of bias that may be present in this research. The position of the researcher as a government official could have contributed to the responses given by respondents. For example, a respondent may have been unforthcoming in answering the questions posed given the researcher's position, or may have said what they thought the interviewer wanted to hear. In an attempt to minimise the potential reluctance of respondents, respondents were offered the choice of being interviewed anonymously. In addition, the researcher's employment in the Parliament of Namibia-National Council may have led the researcher to interpret the data in a particular way. Nevertheless, every effort was made to address these shortcomings. Interviews, for instance, were held in neutral places and not in the office, after hours when possible. The researcher also explained to respondents that although employed in government, he was undertaking the interview in his private capacity and time. The respondents were allowed to tell the story, and the researcher's personal judgment was kept out as much as possible. This researcher avoided making judgments about what respondents did not say or could have said. Respondents' responses were cross-checked with data from literature on civil-military relations to guarantee reliability and validity. This researcher literally separated data from respondents and data from the literature in an attempt to avoid subjective bias in the study. It is hoped the effort assisted this researcher to interpret data from a more objective perspective.

Conclusion

The significance of the study is to improve understanding of the interaction between different factors relating to civil-military relations and their importance to democratic control of the military in Namibia.

The preceding chapter described the qualitative research methodology used to explore the nature of civil-military relations in Namibia. The qualitative approach was employed to investigate the validity and reliability of the study. Chapter 3 investigates literature in the field of civil-military relations to determine the nature of civil-military relations being practiced in Namibia.

CHAPTER 3

LITERATURE REVIEW

Introduction

The purpose of this chapter is to explore the literature on civil-military relations by looking at the broad perspectives of different scholars on civil-military relations. It is hoped that by examining the literature the study will establish the nature of civil-military relations being practiced in Namibia.

The literature on civil-military relations is preoccupied with the mechanics of controlling the armed forces, such as legislative oversight and military professionalism, but limited research has been conducted on how civil-military relations emerged and evolved. An analysis of Namibian civil-military relations reveals a weakness in that there are no local civil-military relations studies before 1980. This complicated the extent to which a scholar could rely on the conceptual and historical traditions developed in western military sociology and civil-military relations studies. By undertaking this case study, an attempt is made to achieve a better understanding of the phenomenon of civil supremacy in Namibia.

This review looks at state institutions for the control of the military, because they are of primary importance for civil-military relations. Since civil-military relations encompass a wide area of research, the review looks primarily at the research that is deemed relevant for this study. A review of both relevant referenced and 'grey' literature on civil-military relations is used. Both published and unpublished local and international literature has been consulted. This research study, therefore, seeks to make a contribution to the gap in the literature by undertaking an analysis of civil-military relations in Namibia since independence.

This study will draw from four sets of literature, namely (1) civil-military relations concepts and theories; (2) civil-military relations in democratic transitions; (3) civil-military relations in the African context; (4) Namibian civil-military relations.

Definitions

The description of the nature and scope of civil-military relations is determined by various factors and specific geographical disposition of a country. For this reason, this researcher will first look at the definition of the concept of civil-military relations and apply it to the contemporary Namibian context.

Various scholars, often influenced by their personal ideological disposition, have defined in different ways what civil-military relations encompass. Louis Smith (1951) points to principles that have governed American civil military relations. These include: (1) Civilian leadership of the executive branch of government that is accountable to the people through regular elections; (2) civilian leadership of the professional military services and departments. The professional military heads are subordinate to civilian departmental heads and are appointed by the president and confirmed by the Congress; (3) constitutional provisions to establish basic national security policies. Elected representatives pass laws that define the defence, organisation and policies of the nation. The chief executive implements these directives, the Constitution provides course of action, and the Congress enacts legislation that defines the scope of military activity; (4) legal defence of civilian control. The Supreme Court is authorised to hear cases that involve military violations of the rights of the citizenry.

The importance of civilian control of the military was further expressed by US President Truman in his memoirs during the well-known Truman-MacArthur Debate, when he suggested that

> Policies are to be made by the elected political officials, not by generals or admirals…I have always believed that civilian control of the military is one of the strongest foundations of our system of free government…we have always guarded the constitutional provision that prevents the military from taking over the government from the authorities, elected by the people, in whom the power resides…(Truman, 1956: 444).

Clausewitz argues that war is the continuation of politics by other means. In other words, the logic of war must come from the political masters of the military. Clausewitzean reasoning allocates a role for civilians and implies in turn, a role for the military (1966:89).

Janowitz says civil-military relations should examine the nature of military government and its class basis (1977:11). Other scholars such as Finer suggest that the study of civil-military relations should look at the reasons for military coups and intervention in politics (1988:10-11).

In the liberal democratic paradigm civil-military relations consist of three constituent parts:

- A clear separation between civilian and military powers and responsibilities
- The accountability of the armed forces to civilian authority / government
- The practice of transparency in the conduct of defence and security matters (Welch, 1987:914; Edmonds, 1988:70-92; Danopoulus, 1992:3).

Williams notes that the term civil-military relations are used in the descriptive sense of the word to describe the relations that pertain between the armed forces and the civilian authorities within a particular society. He further states that used in this sense, it refers in large part to the formal mechanisms of constitutional and political control that exercise a restraining influence over the armed forces through the Defence Act, budgetary issues and legislative functions (1998:1).

Scholars such as Cottey, Edumunds and Forster suggest that the term 'civil-military relations' covers all characteristics of relations between armed forces and the society. They add that the political function and position of the military – their relationship with the institutions and patterns of political power in the society – underpin civil-military relations. Cottey *et al*. further argue that civil-military relations also involves issues such as the broader attitude of the military towards civilian society; civilian society's perceptions of and attitudes to the military; and the military's ethos and understanding as to what its role should be (1999:4).

Arguing along similar lines, Feaver suggests that the heart of traditional civil-military relations is a social contract between civilians and the military maintained in a 'proper' division of labour. He contends that the division of labour is expected because the concept of civil-military relations assumes a difference between what is called 'civilian' and the 'military' (1999:228).

Civil-military relations is also said to refer to "the hierarchy of structure, authority and functions, and the interaction between the executive, the legislature, the judiciary and the citizenry on the one hand, and the armed forces on the other" (Du Pisani, 2000:5).

Some critics of civil-military relations theorists argue that the USA experience of civil-military relations has unduly influenced western military scholars. Consequently, this tradition has universalised both the theory of civil-military relations and its practice. Much of the classical approach can be traced to the earlier writings of Samuel Huntington (1957) who emphasises the subordination of the armed forces to western-style checks and balances in the form of regulations, military procedures, military command and control patterns, legislative oversight etc.

The Problem

The traditional role of the armed forces is to fight wars on behalf of the state and to safeguard state security. Edmonds (1988:90) adds that the point of the military is for the defence of the state with the mandate to create hegemony, protect sovereignty and maintain stability through coerciveness when necessary to do so. Nonetheless, the role of the military has now been re-defined. Consequently, the armed forces have assumed new and non-traditional roles (human security as well as state security) geared towards nation and state building.

It has been argued by researchers such as Kummel G. *et al.* (2000:7) that throughout history the military has acted in a non-democratic way by overthrowing democratic elected governments. Similarly, there have been incidences where the military has played a crucial role in defending a democratic regime against its attackers or even supported transition to democracy. It is therefore important to understand the characteristics of the military for a democratic country to come up with institutions for the political control and democratic control of the military.

It is widely recognised that armed forces have tremendous power at their disposal. This power is generally intended to be used to prevent external aggression, but it can also be misused to undermine the political process and present an internal threat to the government and citizens of the state.

Control

Huntington argues that usually the key concern of civil-military relations was how to assure 'civilian control' of military establishments. He argues that civil-military relations are shaped by three explanatory variables, namely, the level of external threat, the constitutional structure, and the ideological make-up of society. He further stresses professionalism of the armed forces as the foundation for non-intervention in the political sphere. Huntington characterises professionalism as a special type of vocation involving expertise, responsibility and corporateness. According to him professionalism holds the key to civilian control over the armed forces (1957:83).

Janowitz and Finer have written extensively on the role of both societal and non-institutional factors necessary for ensuring that the armed forces adhere to the principle of civil supremacy. Janowitz suggests that the changes in the organisational framework of the military would reduce their political interference (1960:10-11). Finer also emphasises that an efficient and influential political sphere could manage the civil-military relations in such a manner that the armed forces intervention would be less likely (1962:6).

Welch (1976) and Danopoulos (1992) cited in Du Pisani (2003) argue that:

> …the armed forces cannot be precluded from the political arena given their organizational identity, autonomy and functional specialization. In a democracy, the military exercises political influence through regularized and accepted avenues. In a context of democratic control, the security sector is content to exercise its bureaucratic bargaining and accept advice, but the sector stands ready to work within overall policy direction from government (2003:6).

Welch has suggested three civil control mechanisms that have been successfully used by different states in the world. These include: (1) Ascriptive factors such as class and ethnicity that may affect the relationship between civilian and military leaders; (2) Utilisation of party controls, possibly through the creation of parallel hierarchies of commands; and (3) Constitutional constraints in the political impact of the military (1976:5).

Furthermore, Welch (1987:9-14) and Danapolous (1992:3) cited by Beebe *et al.* (2000:99*)* argue that given the military's organisational identity, autonomy and functional specialisation, it cannot be totally excluded from the political arena. The same authors further contend that practically, civil supremacy exists when the armed forces are at ease to make use of their bureaucratic bargaining power but accept overall policy direction from government officials.

Nathan adds that in democratic societies, "The governing principle is civil supremacy over the armed forces". In other words, the armed forces are subordinated and accountable to the elected and duly appointed civilian authority. Democratic control of the armed forces requires that the citizens of the country support the activities of the military (1996:1).

Similarly, it is argued that democratic control of the armed forces is generally perceived as subordination of the military to democratically elected political leaders. Therefore, all decision making on national defence is transferred to those who are in charge of the defence policy. Steinkamm further argues that it is difficult to explain the term "civil control of the armed forces" in democratic societies because each country has different ideas and historical experience (1988:23-24).

Chuter takes a slightly different view from the early writings of S.E. Finer and S. Huntington and their preoccupation within civil-military relations on controlling the power of the military. He defines civil control as the obedience which the military owes to the civis, the state. Additionally, Chuter argues that the military is one of a number of instruments of the state and has the duty of loyalty to the state which employs it on behalf of the citizens (2000:27). It is, however, imperative to make a distinction between civil control of the military and civilian control. Chuter further reminds us that civil control means that the military is part of the state (civis) machinery and works as an executive arm of the state. In a democracy, the government requires executive oversight to implement its programmes to serve the people that elected it into power (2000:27). Civilian control, on the other hand, has to do with control of the military by individual citizens. It is therefore possible for civilians to control the military in an undemocratic way.

Scholars such as Giraldo have identified reforms necessary to strengthen the role of civilians in military matters. Firstly, civilian control is likely to be more effective if civilian power is intense and there is a single, clear-cut chain of command, to avoid the military causing confrontation among civilians within the executive branch. Secondly, he argues that bodies with strong military representation should be downgraded to advisory roles with reduced policy authority. Thirdly, responsibilities given to civilians within the Ministry of Defence should be defined, or else many tasks may fall to the military (2001:9).

Du Pisani clarifies:

> This in turn means that the government which the people elect is the first source of control, followed by parliament, followed possibly by the courts. The issue goes beyond that of narrow control, and means a complex inter-relationship between the state, political society and civil society, informed by the above principle (2003: 5-6).

Luckham critiques these classical approaches and argues that the concept of civilian control makes it difficult to understand key questions about the nature of regimes. He says civilian autocracies just like military dictatorships have also depended on the military and other security agencies for repression and surveillance for their political survival (2003:21). He also disagrees that military professionalism is a panacea to military intervention as advanced by Huntington (1957). Arguing along similar lines, Stepan points out that in Latin America, for instance, it was the more professional soldiers who overthrew the government. According to him, soldiers were "inspired by the 'new professionalism' of internal security and counter-insurgency promoted under the US military aid programmes" (1973:260).

Foster is of the view that civilian control has to do with the provision of oversight and the issuance of direction to the military by duly elected and appointed civilian officials. He has also identified the other control instrument for the military as force structure, doctrine, and technology. Foster suggests that to effectively control the military, civil authorities should be able to determine whether the military is predominately heavy or light, combat-oriented or support-oriented demographically varied or identical in composition; whether doctrine emphasises offensive or defensive operations,

early or late retirement for senior officers, unilateral or multilateral response, frequent or infrequent rotations; whether technology is mostly lethal or nonlethal, extremely advanced or less advanced (2005: 2).

The other identified control measure for civilian authority over the military is the mission and culture. The mission of the military is rarely questioned in most cases. It is broadly understood that the rationale for the military is to fight a war. However, scholars such as Foster (2005:3) argue that such postulation is defective. He suggests that the purpose of the military is not only to fight wars, but to prevent war, give security and safeguard peace. He further proposes that the military that is structured, skilled and equipped first and foremost for peacekeeping, nation building, humanitarian support and disaster response is more willing to be controlled than a conventional war fighting military.

Perlmutter rejects the idealistic 'deterministic' division between military and civil functions of state that are characteristic of past views of the relationships between armed forces and society. Furthermore, he emphasises that in the modern state there is a wide area of overlap between the two. He argues that military professionalism, the development of exclusive expertise and 'corporateness', are linked with their bureaucratic function as a participant in overall defence and security management (1977:92). In other words, he is of the opinion that professionalism alone is not sufficient to explain civil control because in the modern state, where power in the society is diffused and crucial roles are carried out by multifaceted, differentiated and mutually dependent organisations and institutions, the armed forces are inextricably involved in the policy making process.

Notwithstanding these arguments, a major underlying assumption of the literature has been the subordination of the armed forces to the political authority of the day. One can further argue that Huntington's view of the civil-military relations represents the mainstream dominant theory and prescription within the civil-military relations paradigm.

This brings the discussion to the examination of the two devices often used to pre-empt the ambitions of the armed forces. Civil-military relations can be understood better by looking at the

two different civilian control measures of military power identified by Samuel Huntington (1957:189-192) and used to ensure obedience and compliance of the armed forces to civil authority namely *"objective* and *subjective civilian forms of control"*.

Objective Civil Control

By objective civil control Huntington (1957:189) recognises the need to maximise military professionalism, making it a politically unbiased instrument of the state, and assuring the military a unique existence as a professional institution. He argues that under the objective civil control, the officer corps is disciplined by its own professionalism, and the most important element is giving service to the community. He concludes that the more professional an army, that is the more it sees itself serving society, the less of a threat it would pose. This objective or liberal model is closely associated with western parliamentary democracies where control is realised through the maximisation of military professionalism. In other words the principle operates on the basis that the soldiers internalise their own subordination. In turn, the politicians are expected to exercise due regard for the internal professional autonomy of the armed forces. Huntington's idea is that objective civil control is suitable given that the best underwriter for military subordination to political domination is beyond doubt a professional military. It is further argued by Pantev that only military professionalism would lead to acceptance of the role of the military as an impartial instrument of national security, restricted from taking part in party politics and unlikely to interfere in politics (2005:108-9).

Objective forms of control are formal, legalistic and statutory mechanisms agreed between the armed forces and the state as forms of checks and balances. They include formal control mechanisms such as parliamentary oversight over the armed forces, civil control over the defence budget process, constitutional restraints on the role of the military and other control mechanisms where the activities of the military are monitored. The model stresses a clear separation of responsibility between the civil and the armed forces, as well as 'autonomous' military professionalism. These mechanisms, according to Finer cited in Williams, depend on the level and legitimacy of political culture in a given country (2003: 270).

The objective form of control over the armed forces is the model that has been applied in most African countries with little success. Williams argues that this model has several limitations. Among others, it is instructive. For example effective control of the British Armed Forces was maintained into the 20th Century through strong historical ties that existed between the political elites and the top commanders of the Armed Forces. Similarly, the institutional-separation form of control where the military should be apolitical is problematic. The fact that the military is required to defend the constitution of the country and to serve the government of the day somehow involves them in the political process. Moreover, Williams is of the opinion that the formal-legalistic measures are designed to prevent an abuse of power rather than contain the armed forces within a legitimate and mutually agreed sphere of activity (2003:271).

Subjective Civil Control

The other measure is the 'subjective civil control' of the armed forces. By subjective civil control Huntington (1957:351) asserts the maximising of civil power by both civilising and politicising the military, by making it politically dependent, and denying the military a separate professionalism different from other organisations in society. According to this model, civil supremacy is enforced by the denial of an independent military sphere. Here the military becomes an integral, though subordinate, part of the political authority and is inculcated with civil political values and interests.

Nevertheless, according to Baynham, subjective control is mostly identified with absolutist or totalitarian regimes such as that of Nazi Germany, where policy is in the end determined by force and coercion. This form of control is visible in arrangements such as party penetration and control of the top leadership of the military, ethnic composition of the officer corps to ensure loyalty, monitoring the activities of the military using non-military intelligence agencies, and the existence of security agencies such as intelligence, police or para-military to check on the influence of the armed forces (1992:10).

Nathan (1994) describes informal practices as those where the public is able to apply a measure of indirect control and oversight through open debate, media scrutiny and academic research around

issues such as threat perceptions, alliances, doctrine, defence expenditure, weapons policy and the armament industry.

It is claimed that informal political control over the military largely depends on the level of transparency and accountability permitted by executive government as well as the right of the citizenry to be informed in defence and security matters. It is further argued that a pre-requisite for successful informal political control over the armed forces is a flexible and well-established civil society (Williams, 2000:7).

Likewise, Chuter argues that far more effective are informal methods of control. He further states that these methods of control vary from country to country, but are reported to be strong and essential in consensus-based societies such as in Africa and Asia. According to Chuter these methods are the heart of civil control in the best sense of the term and include:

- Inter-penetration of the military and civilian elite
- Involvement of civil society in policymaking
- Frequent contacts between the military and civil society groups
- Military and civilians working together (2000:31).

The concept of subjective and objective models of civil control of the military was elaborated by Feaver (1999:228). He contends that neither civil nor military leadership has ever followed the prescription of the classic theory of a division of labour. As an alternative he proposes the assertive-delegation model. He demonstrates that although delegative control is related to Huntington's objective civil control, civilians do not always completely support its ideal division of labour, but prefer to exercise direct supervision over the military operations. He further maintains that assertive control does not weaken professionalism, but preserves the institutional basis for division of labour in the context of a divergence pattern of civil-military relations.

Stepan came up with the moderator theory. He argues that professionalism took place in Latin America, yet Latin American countries are prone to military intervention in politics. In attempting to find out what was wrong, he came up with the moderator theory where the political elites give the

military limited legitimacy to carry out the mission of intervention under certain circumstances (1974:190). It is argued that institutions, the military included, are highly politicised but they are weak, and therefore easy to manipulate by political parties as a bargaining power. The moderator role given to the military is limited and they are not allowed to direct political change. The main role of the military is to maintain the system. Nevertheless, this model proved problematic in Brazil between 1930 and 1964 when the President used military officers as tools for his own interest. The result was that the military went beyond the moderating function to hold on to power. Similar instances have taken place in African countries that have suffered coups. The usage of this model is also likely to result in a situation where the 'demand' call to intervene is because the president is acting illegally and that under the circumstances the 'obedience within the limits of the law' clause nullifies the armed forces' duty to obey the head of state. This is dangerous to the democratic process. All political changes in any given country should adhere to the rule of law.

Corporatist theory advanced by McKinley, acknowledges two roles of the military. First, is the pressure group role, where the armed forces engage in political activity in a lobbying capacity to influence policy. Second, is the conjunctive role, where the armed forces actively participate in policy decisions in conjunction with the civil polity (1971:90).

Nathan (1994), on the other hand, argues that the corporatism model was used during the apartheid period where senior military officers were involved in key decision making. Obviously, this dented the legitimacy of the then defence force which was a tool of oppression. In addition, Nathan observes that there should be a clear separation or divide between the government and the military.

On the usage of objective and subjective control of the military, Foster proposes that objective control has to do with the military being professional. For that reason, the military should possess specialised skills, expertise and preparation, licensing, and standard of conduct, while subjective control is about more intangible factors that reside in the mind of the military and therefore can produce profound and more convincing levels of civilian control (2005:3).

Characteristics

Civil-military relations scholars such as Huntington (1957), Edmonds (1988), Chuter (2003) and others agree on the three characteristics of the military that determine its professionalism or existence as an institution. The first characteristic is the expertise of the military in the management of violence for the protection of society and to consolidate democracy. It is argued that the expertise in the management of violence in the military makes it different from other operational sectors of state governance. If the battle is mismanaged, members of the military face the threat of being killed by their enemies. For that reason their endurance in battle is eventually reliant upon the organisation that went into the preparation, morale, discipline and training of the fighting group.

The second characteristic of the military is the responsibility for the defence of the state, although this older view is giving way slowly to some kind of transition to recognise human security as equally essential to contemporary military functions, protection of sovereignty and maintenance of stability. Edmonds (1988:70-92) argues that in executing its tasks, the military must observe a professional culture that supports the ethics, rules and symbols of state. The third characteristic is the military's corporate nature, that is, its institutional self awareness and association. This feature deals with the transformation of internal institutional matters that determine corporate identity and morale issues of the soldier. To this end, Edmonds (1988) and Chuter (2003) assert that the military must behave in a way that is acceptable to the society it serves and to government. They further argue that the military must demonstrate its neutrality, impartiality, and commitment when serving the state and the public. Additionally, the military is required to remain professional and apolitical as they serve the common interest of a diverse society, and must be loyal to the government of the day. They must maintain a high morale as a trait that encourages them individually and as a unit to go beyond organisational potential, and brings them together under severe conditions. Factors such as the quality of training, a normative commitment to the responsibility to be fulfiled, a strong sense of identity with the unit to which the individual is attached, a delight in the particular job that they have to do, and a certain degree of patriotism and love of one's country must tie together for success. These are indeed useful requirements expected from a professional military as they seem to generate legitimacy for the existence of the armed forces in society.

Scholars such as Finer vigorously dispute Huntington's assertion that military intervention in politics is contrary to professionalism, arguing from numerous historical examples that greater professionalism enhances the likelihood of a coup d'état, distinguishing among countries on the level of their political cultures (Finer, 19962:6).

Southern African Development Community (SADC)

Some researchers such as Williams (2003) have come up with civil-military relations models that can be found in the SADC countries. According to him the nature of civil-military relations could be classified into two categories, namely: (1) countries with strong legislative tradition that tend to put more emphasis on legislative apparatus - parliamentary committees, ombudsman system, and approval of the budget – to perform oversight functions; and (2) those countries that have a strong executive culture that may rely more extensively on the regulatory role of civil servants, finance ministries and presidential control to ensure the subordination of the military. In his opinion, there are political party penetrations which play an important role in ensuring loyalty and subordination of the military in countries such as Namibia and Zimbabwe. He argues that "Members of the military elite are either card-carrying members of the ruling party or, are represented on the central committees of the ruling parties" (Williams, 1998:24).

In the case of Namibia, military command posts are occupied by ex-senior People's Liberation Army of Namibia (PLAN) officers who are loyal to the SWAPO government. However, the laws of the country do not allow members of the defence force to engage in political activities. This researcher agrees that Namibia practices a mixture of the two types of civil-military relations identified by Williams (2003) above. For instance, the ruling SWAPO Party may influence activities of the military through the Minister of Defence, Permanent Secretary, the Chief of Defence Force and other senior military officers who are all ex-PLAN members. Alternatively, the ruling party could also do so through the SWAPO-dominated Parliamentary Committee that oversees the activities of the military. However, one should note that opposition political parties are also represented in the Namibian Parliament and play a significant role, although ineffectual, to ensure that there is limited influence of one party on the activities of the Defence Force.

Civil-military relations in democratic transitions

Frazer, cited in Feaver argues, that in countries where there was a peaceful transition from a colonial period to independence there is less likely to be a lasting civilian control than in countries that underwent a violent transition. She argues that civilians who take power peacefully may have not built up the necessary institutional counterweights to stop future coups by the military. In contrast, those coming from an armed liberation struggle may have unintentionally created a strong armed oversight mechanism over the military; therefore they are in a better position to keep the armed forces in check (Feaver, 1999:223).

Some authors such as Aguero have traced the strength of civilian supremacy in democratic transitions to the following factors: (1) whether the transition was gradual or sudden; (2) whether the authoritarian regime had been militarised or civilianised (3) the relative degree of internal unity of the civilians and military actors; (4) the degree of mass public support for emerging civilian structures; (5) the extent to which civilians were able to develop expertise on defence matters (1995:224).

Drawing on examples from Africa, Butts and Metz point out that African defence forces can serve as the catalyst for political change rather than the opponent of change. In this regard they argue that the key to the success of the transition in South Africa was the support given by the South African Defence Force (SADF) during the transition from apartheid to majority rule. According to them, the SADF supported the transition and thus promoted internal stability in the country. They argue that the SADF was used to support the police in maintaining internal security as well as performing civil duties in black townships. It is further argued that, as opposed to military praetorianism common in Africa, the SADF was invited to participate in the national policymaking process rather than imposing itself on civilian leaders, and that SADF did not develop a corporatist ethic that sees the military as an organisation with its own interests different from the rest of the society (Butts and Metz, 1996:22-24). With the demise of the apartheid system and the establishment of majority rule, a new South African National Defence Force (SANDF) was created. It is argued that in a broader sense, the SANDF inherited a positive relationship with society and was respected for remaining above domestic politics.

Goodman argues that while the primary responsibility of the military is to provide national security, the downsizing of the military in the Post-Cold War Era has led to the assignment of new tasks for the defence forces. He outlines the new responsibilities of the military as supporting police in maintaining internal order, providing emergency food supply, participating in peacekeeping operations, constructing roads and bridges etc. Goodman argues that such non-traditional military missions are transitional and can be helpful for the consolidation of democracy if they do not impair the military's ability to carry out its core function of deterring aggression through combat readiness. He further argued that there should be a timetable for the transitional missions of the military back into civilian hands as well as the executive and legislature to provide checks on these transitions (1997:2).

Hutchful is of the view that the process of democratic consolidation in many African countries is exposed to occurrences of rebellions such as in Niger in 1993 and the attempted coup in Burundi in 1993. In view of that, he has identified five important challenges faced by democratising regimes and societies in Africa in relation to the military:

1. The question of how to restore and sustain civil supremacy over the military following a long period of military rule, and what would be the appropriate institutional framework for this purpose. What role would be played by various political bodies such as the executive and the legislature?
2. The question of the military's future relationship with the political process. In what form and to what degree, if any, is the military to participate or be represented in the political process? What corporate political rights, if any, are to be retained by the military?
3. The issue of military privileges and prerogatives. This covers issues ranging from political and constitutional powers and roles of the military, to questions of professional autonomy, salaries, wages and allowances.
4. The problem of redefining the role and the mission of the military, including functions, doctrine, force levels, appropriate institutional structures and relationships and equipment types.
5. The issue of military budgets (1998:600).

Fayemi has identified the following as requirements for security sector reforms in the transition from authoritarianism: (1) Depoliticisation and subordination of the armed forces to civilian authority, the establishment of a Ministry of Defence and the empowerment of parliament. (2) Balancing the demands of the armed forces with those of development. (3) Involving the international community in the security sector reform programmes. (4) Demilitarisation and reorientation of the police towards fighting crime. (5) Making sure that the security organisations work under the constitution, and within the rule of law and are held responsible for human rights violations. Furthermore, Fayemi argues that security reform can only take place as part of broader political reform that includes a new understanding of security based on human security, rather than the security of the rule of a regime or individual (1998:310). Similarly, some scholars believe that security sector reform has to be part of a wider political process and its success or failure will mainly depend on the quality of the political leadership (Hutchful, 1998:1).

Steinkamm (1988:4) has summarised into three categories the political and judicial principles as well as the good practices necessary to establish democratic control over the military. Firstly, the constitution must ensure that the civil authorities have the final power in the following areas:

- Decision making over war and peace – As elected people they must decide over the survival of society in a significant manner;
- Management and control of the military and other security organisations. The executive authority decides where, when and how the military should be used.
- Force design and size must be left to civilian authorities and not to the military.

Secondly, democratic control must have its limitations. Civilian authorities can be subject to justifiable disapproval if they make decisions without guidance from experienced military professionals. This may happen in the case where the civilian authorities have little professional military knowledge. The advice of experienced military officers is therefore momentous for the effectiveness of the defence and security policy. The primary role of the military is to defend the society. There the armed forces must be effective, disciplined and obedient, and ready to die for

the defence of their country. Thirdly, the effectiveness should be guaranteed by the state political structures under the constitutional-legal foundation:

- The structure of the state power must ensure that authority over the military is separated between executive and legislative authorities. None of them should exercise total control over the military. On the other hand, the military must obey these two state branches and both the executive and the legislature should work together in defence and security related issues. This can be realised through suitable laws.
- The military are part of the executive authorities. The government initiates the budget and defence policy through the civilian dominated Ministry of Defence. Civilian support staff in the ministry have military knowledge to ensure confidence from the military leadership.
- Educated and well-informed civilian staff are necessary. The allegiance connection of military officers is very strong so that civilian officials cannot entirely rely on them as the only advisers. The government should establish institutions, where military officers and civil servants study together. Most countries have a number of notable military practitioners, but nearly no academically educated civilian experts. Separation of soldiers from a study of the national security and one-sided prominence that was put on the study of warfare made the anxiety between civilian and military officials of Ministries of Defence and Foreign Affairs more severe. Nevertheless civilian officials must advise government.
- Not only the executive but also legislative power requires at its disposal a skilled staff of experts for making decisions on military related issues. The Members of Parliament need experts not only for parliamentary control but also for compiling the budget for which the legislative power is responsible (Steinkamm, 1988:4).

Additionally, the following significant political and social arrangements were identified as necessary for the support of the civil control of the military. These include the military itself, which can and must implement democratic control over itself. It would be the easiest if the military itself adhered to the existing legal norms, rights and duties, discipline and order. Civil control is also applied in the values of leadership. Civil control begins where the military cooperate with the media, trade unions and other non-governmental organisations. The other is the element of constitutionality and the rule of law. The state constitution should not be the only one that sets and ensures the legal order,

but should work together with the three branches of state such as the legislature, the executive and the judiciary. The constitution and legal order must be supported by the population, and this can be achieved through education, the media, and a number of organisations. Moreover, the constitution and legal state discourage soldiers from interfering in politics.

It is argued that the period and power of democracy are important in determining the country's pattern of civil-military relations. Feaver argues that the nature of the transition to democracy may also be an underlying factor shaping civil-military relations (199:222-3). It is further suggested that civil military relations in transition develop over time, and reflect the prevailing social, cultural, political and economic conditions of the day. (Civil-Military Relations, http://www.gfn-ssr.org/good_practice.cfm?id=77&p=24).

Luckham notes that policy choices made about the management and control of the armed forces during transition, as well as democratic strategies towards the military, are critical for the consolidation of democracy, the prevention of conflict and the building of a sustainable peace. He further argues that globally it is now not acceptable for the military to claim the mantle of political authority (2003:23).

It has been argued by scholars such as Cawthra and Luckham that security reform has a chance of success if the state remains intact during the transition and if its security establishments have remained unscathed. They argue that the extent of civilian control of the military is difficult because the military is not a democratic establishment to be administered in a democratic manner. Furthermore, they suggest that to succeed in democratic governance of the military there should be democratic institutions in place on the one hand, and on the other the political leadership, civil servants and the military should accept the democratic politics in the country. In addition, they argue that civilian control of the armed forces is not necessarily the same as democratic control, because it is possible to have civilian control of the military in a non-democratic country (2003:307).

Cawthra and Luckham have identified four historical patterns of transitions from authoritarian governance and from conflicts that have resulted in violent disturbances:

1. The example of a situation where transitions from military governance in failing states go wrong and the state is delegitimised. As a result the armed forces lose their monopoly of violence. Therefore instead of transition to democracy, there is transition to violent conflict.
2. The situation where the institutions of democracy or semi-democratic states exclude significant minorities and marginalise them socially and economically, thus encouraging them to take up arms against the state.
3. A situation where during the armed struggle against authoritarian regime there emerges a parallel structure of power and legitimacy that is able to either overthrow the government or force a negotiated settlement.
4. Where there has been violent conflict over the identity of the state during the transition, for instance in post-communist countries that had transitions from socialist to non-socialist ideologies and from totalitarianism to liberal democracy (Cawthra and Luckham, 2003:20).

The point here is that political violence occurs as a consequence of deep crises in state legitimacy and military institutions thus eroding the state's monopoly on public order. It is therefore imperative that the state, the armed forces and other security establishments must be rebuilt on a more legitimate basis.

Democratic behaviour is an essential feature in stable civil-military relations. It has been argued by Pantev *et al.* that an effective democratic control of the military will largely take place in consolidated democracy with effective constitutional as well as judicial arrangements. Consolidated democracy is 'a political system under which democracy, as a complex system of institutions, rules, and stereotyped behavior patterns', has been acknowledged, in preference to any undemocratic option, by the political parties and citizens (2005: 7). Furthermore, Pantev identifies three limitations within which consolidated democracy operates, that is to say, behaviour, attitude and constitution. Accordingly, it is argued that with regard to *behaviour,* democracy in a country is consolidated if no major national, social, economic, political, or institutional dynamics draw extensive resources for accomplishing their intentions by producing an undemocratic government. This view is also shared by other researchers such as Linz and Stepan (1997) who suggest that democracy is consolidated if no major political group desires to or tries to bring an end to democratic rule or bring about violence to overthrow the democratic government or secede from an

existing democratic state. According to the limitation of *attitude,* a democratic government is a consolidated one when a significant component of the society, even in the face of large-scale economic troubles and frustration with the government, maintains that the democratic measures and institutions are the most appropriate means of administration. In terms of the *constitution,* a democratic administration is consolidated when the governmental and non-governmental dynamics have somehow acknowledged the fact that differences are to be solved within the agenda of the country's laws, procedures, and institutions.

In a similar vein, the essential circumstances that have to be there to consolidate democracy have been identified as an independent and viable civil society, a political society and culture which respects government procedures, a constitutional consensus that the democratic state embodies the rule of law, and a public administration system capable of being used, and accountable to, democratic society (Pantev, 2005: 8).

Civil-military relations in the African context

Although there are various models of civil-military relations, in Africa the colonial legacies often dictate the current civil-military relations found in a given country. Civil-military relations in most African countries were influenced by historical, political and societal settings prevailing before independence or by regional or global mandatory reforms at the end of the Cold War. Civil control of the military mainly follows subjective rather than objective control models of civil-military relations. Existing national armed forces, in many instances, are direct lineal descendants of colonial armed forces. Many of these were recruited from certain ethnic groups or on the basis of kinship. As a result the rank-and-file historically did not represent the population at large. Until very late in decolonisation, commissioned officers were almost exclusively drawn from the colonial power. Africanisation of the officer corps occurred hurriedly, with limited time to inculcate "professional" values of military political neutrality.

Traditional African political and economic structures during the colonial period were manipulated, distorted and co-opted to the interests of the metropole or even dismantled. Europe in fact worked to deny Africa its own history (Hutchful, and Bathily, 1998:1). Therefore post-colonial African states

could not draw on their history. As such the concept of state as it exists today, goes back only to the second half of the 18th century, and it is western inclined. The contemporary state that emerged in Africa after independence is not African, but it is defined by the arbitrary colonial administration units designed as instruments of domination, oppression and exploitation. The colonial state was formed against African societies rather than evolving out of the relationships of groups and individuals in societies. People were either forced together or separated. It is common in Africa today to find people of the same language group, culture and tradition living in different countries. European colonialists divided the continent into the so-called states and thus created artificial boundaries that were imposed on various African societies. This has, therefore, created potential sources of conflict such as ethnic, racial and religious hostilities. In Africa ethnic and religious conflicts have led to civil wars in countries such as Burundi, Rwanda, DRC, Somalia and Sudan.

Drawing on examples from Africa, Erdmann and Engel point out that neopatrimonialism as a form of governance is widely accepted on the continent (2006:4). Neopatrimonialism is described as "a system of rule based on administrative and military personnel who are responsible only to one ruler" (Erdmann, 2002:3). It is argued that in post-colonial African states elements of patrimonialism and rational-bureaucratic rule co-exist and are sometimes interwoven.

Van de Walle asserts that most African states have all the trappings of the Weberian rational-legal system with a clear distinction between the public and the private sector, written laws and constitutional order. Nonetheless, it is argued that official order in post-colonial African countries is often subverted by patrimonial logic, where office bearers appropriate public resources for their own use, and political authority is largely based on clientelist practices, including patronage. These types of regimes are what some scholars refer to as 'presidential', where power is centralised around one person with ultimate control. The president personally exerts discretionary power over the state's resources etc. (2000:4)

Most African leaders who led independence movements and subsequently assumed political power believed that they had a mission to build a new society. This conviction supported their belief in building a strong state. Nonetheless, the concept of a strong state was narrowly defined in terms of concentration of power. As a result there were some African leaders whose sense of

mission and of work not yet completed drove them to continue their regimes, restrict opposition, and contain any efforts from any section that they considered detrimental to the success of their mission. Evidently, there were a few who saw their newly gained position as a comfortable job for life and were unwilling to give it up without a fight.

Independent African states are characterised by most of the features of the colonial state. Therefore, the state is not well in Africa. Max Weber has defined statehood as "the monopoly of the legitimate use of physical force within a given territory" (1991:78). In this regard, most African countries have failed to exercise a monopoly of physical force within the state. This is evident in failed African states such as Somalia, Sudan and others where the state has no monopoly of force because of numerous armed formations and warlords that control some parts of these countries. The weaknesses of the newly independent African states include their economic dependence on their former colonial masters, lack of skills and resources and weakness of social and political institutions and other mechanisms, resulting in leaders escaping control mechanisms that would normally hold them accountable.

Quite often the failure of African states is also attributed to so-called tribalism. Africa has witnessed a growth of political movements based on ethnic background. For example, Eritrea broke away from Ethiopia to form an independent state after fighting a long civil war. In Rwanda, the ethnic conflict between the Tutsis and Hutus led to genocide. There was also a short-lived armed secessionist conflict in Namibia's Caprivi Region. Tribalism can easily be exploited by politicians to further their own interests, but there are also many examples of African leaders who sought to achieve inclusivity and discourage the politics of division. The Frente de Libertao de Mozambique (FRELIMO) successfully achieved this objective after the FRELIMO government and RENAMO fought a bitter civil war whose origin could be attributed not only to tribalism but also to differences in political ideology. The United National Independent Party in Zambia sought inclusivity and successfully maintained unity in the country. SWAPO did the same in Namibia.

Baynham has detailed eight methods and institutional mechanisms used by African civilian regimes to subordinate the armed forces to their authority. First, is ethnic/kinship selectivity where one ethnic group dominates strategic positions in the security organisation. For example President

Idriss Deby of Chad relied on his own ethnic group for his personal security. A variant is the appointment of presidential family members to key command positions in the military. An example is that of Ian Khama's rapid rise through the ranks of the Botswana Defence Force. Numerous other examples are found in countries such as Kenya, Togo, Niger, Equatorial Guinea etc. It is believed that such appointments keep the presidential hand in operational control of the military. However, Decalo warns that this policy of preferential recruitment into the military leads to the creation of a predominately 'ethnic army' and has the potential of destabilising the country (1991:110).

Second, is the instrumental pay-off. This control measure is used to 'buy' the loyalty of soldiers by maximising material satisfaction relating to pay, privileges and other rewards. Decalo argues that giving military officers material benefits unites the corporate and individual financial self-interest of the military with those of the civilian authority, wards off the surfacing of political aspirations among the officer corps, and unites the support of the armed forces to the survival and stability of current civilian rule (1991:111). Examples are many: in Zambia and other African countries senior military officers were allocated land grants for commercial purposes or selected for overseas diplomatic posts and training courses.

Third is the political or bureaucratic co-option where senior military officers and those in other ranks in most African countries have been co-opted into government or party circles and appointed to the boards of parastatals or as regional governors. In Tanzania and other African countries there has been a regular of transfer of officers from the armed forces to ministerial, diplomatic and party positions.

A fourth control mechanism is the manipulation of military mission. This device involves the deliberate deployment of the armed forces in order to keep them occupied. This may take the form of using the military for civic action programmes or for domestic law and order operations in aid of the civil authority. The danger here is that internal security commitments have a potentially politicising impact on the minds of the military.

Fifth is ideological indoctrination – the intentional indoctrination of the armed forces with the ideological values of the governing party. This undermines the professionalism of the armed forces which entails, among other things, political indifference and neutrality.

Sixth is expatriate recruitment. This control method involves recruitment of mercenaries to essential command posts and other sensitive posts in the armed forces to monitor the loyalty of the armed forces or serve as a barrier against the rank and file. These expatriates are often relied upon to be loyal and above factional scheming and are therefore trusted to be able to effectively neutralise any coup plotting against the state.

Seventh, is the divide et impera: the development of security counter-weights, the creation of rival security formations to act as a check on the regular armed forces and monitor plotting from within. This is one of the most prominent mechanisms of control evident in independent Africa. For example, under President Moi of Kenya a para-military General Services Unit was established to end the monopoly of the regular armed forces. Similarly, in Ghana, Nkrumah's National Security Services replaced and assumed the functions of the regular army. Likewise, in Gabon the elite Presidential Guard of President Bongo was created as a counter-weight to the regular army.

The final method of civilian control found in Africa according to Baynham is in the form of external guarantees from friendly foreign powers (often the former colonial power) in case of domestic disturbances. Many African countries have defence agreements with foreign powers such as France or Britain. These foreign countries are supposedly there to ensure the stability of African countries. For example, British troops put down the East African army mutinies in 1964. France guaranteed the stability of a number of civilian governments in francophone Africa through strategies of military cooperation signed at independence and adapted over the years. These guarantees were fortified by the stationing of French soldiers and jet aircraft at bases in some of these countries to contain any trouble (Baynham, 1992:68). Conversely, a large number of African countries have provided military assistance to protect civilian neighbours from the political ambitions of their own armed forces. Nonetheless, Decalo (1989:75) observes that this "external guarantor modality" has not stabilised African civil-military relations.

Another control strategy over the armed forces pursued by African countries identified by Decalo (1991:79) is "systematic legitimacy". It is believed that many African countries with civilian regimes have attained a noteworthy measure of legitimacy that has effectively sealed them from praetorian attacks. Decalo is of the view that a civilian regime that is widely seen and accepted by the society as legitimate likewise will be accepted by the military because they are also part of the society. This scenario is likely to prevent the armed forces from seizing power from the civilian authorities, because their regime enjoys wide popular support.

Thomson (2000:107) meticulously projects post-colonial Africa states as broadly governed by personal rather than institutional rule, combined with clientelism. He argues that leaders are above the law and often make the law by personal decree. Some scholars have even gone further to suggest that the accurate model of independent African states is neopatrimonialism (Bratton and van de Walle, 1997:269).

Bratton *et al.* suggest that Dr. Sam Nujoma, former President of Namibia and founding father of the nation, a civilian strongman, has succeeded in keeping the Armed Forces under control with a neopatrimonial mixture of rewards, deprivation and sometimes repression (1997:245). And Stepan (1988) adds that, democratic governments will gain from such instances through democratic means, such as civilian oversight of the military through the Ministry of Defence, acumen over the Defence Budget, senior promotion and professional training.

On the other hand, Omari's (2003) article has identified models often used to describe civil-military relations in Africa and elsewhere as aristocratic, liberal, communist and professional. Each arises in response to the type of civilian institutional authority. In the ***aristocratic*** society the interest of the civil and that of the military are believed to be similar. There is also a notable absence of professionalism of the armed forces. In the ***liberal model***, on the other hand, the civil elites are aware of the potential power of the armed forces that could be used to destabilise the society. There is, therefore, control to ensure that the armed forces are not involved in the political arena. The army is kept small and professional. The other model is the ***communist*** one, where there is a high degree of civilian control of the armed forces. In this system the military is politicised, and there are control mechanisms such as surveillance and purges of ideology and undesirable

elements. Unlike other models, the ***professional*** system puts emphasis on the expertise of the military. The civil elites encourage autonomous development of the armed forces. There is also civil control of the armed forces. Over and above, the armed forces see it as their duty to obey the civil authority.

It is said that the professional model is rare in African countries. Countries such as Ghana and Nigeria tried to follow the liberal model, but they were among the countries that experienced coups. Egypt and Libya are reported to have followed the aristocratic model, but also had coups.

From the above discussion it is clear that a combination of various factors contributed to stable civilian rule as well as to instability in most African countries. Bratton aptly puts it when he suggests that the development of the military in Africa is based on neopatrimonial forms. According to him African defence forces hardly ever look like they are being molded into a cohesive organisational force by professional training, nationalistic sentiments, and shared esprit de corps (Bratton, 1997:269).

It is however, important not to dismiss elements of the western tradition of civil-military relations in Africa because they can be applied contextually. All the approaches seem to agree that there is need to exert some form of constitutional and political control over the armed forces. The theory that underpins civil-military relations can be applicable to African countries, but the details will differ depending on the political, historical and constitutional dynamics.

Conclusion

The literature on civil-military relations described the application of civil control of the armed forces as fundamental to democratic governance of the sector. The concept of civil-military relations is concerned with the effective democratic civil control of the military which is crucial for democracy. Civil control has an overriding importance for the success of democratic transformation, and at the same time it presents a significant theoretical challenge, because civilians lack the necessary competence to exercise the required control of the military. The emphasis by traditional theorists such as Huntington (1957), Janowitz (1960), and Welch (1976) on civil control measures such as

the constitution and professionalising of the military is significant. The constitution serves as the supreme law of a country, and it is a kind of contract between those in power and those subjected to this power. Therefore, it defines the rights and duties of citizens including the military. In addition, it serves as a device that keeps those in power in check. On the other hand, professionalism of the armed forces as a model for minimising the power of the military is important to the study of civil-military relations. Professionalism would mean taking the military out of politics as well as civilians out of directing operational matters of the military. However, in reality this is more complex; the military cannot be completely excluded from the political process in the country. In one way or the other the military find themselves involved in politics through participating in national elections and policy-making processes. As argued by Perlmutter what is needed is a stable, sustaining, and institutionalised political regime (1977:80).

This depends on the pattern of civil-military relations that is in line with the social, cultural, economic and political situation prevailing in a country.

Successful democratic transitions in a country would be determined by the support given by the military to the transitional period. This is crucial because it promotes stability in the country as emphasised by Goodman (1997:2-3). Management and control of the military must be regulated effectively by the constitution of the country to ensure civil control. This is key to building stability and sustainable peace.

African civil-military relations models mirror those of former colonial powers or those imposed by the international community. African countries are using the western models of civil-military relations, but the application differs depending on the historical, political and constitutional contexts prevailing. While the researcher acknowledges the impossibility of a blue-print or generic civil-military relations model, the literature gives general principles of civil control that might be flexibly applied according to the given situation.

The major limitation of the above literature review is found in its main strength. That is, while it provides a standard and useful conceptual framework for the assessment of civil-military relations, at the same time its contribution to some extent is undermined by the reality that the contextually

distinct practical and operational environment does not necessarily conform to the theoretical template. It is against the preceding definition and conceptualisation that this thesis will explore the nature of Namibia's civil-military relations.

This chapter discussed the literature on civil-military relations and concluded that civil-military relations have to do with civil control of the military. However, the application of civil-military relations depends on a specific context and is influenced by various factors such as historical, political, social and economic. Chapter 4 will look at various factors that have shaped Namibia's civil-military relations.

CHAPTER 4

NAMIBIA'S CIVIL-MILITARY RELATIONS IN TRANSITION

The following six chapters will put together the various dynamics that have led to institutionalised civil control of the military in Namibia. The six chapters will also explore political institutions and control mechanisms in the country that have ensured democratic civil control of the military and contributed to the prevailing peace and stability in Namibia.

This chapter examines various periods within which different actors have played the role of contributing to the nature of civil control of the military in the country. Namibia's civil-military relations can be periodised in three broad categories namely: the colonial period, liberation struggle period, and the post-independence era. These three broad categories are significant indicators that help to understand the nature of democratic civil control of the military in independent Namibia. The purpose of describing and analysing these broad periods of transition is to show how civil control of the military evolved in the country and consequently became democratic civil control in contemporary Namibia. It is believed that by doing so, only then can we have a comprehensive understanding of the nature of democratic civil-military relations in the country. This understanding is also shared by Feaver who asserts that the nature of transitions to democracy may also contribute to shaping civil-military relations (1999:223).

The Colonial Legacy

This section examines the colonial period to help understand how successive colonial regimes influenced the nature of civil control of the military in Namibia. The section begins with a brief background of the occupation of Namibia, to be followed by colonial mechanisms that ensured civil control of the military.

European explorers first showed interest in Namibia as far back as the late 15th Century, followed by Afrikaner traders during the 17th Century. Imperial Germany's desire to acquire its own colonies in Africa began in early 1880. German occupation began with the annexation of South West Africa

(SWA) after the Berlin Conference of 1884/85. The aim of the Conference was to regulate the conditions most favourable to the development of trade and civilisation in certain regions of Africa, to assure to all nations the advantages of free navigation on the two chief rivers of Africa flowing into the Atlantic Ocean, and to prevent the misunderstanding and disputes which might in future arise from new acts of occupation on the coast of Africa.

In 1884 Imperial Germany declared SWA a protectorate territory, and in 1890 the country was declared Germany's Crown Colony under Kurt von Francois as first governor. In 1893, Germany established colonial administration in the territory. The period after 1890 saw German ruthlessness and brutality vented upon Namibians in its ugliest form when the entire machinery of exploitation – an administrative system, land alienation, white settlement, a labour extraction system, mineral exploitation, and racial discriminatory - came into motion.

Imperial Germany partitioned the territory into two divisions. Colonial administration was established to cover the southern 80% of the territory that came to be known as the 'Police Zone'. This area was meant mainly for white people. In order to help the new immigrants from Germany to settle, large swathes of land were confiscated from the black people through deceitful means and repressive measures. Where the indigenous population resisted, they were deprived of land by force. The first anti-colonial war in Namibia was launched in 1893 when the Orlam Chief, Hendrik Witbooi, and the Herero Chief, Samuel Maherero, started attacking the Germans. There were further clashes in 1894 between Germans and Khausas, followed by the revolt of Grootfontein in 1901, the Swartbooi uprising of 1904-7, and the Herero revolt of 1904-7 (SWAPO, 1981:42).

By the mid-1900s there was organised resistance against colonial occupation. The Herero people who lived in central Namibia, and the Nama people in the south had been forced to acknowledge German colonial authority, but as settlers and companies acquired land and cattle, both communities rebelled in defence of their remaining herds and pastures. They rebelled in 1904 and interrupted the activities of the colonial authorities. The resistance to German occupation was led by the Herero Chief, Samuel Maharero, and supported by the Orlam Chief, Hendrik Witbooi and Nama/Damara ethnic groups. They attacked towns and the colonial headquarters as well as the outlying areas. The German military campaigns against the rebelling communities were ruthless

and genocidal. Between 1904 and 1908 the German authorities in SWA embarked upon a policy of extermination and genocide. The Germans used superior military organisation and equipment, including rifles and machine guns, and mowed down the Hereros. Those who were caught were either hanged or starved to death. The rebellion was brutally crushed by the Germans who decimated the population of the Hereros to less than 10% (Dzinesa and Rupiya, 2005: 200). They were forced to flee into the desert, eastwards towards Bechuanaland (Botswana) where many are still found in places such as Maun. Those Ovahereros, Damaras and Namas, especially women and children, who could not flee were rounded up and herded into concentration camps. Two-thirds of the deaths registered during this time happened in the concentration camps (Geingob, 2006:34).

In 1907 the colonial authorities imposed a brutal labour policy and started to recruit from the dense agricultural settlements of Owambo, Kavango and Caprivi along the northern border of the territory. Researchers such as Keulder argue that Owambo labourers and other ethnic groups from the north were recruited into the large-scale diamond and copper mining undertakings which thrived during the last years of German colonial rule (Keulder, 2000:34). The Africans in the territory were exploited. The Owambo and other ethnic labourers had no effective voice, whether through their chiefs at home or on contract in mining compounds.

The land that was confiscated, as well as indigenous inhabitants' cattle, was given to the white people. Additionally, white settlers were give generous financial support to help them settle in the colony. Consequently, black people were forced to live in the so-called tribal areas in the north and in scattered reserves in the Police Zone (Geingob, 2006:34). As a result of the banishment of black people to unproductive areas of the territory, the loss of their lands and livestock, and their resulting economic plight, they were forced to work on white-owned farms and in mines for miserable wages. By 1913 there were over 1300 farms consisting of 13.4 million hectares of land, all owned by Germans (UNIN, 1986: 29).

The Imperial German colonial period came to an end with the defeat of Germany at the end of World War I in 1915. The Union Defence Force of South Africa defeated the small German military detachments and subsequently occupied SWA from 1915 up until independence in 1990. However, it is argued that administrative and legal infrastructure established in the Police Zone, the

settlement pattern characterised by racial and ethnic segregation, and the labour extraction system established during German colonial control in Namibia laid a solid foundation on which South Africa erected its own apartheid state in the territory (UNIN, 1986:33).

After 1918 the territory came under the administration of the Union of South Africa under a C Mandate of the League of Nations on behalf of Great Britain (Denoon et al, 1984: 173). The League of Nations supervised the mandate through the Permanent Mandates Commission, composed mainly of representatives of the European colonial powers.

Rather than looking after the welfare of the people of South West Africa, South Africa sought to annex the territory and exploit its resources. Consequently, South Africa took over the country and brought in Afrikaners, mainly as public servants. In 1944 the Nationalist Party government, led by Dr Malan, further integrated Namibia with South Africa in all areas. For example, apartheid laws that were being practiced in South Africa were also applicable in SWA. As a condition of incorporation, Namibia's white inhabitants were allowed to elect members to the Union Parliament. The country's economic activities such as commercial farming, mining, fisheries and emerging industries were integrated with that of South Africa causing great dissatisfaction and protests from the inhabitants of SWA. This provoked the African majority to seek other avenues of hastening the departure of South Africa from SWA.

The colonial period was characterised by an almost complete absence of political relations of consent, with the exercise of coercive power being the order of the day. In 1948 the ruling Afrikaner National Party (NP) gave white people in SWA direct representation in the South African Parliament. On the other hand, the African majority were socially, political and economically deliberately excluded. In 1960 the South African government commissioned the Odendaal Report that divided SWA into 12 distinct Bantustans or homelands, resulting in the allocation of about 93% of the population to 'homelands' that covered about 40% of the land, and leaving the minority white people holding on to 60% of the most fertile land.

The objectives of the Bantustan or homeland policy were to divide the black population into smaller, more manageable constituencies, to confound all attempts at black unity, and, as some

scholars have argued, “to give the South African authorities some room for manoeuvre in international affairs” (Denoon *et al*, 1984:173).

The Odendaal Plan existed in Namibia until AG8 was established. AG8 was a law that established a three-tier government for Namibia in 1980. The first tier was responsible for handling the affairs of the central government under the supervision of the Administrator General. The second tier consisted of ten ethnically-based regional government administrations that included the Whites, Caprivians, Damaras, Hereros, Kavangos, Coloureds, Namas, Owambos, Tswanas and Basters. The third tier was comprised of the local authority administrations.

These sad episodes provoked substantial rebellions and formed an important part in providing Namibians the inspiration and resolve to engage in a two-decade, protracted, armed liberation that began in 1966.

Nonetheless, there were a number of developments during the colonial period that had critical implications for contemporary, democratic, civil-military relations in Namibia. First the Germans introduced constitutional mechanisms of civil control in South West Africa, as the country was known then. For instance, the colony’s budget, including military expenditure, had to be approved by the German legislature in Berlin. In addition, the colonial military, known as the *Schutztruppen*, was designed as a small professional force and based within the colonial ministry rather than in the German Army High Command, further reinforcing civilian control of the armed forces (Bhebe, Pikirayi, and Rupiya, 2000:104).

Second, the tradition of constitutional and professional civil supremacy continued under the South African Regime. In 1975 Whites in Namibia were given some measure of political autonomy by the South African Parliament. This was facilitated by the South West African Constitution Act No. 42 of 1925 that allowed the establishment of a Legislative Assembly, which had limited law-making capacity. Nevertheless, defence and a number of other critical legislative fields were reserved for the South African Parliament (Soggot, 1986:20). Even though one may not characterise civil control over the military during this period as democratic, there were, nevertheless, civil control mechanisms over the military through budget control, which is crucial in civil-military relations.

The composition of the South African Defence Force (SADF) that was deployed in large numbers in Namibia facilitated greater civil supremacy. It was comprised of a small Permanent Force of professional soldiers and an Active Citizen Force made of conscripted white males (Bhebe et al, 2000:104). In addition, professional troops in the South West Territorial Forces (SWATF) were reinforced by conscripted black and white Namibians. In addition, it is argued that specialist units, the regular SADF and SWATF and Area Force Units were also deployed in the country (Cawthra, 1986:200). Military professionalism is significant in civil-military relations. This understanding is shared by Huntington (1957:83-84) who asserts that professionalism involves expertise, responsibility and corporateness. Therefore it is key to civil control of the military.

With the intensification of the armed struggle by the South West Africa People's Organisation (SWAPO), a state of emergency was declared in Ovamboland, and the SADF was deployed in large numbers in the north. After Angola's independence in 1975, the SADF became the main security arm of the South African government in Namibia. The establishment of the South West Africa Territorial Force (SWATF) in 1979, which consisted of ethnic battalions of black Namibians, further strengthened the SADF (Dale, 1993:12).

Another elite, counter-insurgency police unit, Koevoet, which is an Afrikaans word for crowbar, was formed in 1979. The main purpose of this police squad was for assassination and acts of sabotage against suspected SWAPO supporters. Members of this unit often disguised themselves by dressing up as SWAPO guerrillas, and their actions were committed in the name of SWAPO (Namakalu, 2004:144). Koevoet was a death squad used by the apartheid South Africa regime on 'search and destroy' missions. This police unit was responsible for burning down homesteads and church buildings, and destroying boreholes in villages in Namibia. It interrogated civilians and often tortured and killed women and children, and took part in widespread looting of property of the local population (Namakalu, 2004:144). The aim of the creation of SWATF and other counter-insurgency units was first and foremost to fight SWAPO freedom fighters, and also to provide an "alternative political and military capacity that would displace the dominance of SWAPO and PLAN after independence in Namibia" (Dzinesa and Rupiya, 2005: 204).

PLAN fighters fought a decade-long bitter war of liberation against the heavily armed, apartheid, colonial South African Defence Forces (SADF) that was supported by locally created forces of the South West Africa Territorial Force (SWATF) and the notorious counter-insurgency unit, Koevoet. Moreover, the apartheid South African regime engaged the services of mercenaries such as Chileans, Israelis, Philippinos, Portuguese ex-soldiers from Mozambique, former Rhodesians (Zimbabwe) forces, Australians, Britons, Moroccans, Americans and others to fight PLAN combatants. These foreign soldiers were not operating as a separate unit, but as members of the SADF (Namakalu, 2004:139).

SWATF and Koevoet, which closely worked with units of the SADF, were used extensively in Namibia and Angola during the 1970s for counterinsurgency operations against the People's Liberation Army of Namibia (PLAN), the former military wing of SWAPO. Koevoet in particular got a reputation for brutality in carrying out its operations. The primary purpose of SADF was to perform counter-insurgency activities in support of the SWATF and Koevoet forces.

SADF also provided support for apartheid government policies in Namibia. For example SWATF, 32 Battalion (a black multinational light infantry force comprised of remnants of UNITA rebel units) and Koevoet counterinsurgency force had specific responsibilities for defending the status quo or government (South Africa-National Security Management, http://www.country.data.com/cgi-bin/query/r-12195.html). SADF also conducted anti-SWAPO operations in Namibia and earned a reputation for ruthlessness and brutality. SWATF and Koevoet were largely disbanded after Namibia's independence in 1990, and some of its members were incorporated into the Namibian Police. These and other developments led to the weakening of civil control of the military.

The Liberation Struggle Experience

This section explores how PLAN was subordinated to SWAPO, the liberation movement that fought for the independence of Namibia. The section begins with a brief examination of the Eastern model of civil-military relations to find out how it influenced the pattern of civil-military relations in SWAPO during the liberation struggle. The eastern model of civil-military relations was mainly characterised by the Communist party control of the armed forces (Tagarev, 1997:7). It is further

argued that the military had control over defence information. “There was almost no civilian expertise on defence issues and the citizenry did not play any significant role in defence and national security decision-making” (Tagarev, 1997:15). The Soviet Union and other East European countries gave SWAPO military and financial support during the liberation struggle for the independence of Namibia.

Since Namibia was a mandated territory, with a special relationship to the UN, the protestors of the South African occupation appealed to the UN and to the International Court of Justice for the removal of the regime. However, this strategy did not bring desired results. The South West African Union (SWANU), that was formed in 1959 and was dominated by Herero intellectuals, led the protest and petitioned the UN. Nevertheless, because of SWANU’s narrow support base in Namibia, it was the South West African People’s Organisation (SWAPO) that moved rapidly from formal opposition to armed resistance. SWAPO took up arms after all peaceful means, including agitation in Namibia, petitioning at the United Nations, and seeking justice at the International Court of Justice, had failed. SWAPO was able to train a military force, which received the recognition and support of the Organisation of African Unity (OAU), and the UN in the 1970s. SWAPO waged a political, diplomatic and military struggle against the South African colonial forces for more than three decades.

SWAPO was established in 1960 as the first national movement with the aim of securing independence for Namibia. Its origins were in the Namibian labour movement, and it had been created out of a labour association called the Ovamboland People’s Organisation (OPO) (Katjavivi, 1988:45). Soon after its establishment SWAPO began the work of consolidating its support amongst South West African workers, peasants, students, intellectuals, clergy, and community leaders throughout Namibia, regardless of ethnicity. SWAPO’s primary strategy was the petitioning and lobbying of international organisations, such as the United Nations, to compel the South African government to withdraw from Namibia and facilitate a process that would lead to independence. At the same time the movement considered launching the armed struggle while peacefully petitioning the United Nations. By 1962, SWAPO cadres, who were later to constitute the People’s Liberation Army of Namibia (PLAN), were undergoing training in Egypt, Algeria and several other socialist countries.

It is also significant to note that, unlike the African National Congress (ANC) and the Pan Africanist Congress (PAC) in South Africa, SWAPO was not banned inside Namibia. Consequently, since some of SWAPO's political leadership was internally based, a limited civilian political experience, free from military intervention, was sustained. Nevertheless, as SWAPO's Executive Committee was in exile, most of its operations were directed from outside Namibia.

In the mid-1960's the People's Liberation Army of Namibia (PLAN), SWAPO's armed wing, was formed. There were some forms of civil control of PLAN. PLAN was created by the Central Committee of SWAPO which exercised civil control over the military. PLAN was subordinated to the political leadership of SWAPO. It should be mentioned here that SWAPO received military training and support from the former USSR, East European countries, North Korea and China. Institutions in these countries were modeled on an ideological basis. The most striking feature of the communist system was the so called 'dual hierarchy' in the party state. That is, everything had a double subordination, one to the state institution and the other to the Party. Such an institutional arrangement had a strong impact on the communist armed forces. The traditional national purpose of the military was loyalty to the political regime and defence of the communist system. As Agnieszka Gogolewsk noted:

> The system of political indoctrination of the military, invigilation of the service personnel by the political officers, the near obligatory party membership for the high ranking officers were all set to ensure the performance of the international function of the armies. What was characteristic to the armed forces in the countries of Eastern Europe was their double subordination as an army, first to their own national commanders, secondly to the Soviet Union (Gogolewsk, 1998:2).

The military in these countries was highly politicised, a result of the firm ideological compliance forced by the single party communist system. Nonetheless, it is argued that politicisation of the military required strong civil control of the armed forces as an institution, while this was to some extent ironically shared with a high degree of military autonomy in the actual framing of defence policy (Blackwell, 2004:93). Therefore, we could say, by and large, PLAN was influenced by the eastern model of civil-military relations that subordinated the military to the party political control. In essence, the SWAPO Party exercised effective political control over PLAN. For example, the

SWAPO President was the Commander-in-Chief of PLAN, while the Secretary of Defence and Commander of PLAN were all appointed from the Central Committee and Politburo and accountable to the Party. Military commanders were accountable and answerable to the SWAPO leadership which was largely comprised of civilians. Moreover, there was Party political control over the activities of PLAN through Commissar Systems and political indoctrination of members of the military. In other words, PLAN was subordinated to the political leadership of SWAPO.

Correspondingly, SWAPO as a liberation movement provided the overall political and military guidance to PLAN cadres. In terms of civil control, the Secretary of Defence, the commander of PLAN, the deputy PLAN commander and the Chief Political Commissar were members of the Central Committee and Politburo and accountable to the President of the Party. The institution of civil control of the military in SWAPO was structured in such a manner that there was nothing that could be done without a directive from the Central Committee of the Party, which was the highest decision making body.

Major-General (Retired) Charles Ndaxu Namoloh, Minister of Defence and former PLAN Chief of Staff, argued that the Central Committee of SWAPO was responsible for the formulation of military policy (Interview, March 15, 2006). Similarly, SWAPO's guiding principle was "It is politics which leads the gun" and that war was "an extension of politics by other means" (SWAPO, 1981: 262). As former SWAPO Secretary of Information Andreas Shipanga clarified:

> In SWAPO we don't divorce military from political matters - it is always politics which leads the gun. We have no purely military leaders; we are not militarists. Everybody in PLAN is politically motivated; our cadres are trained both politically and militarily, and the military is completely integrated into the overall structure of SWAPO (Katjavivi, 1986: 282).

The above argument was mirrored in the organisational structure of PLAN. The majority of the members of the Central Committee were civilians although the military was also represented by the commander of PLAN, Deputy Commander of PLAN, Chief Political Commissar etc. This arrangement ensured civil control of PLAN. (See appendix 3) dash

It is also imperative to note that PLAN had an oath of allegiance that required all members of PLAN to respect the hierarchy of SWAPO as well as members of the central committee. There was also a code of conduct that stipulated how members of PLAN should behave among the civilian population. For example, PLAN members were required to respect civilian population and protect their property as well as to not abuse children. The supremacy of SWAPO over PLAN was emphasised at all times. PLAN also had the military discipline code which stipulated the activities of all PLAN members.

The Military Council was instrumental for policy and strategic planning. The general staff (who were also members of the Military Council) were responsible for drafting military tactics as well as implementation of the policies. Members of Military Council included regional commanders and commissars. Therefore, policy formulation followed the chain of command, that is, it was driven from the political level downwards to the military.

The decade preceding Angolan independence in 1975 proved to be a successful time for SWAPO. It was a period that saw a dramatic expansion of SWAPO's military operations, especially in the wake of the transfer of its political and military headquarters from Zambia to Angola. According to Katjavivi (1976) this was followed by an intensification of the armed struggle with PLAN units being deployed in larger numbers deeper into Namibian interior. By the late 1970s PLAN had gained the upper hand over SADF. PLAN had successful campaigns of urban sabotage in Windhoek, Swakopmund and Keetmanshoop, and had established "no go" areas. This led to the armed wing becoming more assertive within SWAPO (Bhebe et al, 2000:104).

The forcefulness of PLAN became apparent as early as the latter part of the 1960s, when a group of SWAPO cadres who had received military training in China criticised the SWAPO leadership for lack of understanding of military strategy and tactics. Guy Lamb (2007) in his article "Militarising Politics and Development: The Case of Post-Independence Namibia", writes that the 'China-men', as the group was called, criticised the political leadership for military inactivity and lack of weapons as signs of mismanagement and corruption. Consequently, on the instructions of the SWAPO leadership, the group was arrested and imprisoned by the Tanzanian authorities for fear that the group might cause rebellion within the liberation movement.

Similarly in the mid-1970s there was another serious crisis within SWAPO. The crisis in 1976 was brought about by a segment of PLAN combatants, including senior military officers who were operating from Zambia. This group rebelled against the political leadership of SWAPO as they lost confidence in their ability to direct the liberation struggle. They accused the leadership of lack of political accountability and military inactivity and complained about inadequate food, clothing and weapons supplies. The aggrieved combatants also accused the political leadership of being insensitive to their needs, and they therefore called for a change in the leadership of SWAPO. Katjavivi (1988) maintains that the disillusioned group demanded more efficient democratic governance from the Executive, and insisted that a SWAPO Congress be held. The disgruntled PLAN cadres also campaigned for what they perceived as financial mismanagement in SWAPO, and called for an organisational revamp of PLAN. Civil supremacy was only restored when the SWAPO Executive called in the Zambia military to quash the rebellion and enforce SWAPO political authority over PLAN. The SWAPO political leadership thereafter strengthened mechanisms of civil control within all units of PLAN.

Then in the mid-to late-1980s, in the context of a severe civil-military imbalance in favour of PLAN that challenged the political leadership of the party, a major crisis emerged within the ranks of SWAPO. The crisis was caused by some units of PLAN combatants who were mainly operating at the Eastern Front. From Lamb's point of view the crisis was because of low morale among PLAN fighters as a result of major military setbacks. It is further argued that the SWAPO leadership put the blame on South African spies who had infiltrated SWAPO (Lamb: 2007: 161). However, this researcher, who was a member of PLAN during that time, disagrees with Lamb's argument. The crisis had nothing to do with military setbacks, but mainly with the political leadership of SWAPO that was seen to be aloof from the concerns of the military. In an attempt to restore the civil-military balance, the SWAPO leadership created a security organ with the objective of neutralising the political influence of the military (Lamb, 1999:122-125). The security organ had extensive powers and was answerable only to the SWAPO President. However, this organ, driven by intense organisational obsession, gained so much power and influence that it almost brought about SWAPO's demise. Its main purpose was to identify potential spies, arrest and interrogate them. Those who were suspected of being South African spies were detained and imprisoned in covered

pits in Lubango and other SWAPO detention camps where they had to endure harsh conditions such as poor food and sanitation as well as inadequate medical care. An unknown number of SWAPO members were either arrested or killed on suspicion that they were enemy agents, thus sowing seeds of fear and mistrust among the combatants. The above mentioned incidents undoubtedly had a serious impact on civil-military relations not to mention generalised political fear within the SWAPO liberation movement as well as in PLAN.

Independence and the establishment of the NDF

In 1988, as part of the Angolan peace settlement, South Africa agreed to withdraw from Namibia, leading to the holding of democratic elections and the country's independence in March 1990, thus ushering in a democratic dispensation.

As in most transitions elsewhere, the Namibia process faced numerous impediments on the way to democratic governance. First, there was a violation of the ceasefire agreement between PLAN and the SADF. This was followed by widespread intimidation of SWAPO supporters by the South West African Police in the run up to the independence election. These events would have led to the resumption of the armed conflict, if it were not for the strict conditions put down by regional and international bodies that negotiated for the independence of Namibia.

The democratic transition in Namibia began on April 1, 1989 when the process of implementing the United Nations (UN) settlement strategy began. Nonetheless, another crisis took place on the eve of the implementation of the peace agreement when SWAPO launched an incursion into Namibia. It is reported that a powerful militaristic faction within SWAPO was not in favour of the peace agreement (Lamb, 2007:162). The crisis was resolved only after officials from Angola, Cuba and South Africa held an emergency meeting that adopted what is known as the Mount Etjo Declaration, which called for the safe passage of SWAPO combatants to designated UN-mandated assembly points. The SWAPO leadership accepted the terms of the declaration, and PLAN forces were ordered to withdraw accordingly (Lamb, 2007:162).

UN Resolution 435 paved the way for the holding of free and fair elections for electing the Constituent Assembly that drafted the constitution of independent Namibia. Elections were held under the supervision of the United Nations Transition Assistance Group (UNTAG) (Geingob, 2006: 80, 88). This was followed by the process of drafting Namibia's Constitution in accordance with the agreed Constitutional Principles proposed by the Western Contact Group. These Constitutional Principles included the following provisions:

- Namibia would be a sovereign, unitary, and democratic state with a Constitution that provided for a system of government with three branches, an Executive Branch elected by universal and equal suffrage which would be responsible to the Legislative Branch;
- A Legislative Branch to be responsible for the passage of all laws;
- An independent Judicial Branch which would be responsible for the interpretation of the Constitution and for ensuring its supremacy and the authority of law;
- A Declaration of Fundamental Rights such as the right to life, personal liberty and freedom of movement, freedom of conscience, freedom of expression that includes freedom of speech and a free press, and freedom of assembly and association that includes political parties and trade unions;
- Due process and equality before the law;
- Protection from arbitrary deprivation of private property or deprivation of private property without just compensation; and
- Freedom from racial, ethnic, religious or sexual discrimination (Geingob, 2006:123).

It was noted that the Declaration of Rights was to be in agreement with the provisions of the Universal Declaration of Human Rights, and individuals would have the right to have the courts pass judgment and put into effect these rights (Geingob, 2006:123).

Ten political parties qualified to participate in the United Nations supervised Constituent Assembly elections of 1989. These parties were Aksie Christelik Nasionaal (ACN), Christian Democratic Action for Social Justice (CDA), Democratic Turnhalle Alliance of Namibia (DTA), Federal Convention of Namibia (FCN), Namibia National Democratic Party (NNDP), Namibia National Front

(NNF), Namibia Patriotic Front (NPF), SWAPO-Democrats (SWAPO-D), SWAPO of Namibia (SWAPO), and United Democratic Front of Namibia (UDF).

SWAPO was mandated to rule the country after winning democratic national elections with a majority vote of 57 percent (Electoral Commission of Namibia, 1989). Consequently, the former liberation movement was given legitimate authority to form the government of the new independent Namibia.

The role of the military

This section focuses on the role of the military in Namibia. The section explores how the Namibian Defence Forces (NDF) was created as well as legal instruments that provided the framework for the new vision of the country's military.

It is generally accepted that the primary role of the military is to protect both internal and external interests of the society. The Constitution, (Article 118), provides for the establishment of the NDF, and the Defence Amendment Act (Act 20 of 1990) which amended the South African Defence Force Act (Act 44 of 1957) for the structure, roles and functions. The primary roles of the NDF are:

- To ensure the sovereignty and territorial integrity of the state by guarding against external aggression, both conventional and non-conventional;
- Prevent violation of the country's land, sea and airspace;
- Provide assistance to civil authorities and the community;
- Undertake peacetime operations in support of civil ministries, for example to help combat economic threat, and meet other defence commitments; and
- Assist with the process of reconciliation.

In addition, the Act provides for the deployment of the NDF within and outside the national borders of Namibia. Therefore, the way the military acts should be guided by a clear political mandate. The fifth role of the NDF, that is to serve as the conduit and instrument for national reconciliation, is inimitable in Southern African post-colonial and liberation history. South Africa's policy of apartheid

colonialism had left considerably negative feelings between different racial and ethnic communities. The apartheid policy succeeded in driving a wedge between different ethnic groups. Consequently, at the attainment of independence the new SWAPO government made a conscious attempt at minimising hatred and mistrust built up over a long period by colonialism. Geingob affirmed the significance of reconciliation when he said, "The SWAPO government initiated and adopted the policy of national reconciliation so that all Namibians irrespective of colour, race or place of origin can live in peace, friendship and harmony. The policy of national reconciliation created conditions where Namibians could concentrate on building a peaceful and prosperous society based on the motto 'One Namibia, One Nation" (Geingob, 2006:197).

The fact that disarmament and demobilisation, including the withdrawal of SADF, had been executed under UNTAG's supervision meant that Namibia had no constitutionally established national defence force at independence. Therefore, as soon as SWAPO came to power, the new government created the NDF from the demobilised former People's Liberation Army of Namibia (PLAN), SWAPO's military wing and the former South West Africa Territorial Forces (SWATF) and Koevoet fighters.

The ethnic-based SWATF was created in the 1970s but only officially acknowledged on 1 August, 1980 by the former South African Defence Force. It was composed of eight full-time battalions and specialised support units. These included the so called 'Bushman' Battalion or the 31 Battalion later known as 201 Battalion that was established in 1974; the Owambo Battalion or 35 Battalion later known as 101 Battalion established in 1976; the Kavango Battalion or 34 Battalion later known as 202 Battalion established in 1977; a mixture of the San ('Bushman') or 36 Battalion later known 203 Battalion; the Caprivi Battalion or 33 Battalion later known as 701 Battalion; the Ovahimba and Herero Battalion later known as 102 Battalion; a multi-ethnic 41 Battalion later known as 911 Battalion that enlisted Tswanas, Damaras, Namas, Basters, Whites, Coloureds, San and Owambos (Namakalu, 2004:138).These battalions were capable of conducting cross-border operations deep in search of PLAN combatants, inside Angola or wherever they were believed to be inside Namibia.

Accordingly, PLAN demobilised at the time of the implementation of the UN Resolution 435 in 1989, and its members returned to Namibia as ordinary civilians. Similarly, SWATF and Koevoet were demobilised at the same time. Consequently, the SADF withdrew from Namibia along with its military equipment after South Africa signed an agreement with the UN in New York on 13 December, 1998 agreeing to leave South West Africa (SWA). In the process, argued Charles Ndaxu Namoloh, Major General (Retired) and Minister of Defence, the SADF also destroyed certain infrastructures such as military bases which were crucial for the young NDF (Interview, March 15, 2006).

PLAN embarked upon its transformation as the National Defence Force with an insufficient military infrastructure following the departure of SADF and the dismantling of SWATF. When the liberation war had intensified, and the SADF had used heavy motorized battalions, reaching a stage of conventional warfare which could no longer be contained by SWAPO guerrilla units, PLAN had had to adjust to a conventional force. Consequently, PLAN's First Mechanised Infantry Brigade and the Second Mechanised Infantry Brigades were formed in 1978 and 1980 respectively. PLAN had a Striking Unit, Specialised Units such as Typhoon, Engineer Unit and Salute Unit. All these units were comprised of regular and semi-regular forces and were armed with all the conventional equipment, such as heavy artillery, Armed Personnel Carriers (APCc), surface-to-air-missiles, infantry assault-rifles, RPG-7Vs, Light Machine Guns (LMGs) and HMGs, rocket launchers, M-5, hand-grenades etc. (Namakalu, 2004:170,173). At independence, PLAN weapons and equipment were donated to the new SWAPO government, which was faced with the complex task of forming the National Defence Force.

The newly independent SWAPO government had to take control over the formation of the Namibian Defence Force (NDF). The new cohesive defence force drew recruits from both PLAN and SWATF members, who were formerly adversaries. Since SWAPO had an overwhelming win at the polls, almost by default important posts went to former PLAN cadres. The former Chief of PLAN, Jerobeam Dimo Hamaambo, was appointed by the President as the first Chief of Defence Force. (Dzinesa, 2005:209).

NDF Chief of Staff and Brigadier Generals were all former senior PLAN members. The Minister of Defence, Charles Ndaxu Namoloh, who was the former Chief of Staff of PLAN argued that:

> The independence of Namibia came as a result of the liberation struggle led by SWAPO and the ballot had been achieved. PLAN was trained to take over control at independence. Additionally, PLAN fighters were numerically superior compared to SWATF soldiers. It was therefore logical that decisions on the filling of posts of senior military officers be left to the Chief of Defence Force (Interview, March 15, 2006).

Most senior officers from SWATF were recruited into the NDF and an insignificant number resigned. Nearly all former Kovoet members who could not be conscripted into the NDF relocated to South Africa (Dzinesa, 1005:209-10).This study argues that there was need for the new government to make such an appointment to establish an army that was loyal and committed to the culture of SWAPO. The new government successfully integrated the former warring armies of the former SWATF, Koevoet and PLAN into a unified national army. As the Permanent Secretary of Defence, Peter Shivute remarked:

> Both ex-PLAN and Ex-SWATF senior officers who were recruited in the NDF retained their ranks. The MoD did not completely abolish divisions and offices that were there before independence. Certainly, we changed certain things in line with the new dispensation. Ex-SWATF and ex-PLAN soldiers continue to work together as a unified defence force serving one country (Interview, March 14, 2006).

This researcher argues that PLAN military structure as well as SADF was replicated in the NDF. Evidently, this laid the groundwork for the consolidation of a united and strong Namibian nation.

At independence Namibia was guided by the Constitution of the country to ensure adequate civil control over the armed forces. Sub-article 1.2 of the Namibian Constitution recognises the sovereignty of the people as the basis for the state power. Additionally, Articles 27, 32, 40, 44, 63, 75 and 118 of the Namibian Constitution provide for effective subordination of the military to civilian political control, by giving political office bearers overall policy making responsibility, including those relating to defence and security. The Constitution further provides the framework for the

transformation of the NDF. The Constitutional responsibilities of the NDF, namely, to firstly defend and protect the sovereignty, territorial integrity and the people of Namibia against external attacks, and secondly, to assist civil authorities and community when required, were fundamental in the transformation process.

The main framework for the transformation of the military was provided by the formulation of the Statement on Defence Policy that provided the new vision of the NDF. The Deputy Minister of Defence, Victor Simunja, suggested that the new vision is that of a broad representation of all Namibians at all ranks in the defence force to reflect the demographic composition of the population as well as a defence force that is trustworthy and legitimate in the eyes of the Namibian people (Interview, January 16, 2006). Subsequently, the transformation of the NDF included the following interrelated issues/steps:

1. Institutionalisation of civil control over the armed forces
2. The reintegration of the ex-combatants of PLAN and ex-fighters of the SWATF and Koevoet into a National Defence Force
3. Amendment of the Defence Act (Act 20 of 1990) amending the South African Defence Act (Act 44 of 1957)
4. Disarmament, demobilisation/downsizing of the armed forces
5. Affirmative Action and equal recruitment opportunity in the defence force
6. Activities aimed at improving the effectiveness and efficient functioning of the NDF and Ministry of Defence.

Disarmament, Demobilisation, Reintegration (DDR)

The following section assesses how the UN carried out aspects of DDR and the results. The first part of the section gives the definitions and guidelines of DDR. Then a description of the relationship between DDR and civil-military relations follows. The section covers the stage in which UNTAGS ultimately presented a comprehensive and effective international institutional framework to carry out disarmament and demobilisation. The section ends with the examination of government's efforts at reintegrating the demobilised ex-combatants.

Erskine notes that disarmament, demobilisation and reintegration are requirements for the effective termination and resolution of intra-state conflict. He further argues that it forms an integral part of peace plans designed to resolve internal conflict (1999:3). United Nations Resolution 435(1978) provided for the repatriation, rehabilitation and reintegration of ex-combatants. The Resolution also outlined a 'peace plan' for Namibia's transition to independence under the United Nations Transition Assistance Group (UNTAG). Disarmament, and demobilisation were part of the 'peace plan' as enshrined in the mandate of UNTAG. UNTAG's duties included:

- Monitoring the ceasefire
- Ensuring that troops of SADF and SWAPO were confined to bases and
- Supervising the rapid reduction and eventual removal of South African military forces from Namibia (United Nations, The Blue Helmets: A Review of the United Nations Peacekeeping, 1996:209-210).

The World Bank defines demobilisation as "the process by which the armed forces, government or guerrilla force either downsize or completely disband" (Cilliers, 1995:13). The World Bank has recognised that reducing the size of the military through support for demobilisation and reintegration programmes can result in a significant shift of resources in the public sector. Cilliers further defines demobilisation as "the process through which armed forces of a government and opposition parties shed themselves of excess personnel after a period of conflict. Typically, demobilisation programmes include the provision of some short-term social reintegration assistance" (Cilliers, 1995:5).

Colletta (1996:18) outlines an essential World Bank study that delineates practical guidelines and good practices that assist the design and implementation of effective demobilisation and reintegration processes, drawing on experiences from Mozambique and Namibia. Although not a blueprint for demobilisation and reintegration, which is a country-specific process, the study usefully detaches certain key actions for successful demobilisation and reintegration. These include political will on the part of the government, central coordination, and decentralised

implementation and classification of ex-combatants. However, one should be mindful of the obvious dangers of "one-size-fits-all" prescriptions.

The importance of disarmament and demobilisation as part of post-war rehabilitation and development manifests itself in several areas. From Kingma's point of view, these include the perceived release of resources from the military sector for use in the productive sector in order to precipitate sustainable development, the checking of the political power of the military, and enhancing security and human development (2000:181). It is also true, points out Kingma, that successful demobilisation and reintegration incorporates the need for an assessment of the beneficiaries, sensitisation of all stakeholders, mobilisation of resources and linkage of demobilisation with reintegration all through timely, elaborate and practical programmes.

Generally, demobilisation involves the assembly, disarmament, administration and discharge of ex-combatants with some form of a compensation package to help them reintegrate into society. Scholars such as Kingma are of the view that if the demobilisation and reintegration process is not well managed, ex-fighters could take up arms and derail the entire peace process (1997:87). On the other hand, it is argued that if the process is effectively managed, it can create good prospects for peace and human development.

Forman *et al* (1998:27) have identified two goals for a demobilisation and reintegration programme. The first goal, according to them, is that demobilisation of ex-fighters or soldiers in the short-run provides an important window of time for the improvement of on-the-ground security. It also gives newly elected governments a chance to emerge without the threat of military repression or the need to spend scarce resources on a process that is expensive. Second, is the medium-term and long-range aspect of giving ex-fighters a new start by returning them to civilian life. This last process needs greater consideration as it is vital for any process of promoting improved civil-military relations.

DDR and civil control of the military share the objective of contributing to peace and stability in countries that have come out of war to peace. It is argued that in many instances, DDR and Security Sector Reforms should take place together to create conditions for democratic civil control

of the armed forces, and that the success of one will depend on the success of the other (*Multi-country Demobilisation and Reintegration Program Position Paper*, htt://www.mdrp.org/PDFs/ssr-paper.pdf).

It is in this regard that DDR is explored in this study as a vital tool for setting conditions necessary for civil control of the military in Namibia. This study argues that certain decisions related to effective civil control of the military can set key parameters for DDR and vice versa. For example, key decisions on the size of the army, the extent of new recruitment, and the absorption of ex-combatants, provide DDR planners with information on the numbers of ex-combatants that cannot be taken into the armed forces and thus need to be demobilised. Similarly, a Security Sector Reform decision on eligibility criteria for recruitment in the armed forces influences the eligibility criteria for DDR beneficiary (*Multi-country Demobilisation and Reintegration Program Position Paper*, htt://www.mdrp.org/PDFs/ssr-paper.pdf).

DDR therefore has a direct impact on prospects for civil control of the military through Security Sector Reforms. DDR is often conducted before Security Sector Reform is addressed, setting the landscape for future reform efforts of the armed forces by establishing the numbers and nature of the armed forces.

The decision to reduce the size, or whom to demobilise, was a precondition for the United Nations supervised election in Namibia. The country's disarmament and demobilisation (DD) was facilitated by the multilateral New York Accords that provided for the implementation of the UN Settlement Plan. Consequently, DD was successfully undertaken by UNTAG (Dzinesa, 2006:275). The UN created the necessary security environment for DD, and their intervention was specific and short term. Nevertheless, UNTAG did not have a post-conflict mandate to assist with the reintegration of demobilised combatants. The planning and implementation of the long term activities were left to the new SWAPO government. There were no steps to ensure continuity through UNTAG's post-withdrawal synergy with relevant local bodies such as the Repatriation, Resettlement and Reconstruction Committee (RRR).

Namibia went through the experience of the United Nations managed disarmament, demobilisation and repatriation. The repatriation of Namibian refugees including PLAN combatants was the most significant aspect of the peace process as it dealt with the humanitarian element of the process. The safe repatriation of exiles was a measure of the political stability of the diplomatic solution to Namibia's independence process. If exiles refused to return because they considered the situation unsafe, the whole election procedure could have been at risk.

The Kenyan battalion assisted with the establishment of a military nucleus, comprised of members of the two former adversaries of SWATF and PLAN that provided a ceremonial guard of honour during the independence celebrations. Later the government was assisted by a British Military Advisory and Training Team (BMATT) in reintegrating and establishing a professional NDF.

The implementation of the long-term reintegration process of ex-combatants and returnees into Namibian society was handled by government with the assistance of non-governmental organisations such as the Council of Churches in Namibia (CCN), and the Socio-economic Integration Programme for Ex-Combatants as well as community committees. They assisted in activities such as job placements, providing temporary shelter, food, clothing, counselling and transport. Bilateral donors such as the Swedish International Development Cooperation Agency (SIDA) and the European Community also assisted during the process.

From 1989 to 1990 the Repatriation, Resettlement and Reconstruction Committee (RRR) that was headed by the CCN operated an employment agency to place returned exiles in the labour market. Their success was, however, very modest. It is estimated that between 500 and 600 persons forwarded applications for jobs in 1989, but out of 600 potential employers that were approached by RRR only five responded (Gleichmann, 1994:105). Most employers did not accept the qualifications of returnees. As a result only 60 persons could be placed in employment by the job placement agency, and the rest were either employed as watchmen in SWAPO security companies or as gardeners and household servants.

It should, however, be noted that the job absorption capacity of the formal sector in Namibia is limited. The public sector is the largest single employer, whereas the formal private sector,

according to the Namibia Labour Force Survey of 2000, was estimated to employ only 39.2 percent of the labour force (IPPR, 2007). To this end, it was estimated that in 1995 there were 67, 000 civil servants in the public service and that this number has increased twofold since independence, partly as a result of the peace agreement that obliged the new government to keep in employment civil servants who served in the South African Colonial Administration (Colletta, 1995:2). On the other hand, the new SWAPO government also had to employ its members in the existing job structures, thus saturating the public sector.

Correspondingly, the RRR assisted returnees not to be dependent on the food distribution programme by providing funds so that they could gain a livelihood for themselves and their families through small, income generating projects. To this end, returnees were involved in various small scale development projects such as baking, gardening, tailoring, metal welding, auto repair, metal work, chicken farming etc. (Liebaug, 1992:20). The idea was to create employment opportunities for ex-combatants in the informal sector, using skills they had acquired while in exile.

The maintenance of national security hinges around democratic governance of the military. Governance has to do with service to the people. The civil authority to effectively control the military should govern in a way that optimises the security and welfare of all the citizens. Consequently, land distribution is one of the key mechanisms that may determine the success of the reintegration of ex-combatants in Namibia. In view of this, government has taken initiatives in this direction. According to Preston (1997) former combatants became one of the foremost groups catered for through Namibia's Resettlement Programme. The National Resettlement Policy states that the aim of the resettlement programme is to improve the economic and social status of the previously disadvantaged communities (Ministry of Lands, Resettlement and Rehabilitation, 1997). Since independence the government has pursued a 'willing buyer, willing seller' land reform program. According to the Freedom House Report (2006) government has purchased between 118 and 135 farms, on which it has resettled about 37,100 people. Nevertheless, land reform remains a potentially explosive issue in Namibia. The programme has been criticised for not being viable in the long run as well as for inappropriate targeting. Moreover, the very slow and cumbersome land resettlement process has resulted in persistence of skewed land ownership patterns. It is estimated that about 3,800 white farmers own 44 per cent of arable land in Namibia, an imbalance which the

second President, Hifikepunye Pohamba, formerly the Minister of Lands and Resettlement, and currently the President of the ruling SWAPO Party, is determined to deal with by buying land from white commercial farmers (BBC News Africa, 2005: 1).

To this end, since 2003, the Ministry of Lands, Resettlement, and Rehabilitation (MLRR) assessed the value of more than 12,000 commercial farms. In addition, 6 250 farm owners were identified for tax purposes. As has been documented by the MLRR, land tax has since been levied upon these farms and has generated an average gross revenue of N$ 30 million per annum. Revenue from land tax benefits the Land Acquisition and Development Fund which is used to acquire land for the resettlement of the previously disadvantaged Namibians, who, due to past discriminatory laws, did not have access to agricultural land. The Land Reform Programme also aims to reduce rural poverty among Namibians as well as to encourage participation in commercial agriculture by the previously disadvantaged black people. Funds generated are used for land acquisition and to support the development of farm related infrastructure on the farms once they are allocated to beneficiaries of the programme. Notwithstanding this, typical inadequacies have been lack of human capacity to implement land tax, uncertain funding for the development of components of the land tax process, inadequate legislation to cover all aspects of the process and lack of a consolidated land information system (MLRR). It should, however, be noted that farm owners who challenge the valuations may appeal in a court of law.

Correspondingly, in 2004, according to the Freedom House Report (2006:3), the government for the first time declared that all Namibian landholders, foreign, absentee or unproductive landlords, were subject to expropriation under the hastened Land Reform Programme. As a result some 846,583 hectares of land has been acquired, on which 6,256 families have been settled (SWAPO Party Election Manifesto, 2004:15). In addition, in September 2005, the government served expropriation orders on 18 white-owned commercial farms; however, only one of these farm owners accepted the government's proposed price, while the rest were expected to contest the orders at the Land Tribunal (Freedom House, 2006). Although Government was successful in resettling a significant number of people, as illustrated above, on purchased farms, much still needs to be done. There is a need for Government to give adequate land management training

and support services to resettled farmers, so that they become productive and efficient farmers. Only then will the programme be sustainable.

Nevertheless, the MLRR Resettlement Programme was too broad as it did not give preference to ex-combatants as a target group to meet their long term needs, but gave preference to internally displaced people as well. This was best summed up by MLRR Permanent Secretary, Frans Tsheehama, cited by Dzinesa (2006) in his article, "DDRRR in Zimbabwe, Namibia and South Africa", when he noted that:

> Land resettlement was designed to benefit every Namibian and ex-combatants were not treated as a special category…. The ex-combatants are part of the categories that we target. However, in terms of number(s) that will not be easy because when we resettle, we resettle on the basis of applications that are coming in. We do not ask whether you were an ex-combatant. So all of us I think in this country are sort of ex-combatants. All formerly disadvantaged Namibians because we all have been at the periphery of the societal development (2006:248).

In the face of this, one researcher, Head of Public Management Department at the Polytechnic of Namibia and an ex-PLAN combatant, Dr. Andrew Niikondo noted, "Many unemployed ex-combatants were left eking out an existence on small plots" (Interview, April 6, 2006). This had an impact on sustainable ex-combatants' reintegration in society.

The other key initiative was a state-centred intervention which focused on the public sector that remained the major employment destination for ex-combatants. The majority of the skilled returnees and ex-fighters were employed in the public sector. However, the size of the expanding public sector was restrained by budgetary considerations. Additionally, most PLAN fighters had been engaged in military activities and found it hard to compete on the job market. Consequently, Government took an initiative requiring companies applying for government tenders to employ a certain number of ex-combatants. This initiative has not been largely successful, because most ex-combatants are restricted by their lack of formal qualifications and job experience.

There was a special effort made to facilitate the reintegration of spouses and female ex-combatants (Coletta, 1996:54). In the absence of an inclusive and gendered programme, and an

immediate post-conflict reintegration plan, vulnerable groups faced alarming hardships. The physically challenged and psychologically affected received little or no rehabilitation help. Targeted help in the form of minimal monthly allowances was only given in 1998 after ex-combatants demonstrated. As a result of lack of explicit gender-specific reintegration support, women ex-combatants, including single mothers, were confronted with momentous problems leading to disenchantment and general disillusionment.

The short term financial assistance that was given to the ex-combatants also failed to guarantee their long term sustainability, thus threatening national stability. This was evidenced by protests of ex-combatants who were not effectively reintegrated into society fifteen years after the country's independence (Gaomas, 2007:7). There are a significant number of unemployed ex-combatants who are still threatening to demonstrate and camp on the premises of State House if Government does not respond positively to their cash and housing demands. Hundreds of ex-combatants from all over the country are still threatening to hold peaceful demonstrations to petition Government for their compensation money (Gaomas, 2007:7). In late 2005 the ex-freedom fighters gave Government two options. Firstly, they argued that according to National Defence Force salary structures, they should receive N$32 000 times the number of years spent in exile by each and every ex-freedom fighter. Secondly, they requested payment of N$500 000 to each ex-combatant as a lump sum (Gaomas, 2007:7).

Government has taken up the plight of ex-combatants. For instance, there is now a Ministry of Veteran Affairs mainly established to cater for the development needs of the ex-freedom fighters. In addition, Government has embarked on constructing low cost houses for the veterans of the liberation struggle and a few of them have already benefited. However, most ex-combatants are not happy with the criteria used for one to qualify as a war veteran, especially the age limit that is set for 60 years and the established period one left the country to join the armed liberation struggle (NDF Informant, 2006: Interview). Almost certainly, the reintegration of ex-combatants needs to be revisited to avoid unnecessary misunderstandings that might cause instability in the country.

We argue that there is still a general disillusionment among ex-combatants who have suffered because of fifteen years of government's unsuccessful reintegration efforts. Unemployed ex-

combatants are still pleading for recognition from fellow Namibian citizens and government for sacrifices made during the liberation struggle. This was confirmed by a report cited in the New Era newspaper, titled "An investigation Into Lives of Namibia Ex-fighters – 15 Years After Independence" carried out by the People's Education, Assistance and Counselling for Empowerment. The report showed that of the 296 SWAPO ex-combatants interviewed, the majority did not receive assistance in any form from any individual or organisation (Sibeene, 2005:6). Only 14% of them received pension payments from government. Apart from ex-PLAN combatants who were targeted, it was reported that another 294 ex-SWATF and Koevoet fighters, who were also interviewed, were even less likely to have received any benefit of employment, pension and training (Sibeene, 2005:6). PLAN ex-combatants, protesting for recognition for their contribution to independence, felt they should be given monetary and material rewards in the form of housing, land, farms, income-generating projects, or pension that would improve their living standards. In addition, the report stated that even though slightly more than 31% ex-combatants had been provided with employment, this was a very small proportion, and it came mainly from the Namibia government, NGOs or CBOs and other sources (Sibeene, 2005:6). This was a warning sign that the Namibian government could not ignore. The Government embarked on new initiatives to avert the security threat posed by unemployed ex-combatants. The Peace Project, as discussed already, which was a coordinated and sustainable reintegration plan, was developed by Government as a reaction to demonstrations by former fighters dissatisfied with their poor socio-economic status many years after the independence of the country. The Project, aimed at giving employment to ex-combatants in the public service, demonstrated one moderately sustainable approach to long term integration. It guaranteed that ex-combatants were not confined to dependence on state-funded, monthly, humane handouts. While granting ex-combatants employment in the public service probably removed the current and immediate threat to the peace and legitimacy of the Government, it lessened the poverty of the ex-combatants in the long term.

The DDR of ex-combatants in Namibia was facilitated by international assistance and local political will. However, the DDR's potential for contributing to peace was not fully realised. As had been illustrated in the research findings of this study, the haphazard measures that were put in place to implement DDR programmes were inadequate, and as a result, the long-term reintegration plans were clearly deficient. The deficiencies were mirrored by general and various human security

indicators such as unemployment, and poverty among ex-combatants. The deficiency was also reflected in the post-1995 public protests, where ex-combatants who found themselves almost useless and marginalised in the new society marched and demanded cash payments, employment and appreciation from Government. Although Government was able to respond to the demands of the disenchanted ex-combatants, thus preventing a potential crisis, the problem is far from over. Dzinesa (2006) clarifies that demobilisation exercises unravel within ten years for a number of reasons. Partly, this is because of limited focus on the initial plans in terms of time and lack of civil re-employment of the thousands of ex-fighters who then become social and economic outsiders. Nevertheless, it is true that the prevailing internal stability in Namibia is a result of the deliberate use of military integration as a tool to unite society and create stability. This fact of the policy has to some extent been successful.

Financial packages were also given to ex-combatants as part of the reintegration assistance. PLAN combatants were paid an unvarying one-off gratuity of R 1 400. The funds were given by the South African government to balance earlier monetary compensation that they provided to former SWATF and Koevoet fighters who were their surrogate forces during the liberation war.

The Government also developed a skills training programme for the unemployed ex-combatants, the Development Brigade, that was later renamed Development Brigade Corporation (DBC), with the view to impart practical agricultural and construction skills sufficient for sustainable future self-employment. The DBC operated between 1991 and 2001. Its principal aim was to train ex-combatants as electricians, carpenters, plumbers, bricklayers, plasterers and skilled agricultural workers in several centres around the country. It was planned to incorporate all of the 18, 000 ex-fighters registered in 1990. However, Preston (1997:460) specified that “Only 4, 000 were brought in, and most of them were retrenched during the last years of the operation of the DBC”. Alongside its skills development initiatives, the DBC established income-generating projects including crop production, poultry farming, brick-making, and the drilling of boreholes. In 1996, the DBC launched four subsidiary companies (Preston, 1997: 464-5). Additionally, a pension fund for old and physically impaired PLAN and SWATF fighters, as well as a Social Integration Fund (SIF), was set up by government to help former fighters who had concrete plans to start their own businesses.

Government initially transferred from the Treasury N$1.5 million to start off the fund (Namibia Review, 1996:28).

In 1996 the government transferred the responsibility of addressing the question of ex-combatants from the Committee of Deputy Ministers to the country's National Planning Commission (NPC). This phase represents a shift from the patchwork of various non-coordinated schemes, such as PLAN Veteran Trust, SWAPO Veteran Trust, the DBC and the Government Resettlement Programme to a centrally coordinated effort at reintegrating ex-combatants through direct employment creation. This move followed the suggestion of the Technical Committee, and it is also in agreement with World Bank recommendations (Colletta *et al.* 1996). Most government policy makers agree that this came about as a result of the failure of previous attempts, notably the DBC, to provide a complete and permanent solution to the ex-combatant problem. In addition, a company called the Socio-economic Integration Programme for Ex-Combatants (SIPE) was established through NPC. The main responsibilities of this company were to seek out and create jobs, provide training opportunities for ex-combatants and assist children whose parents had died during the liberation struggle for independence. Nevertheless, SIPE was constrained at first by insufficiencies in ex-combatants' registration as well as lack of manpower.

Although there is peace and stability in Namibia, during 1998 ex-combatants demonstrated throughout the country. Large numbers of ex-combatants assembled at the Windhoek Showground and Ondangwa Airport in the north of the country, demanding to be employed by the government. The Cabinet Committee on Defence and Security then set up a Technical Committee to address the problem. It consisted of Permanent Secretaries and other high-ranking government officials from different ministries, government institutions and agencies, and the ruling SWAPO Party. In cooperation with SIPE, the Committee carried out a country-wide registration of ex-combatants (also done in connection with the payout in 1991) and classified them into two main categories. According to the Technical Committee Report on Ex-Combatants (1998), anyone who was trained and deployed in a combat formation, or was incapacitated after training and deployment, was classified as belonging to Category A. Category B included "anyone, who while in exile was given assignment in any capacity by SWAPO, or anyone who was born in exile by parents who were both or one of them Namibian citizens participating in the liberation struggle under the leadership of

SWAPO, and anyone who was assigned to school or training by SWAPO during the liberation struggle" (Technical Committee Report on Ex-Combatants, 1998: 6). The Technical Committee made proposals regarding the Government's policies on ex-combatants. These proposals included direct government employment for most of those registered, and the discontinuation of the DBC (Technical Committee Report on Ex-Combatants, 1998: 3-5). The proposals of the Technical Committee were endorsed and implemented by Cabinet in 1998.

It is significant that the work of the Technical Committee was not easy at all. To facilitate registration of ex-combatants, members of the Committee were people with extensive knowledge of PLAN and those who were in exile. Consequently, during registration of ex-combatants the background of everyone who presented themselves for registration at designated registration points was carefully scrutinised first by registration officers and then by verification officers using a standard questionnaire. Committee members or other trusted persons identified those who did not have any documents (Technical Committee Report on Ex-Combatants, 1998: 7). Despite all this close scrutiny, the Committee reported that non-ex-combatants may have been classified as ex-combatants (Technical Committee Report on Ex-Combatants, 1998: 8).

The registration of ex-combatants was very important. The Technical Committee Report on Ex-Combatants affirms that "The absence of a reliable database has created many problems because the target population is not known. The database created by the Committee should be properly protected and developed further" (Technical Committee Report on Ex-Combatants, 1998: 14). This is significant as there may be many ex-combatants who may not know about the registration exercise because of the remoteness of the areas where they live and therefore may be left out of the process. On the other hand, others may be aware of the registration exercise, but may lack transport to go to designated registration points or may fail to register for different reasons.

There were also counselling services that were offered during the registration exercise. According to the Technical Committee Report on Ex-Combatants (1998) verifying officers conducted counselling services such as family planning and child spacing as well as formalisation of matrimonial unions. In addition, the purpose of the exercise and possible courses of action were explained, and care was taken not to raise unrealistic expectations. It is reported that as a result of

counselling, the majority of ex-combatants who were demonstrating and camping in Windhoek Showground and other places in the northern parts of the country left and went back to their respective homes to wait for the outcome of the work of the Committee (Technical Committee Report on Ex-Combatants, 1998: 7).

The registration exercise was a practical action in the sense of being a prerequisite for effectively and methodically targeting ex-combatants with employment or other benefits. Nevertheless, as a significant side effect, it formalised ex-combatants' identity according to the criteria established by the Technical Committee. Those who were accepted as being ex-combatants or former freedom fighters were given "ex-PLAN combatant identification cards" (Technical Committee Report on Ex-Combatants, 1998: 6). In this way, the registration exercises acknowledge a particular category for ex-combatants and in that manner depart from the politically correct line that says, "The ex-combatants are just like others" and "We are all Namibians", therefore "we should be treated the same" (Technical Committee Report on Ex-Combatants, 1998: 7-13). The registrations also brought about a change in the appraisal of ex-combatant character. In the past, the ex-combatants were broadly seen as heroes who brought about the independence of the country. They were also seen as an economic burden to their families as well as irresponsible and disruptive. When the registration started and people realised that being registered would most possibly lead to employment or other forms of benefit, being an ex-combatant rapidly became desirable. There were extensive efforts at cheating during registration process. Those who became eligible for the ex-combatant category were obviously pleased, while those who did not were profoundly disappointed (Technical Committee Report on Ex-Combatants, 1998: 7-13).

Likewise, the registration depended a great deal on individual recollection. In the lack of extensive information, identification papers and other documents, the registration relied on interviews in which the details of the interviewee's background and life history were cautiously chronicled. This process was helpful for combining personal identity with an official, technical one, with the tag of and related talk of ex-combatants.

The Technical Committee Report on Ex-Combatants (1998) emphasises that its "proposals if considered and worked out could go a long way in finding a lasting solution to the plight of the

former freedom fighters and if possible they should be considered within the short period of time. It should, however, be emphasized that the current exercise has invoked new hope and expectations and might be the last opportunity to retain confidence in the government" (Technical Committee Report on Ex-Combatants, 1998: 16). Therefore, whether perceived or real, the government and SWAPO would certainly not want to estrange the ex-combatants.

There are conflicting reports on the exact number of ex-combatants who were demobilised and registered. Colletta (1995) in her research recorded that there were a total of 57, 000 ex-PLAN and SWATF fighters who were demobilised. According to Preston (1997) the registration for demobilisation gratuities and training that took place from August to October, 1990, produced a list of about 18, 000 ex-Plan fighters. On the other hand, other researchers such as Preston (1997) have estimated that only about 8, 000 to 10, 000 ex-fighters from both sides of the conflict were absorbed into the army and police. This means that a large number of ex-fighters remained unemployed. According to the Technical Committee Report on Ex-Combatants (1998) a total of 9, 577 ex-combatants were registered, 6, 472 in Category A and 3, 039 in Category B. It is estimated that about 6, 443 were registered in the four northern regions of the former Owamboland, and 1, 874 in the Khomas Region, about 4, 540 and 4, 673 women respectively. However, those in Category A were predominantly men (3, 860 men, 2, 610 women), whereas those in Category B were predominantly women (680 men, 2, 610 women). Most of the registered ex-combatants belonged to the age groups 31 to 40 and 41 to 50. In later registrations, the number has continued to grow considerably although at a slower speed. Ex-SWATF and Koevoet members were also included after they had demonstrated for being excluded from registration process. On the other hand, the government reported that in 1997 and 2002 a total of 17, 362 ex-combatants were registered by the Technical Committee on Ex-combatants (TCEC) for possible employment (Final Report of TCEC to Cabinet Committee on Defence and Security: 9). It is estimated that by 2002 about 14, 875 ex-fighters were employed in various government ministries and agencies. Of those employed, 9, 188 falls under the Ministry of Home Affairs, mostly in the Namibian Police (NAMPOL) including the Special Field Force, and the Ministry of Defence, mainly the NDF. Seven other ministries have taken 5, 504 ex-combatants and the rest others. Other than that, by and large, the government of Namibia had some successes in achieving its objective of maintaining peace in the country (Final Report of TCEC to Cabinet Committee on Defence and Security: 10).

The other measure taken was the establishment in 1989 of the SWAPO Veterans Trust which among other things, was aimed at providing loans and grants to SWAPO veterans, organising workshops and training courses, coordinating complaints and requests from the veterans, acting as an ombudsman with the government, and assisting veterans to overcome psychological problems through the provision of a forum for sharing experiences (Colletta, 1995:63). However, the Trust had various problems such as its dependence on SWAPO for funding, and as such it was not sustainable. In addition, the Trust was weakened by the fact that it essentially served only PLAN veterans, thus exposing itself to criticism of political bias.

Namibia encountered some institutional and operational problems such as lack of funds, lack of technical expertise and qualified personnel in running these projects and programmes. Additionally, the country's slow and cumbersome Land Resettlement Programme weakened the process. Access to land was problematic for ex-combatants who were not treated as a preferential target group under the Land Reform Programme. This situation presented a potential threat to national security and stability, as was confirmed in the mid-1990s when dissatisfied, unemployed ex-combatants took to the streets. The ex-combatants felt they were unwanted and marginalised in the new society. Therefore they demonstrated and demanded cash payments, employment and recognition from Government. This was a red flag that political leaders could hardly ignore. In response, the Government implemented a 'Peace Project' aimed at affirmative job placement of ex-combatants mainly in the public service. The project was adopted amidst calls for cutting the size of the public sector. However, this project enhanced the prospect of long term reintegration of ex-combatants into the society as well as prevented them from causing insecurity in the country. As the former Prime Minister Hage Geingob affirmed:

> If you take the Peace Plan, 9, 000 people added to our already bloated civil service, that is a disaster! But what was a better option? To have them demonstrate every day and eventually occupy the farms? They are not happy yet, but we took concrete action and that stemmed those demonstrations (Parliament of Namibia, 2000: 339).

Similar sentiments of preserving peace and stability in the country as a reason for Government's ex-combatant policies were also shared by the then Minister of Home Affairs, Jerry Ekandjo, who

contended that the Namibian Police Special Field Force (SFF) is "the price we have to pay for peace" (The Namibian, 2000). The SFF is a paramilitary unit of the Namibian Police comprised mainly of ex-PLAN combatants who could not be absorbed into the NDF.

Most government reports, as well as interviews conducted by this researcher with both SWAPO leaders and civil society actors; seem to support the policy of integrating ex-combatants to maintain peace and stability in the country. First, some observers refer to ex-combatant demonstrations as an embarrassment to government, making it appear they are not doing anything for the people who brought about the independence of Namibia. Secondly, most people feel the nation and the ruling SWAPO Party in particular have a moral obligation to those who sacrificed for the liberation of Namibia. Thirdly, other people are of the view that the SWAPO government had to take care of the ex-combatants in order to nurture its main support base among the Oshiwambo-speaking Namibians. The SWAPO Party and ex-PLAN have their core foundations among the majority of Oshiwambo-speaking people. Therefore, because of the sacrifices made for the liberation war, which was mainly fought in the northern parts of the country inhabited by the Owambo people, the majority are largely sympathetic to the plight of ex-combatants.

There is an ongoing debate on the significance of the contribution to the liberation struggle made by the internal wing of the SWAPO Party as opposed to the external component of the Party. This has somehow created a division between internal and external components of the liberation struggle. However, the independence of Namibia was made possible by the able leadership of SWAPO and the dedication offered by revolutionary and peace-loving people around the world. Similarly, the people inside the country participated in the liberation struggle in many ways. For instance, PLAN cadres had overwhelming support from the local population. The internal wing of SWAPO mobilised the local population. As such they gave information to PLAN fighters about the activities of the SADF, supplied food and material and provided necessary aid including transport, shelter, accommodation and medical treatment (Namakalu, 2004:186). There could have been no victory without the support of the local population. Fourthly, both SWAPO leaders and activists hold the view that the opposition parties and other undisclosed hostile 'elements' in society have seized the opportunity to capitalise on the plight of ex-combatants for their own selfish political needs.

They are accusing the ruling SWAPO Government of neglecting unemployed ex-combatants, hoping to gain political support from them.

It could be argued that demobilisation and reintegration not only impact a nation's security, but also affect the way in which a nation's pool of workers can be reintegrated into civilian society after years of fighting. Additionally, demobilisation and reintegration do not only support short-term post-conflict security needs, but also help to refocus public sector expenditures on crucial areas like health, housing, education, and other areas of developmental needs (Forman and Welch, 1998:27).

Democratic civil-military relations featured strongly in Namibia's transition to democracy and independence following the negotiated settlement to the lengthy, armed liberation struggle. The armed, anti-colonial struggle was supported by the former Soviet Union and Eastern European countries as well as communist China and North Korea. The Organisation of African Unity (OAU), through its Liberation Committee, assisted with logistical and training support for PLAN's liberation war effort. Many PLAN combatants were also trained in Angola by Cuban military units. Angola and Zambia provided rearguard support to PLAN combatants. These countries have a strong tradition of subordination of the military to party political control. Therefore the training PLAN combatants received while in exile reinforced this tradition. Correspondingly, it was easy for the new defence force, which is mainly comprised of ex-PLAN fighters, to accept being subordinated to civil control in an independent Namibia.

Namibia's transition to independence was managed by a United Nations that was ready to assert itself at the end of the Cold War, in spite of the near derailment of the UN assignment as a result of the tragedy of 1 April, 1989, which saw hostile forces clashing, and which "almost ended the UN mission before it had begun" (Thornberry, 2004: 87). Nonetheless, the UN went ahead with its mission and oversaw Namibia's transition to independence. The UN's determination for UNTAG to succeed is reflected in the vigorous, complex institutional structure of UNTAG. This made the UN assignment both trustworthy and effective and significantly contributed to its success. As Thornberry further notes, UNTAG's novel features of success were the funding and promptness. In

addition there was a distinctive sense of worldwide responsibility and support when the assignment was called to action.

Conclusion

Namibia's civil-military relations in transition were influenced by the colonial, liberation struggle and independence periods discussed in this chapter, although we cannot characterise them as democratic. These periods were characterised by praetorian types of rule. Democratic civil control of the military in modern Namibia was primarily influenced by international actors that negotiated for the independence of the country. Although the country's Constitution, which provides for effective subordination of the military to civilian political authorities, is based on the principles of Western countries, it laid a firm foundation for Namibia's success story.

The UN described UNTAG as a demonstration of "how much the United Nations can achieve by making full use of all its resources, including the diverse skills, and the commitment, of its staff" (UNTAG, http:www.un.org/Deps/dpko/co_mission/untagFT.htm#Functions>). UNTAG and the UNHCR implemented their military and repatriation responsibilities as part of Namibia's successful transition to independence.

However, the reintegration of ex-combatants and returnees was not fully realised, as within a decade after independence, disenchanted, unemployed ex-fighters engaged in demonstrations threatening peace and stability in the country. The Government's Peace Project, aimed at affirmative job placement for ex-combatants mainly in the public service, and was a short-term relief measure as pockets of disgruntled and riotous unemployed ex-combatants continue to pose a security threat. We could argue that Government failed to put in place comprehensive reintegration mechanisms that would make those who could not be absorbed in the NDF productive members of the society. The failure by Government to provide support to facilitate the long-term reintegration of ex-fighters and returnees, besides the UNHCR's immediate post-relocation assistance, caused serious hardships on segments of ex-combatants.

This researcher argues, however, that SWAPO's liberation struggle experience, where its armed wing was subordinated to the party, helped to sustain civil control of the military in Namibia. The next chapter will look at democratic institutions and mechanisms that have ensured civil control of the military.

CHAPTER 5
THE CONTEXT OF CIVIL-MILITARY RELATIONS

This chapter focuses on democratic institutions necessary for civil control of the military. The chapter looks at conventional requirements necessary for democratic oversight of the armed forces such as judicial arrangements, an effective constitution, and the rule of law, legislative oversight, consolidated democracy, accountability and transparency. These oversight mechanisms provide a solid manifestation of the dominance of the rule of law in a democracy. Therefore these mechanisms are necessary for effective democratic control of the armed forces. Civil-military relations and democratic control of the military evolve only in constitutional and legal framework (Pantev, 2005:127). The main emphasis of the chapter is on how Namibia's civil-military relations evolved after independence.

BMATT driven civil-military relations

This section explores how the British civil-military relations influenced the nature of civil-military relations in Namibia. Armed forces of most independent Africa countries have adopted their former colonial masters' security institutions. Namibia's civil-military relations have been tailored along the lines of those of Britain. At independence the Namibian government was modelled on the democratic principles of the Western world. Among the first countries that came to assist Namibia put state institutions in place was Britain. Since Namibia was coming from a background of war into peace, the situation at independence was very fragile. The new government was faced with the daunting task of pacifying the former adversaries of PLAN and SWATF for state and nation-building. The British and Namibian governments entered into an agreement that brought in the British Military Assistance Team (BMATT) that provided training to the new united defence force. BMATT was accepted as a professional and competent institution. This fact was confirmed by Permanent Secretary of the Ministry of Defence Peter Shivute who claimed that:

> …it was able to provide training, professionalisation and unification of former adversaries. The primary objective of the reintegration of ex-fighters was to establish a united Defence Force that would protect the integrity of the state from external threats, minimise the threat of unrest which

could have occurred as a result of ex-fighters losing their jobs, and to provide assistance in case of unforeseen disasters (Interview, March 19, 2006).

British civil-military relations were adopted in Namibia. According to the British model, in a democracy the military, as the custodians of the defence of the country, should fall under control of the civil authorities. According to the Deputy Minister of Defence Victor Simunja the British model has "Indeed contributed to confidence and trust in the military as well as changed the norms and values of individual members of the defence force with regard to attitudes towards each other, levels of respect and tolerance of each other's views and concerns" (Interview, January 16, 2006).

The Permanent Secretary of the Ministry of Defence, Peter Shivute, argues it was the Namibian Government's decision and desire for the NDF to be established in line with other defence forces in Commonwealth states. It was further argued by Shivute that, since Namibia's independence was achieved at the end of the Cold War, Britain was seen as a neutral party, and it was also acceptable to all parties involved in the settlement of the Namibia dispute. "The Namibian Government approached the British Government for assistance in establishing the new defence force based on the Commonwealth doctrine and training" (Interview, March 19, 2006). Eventually, the British Government offered to assist the new Namibian government to establish the NDF and design the Ministry of Defence structure. A 57-strong BMATT contingent, headed by Brigadier Tony Ling, assisted in the selection and training of members of the unitary NDF.

BMATT assisted Government in formulating an integration plan that would bring together equal volunteers from SWATF and PLAN to constitute a strong National Defence Force. The newly created defence force had a small headquarters and five infantry battalions with a number of supporting units. Dzinesa (2005) is of the view that command-and-control of the new armed force was to be shared, "but due to the overwhelming win by SWAPO during elections, almost all key posts in the NDF went to former PLAN cadres while SWATF dominated the police force". However, SWATF was comprised of white officers, mostly South African, who left Namibia soon after independence in 1990.

The integration process required military re-orientation but not basic military training as fighters from both sides had been fighting the war, albeit under different political leadership and orientation. In this regard, the BMATT assisted in providing standardisation training, an 8-week Leadership Cadre course, tactics, conventional army administration and weapons training or conversion. This prepared graduates for command and instruction positions in the new Defence Force. Training was modelled around British military doctrine.

BMATT also assisted in setting up the structure of the military as well as the Ministry of Defence. The NDF consisted of:

- Five motorised infantry battalions
- A Presidential Guard battalion
- A combat support battalion
- A reconnaissance company
- An engineering company
- An artillery group
- A logistics support brigade
- Air force and
- Navy (Dzinesa, 2005:210).

Senior Staff Officer Training in the Ministry of Defence, Colonel Karel C. Ndjoba, argued that the decision taken by the new Namibian government to introduce the British model of civil-military relations in the country immediately after independence immensely contributed to peace and stability (Interview, June 28, 2006).

Following the reintegration of the former adversaries from PLAN and SWATF, Government created an oversight and command-and-control structure of the NDF based on the British civil-military relations model. At the top of the civil control structure of the NDF is the Council of Defence which is chaired by the President as Commander-in-Chief of the Armed Forces. Members of the Council of Defence include the Ministers of Defence, Foreign Affairs, Finance and Home Affairs as well as the Chief of the Defence Force and the Permanent Secretary of the MoD.

In an attempt to prevent military involvement in politics, the NDF is expected to be politically neutral and serving members are prohibited from holding political office or being engaged in political activities. NDF members are encouraged not to be influenced by political party affiliations when performing their duties. For example, Section 14 of the Defence Amendment Act (Act 20 of 1990) prohibits members of the Defence Force from nomination, election or appointment as Members of Parliament or any prescribed public body. This provision is significant in preventing the type of military involvement in partisan politics that has often characterised non-democratic governments. Furthermore, it is equally important to note that political parties are not allowed to carry out political activities on military bases. However, soldiers are allowed as individual private citizens to belong to political parties of their choice as well as to vote since this has been recognised as a fundamental political right. This therefore does not imply that the military is entirely excluded from politics.

Namibia has a hybrid civil-military relations model reflecting both PLAN and British civil-military relations. For example the MoD is comprised of civilian and military employees who work together. As Colonel Frederick Siluzungila explained:

> The British model of civil-military relations that subordinates the military to civil control is being practiced in Namibia. For example, we have the military staff that fall under the office of the Chief of Defence Force and civilian staff under the office of the Permanent Secretary of the MoD. The Permanent Secretary, who is a civilian, is the Executive Officer of the MoD and the NDF. Both military and civilian employees complement each other in performing their duties to achieve one goal. Likewise, PLAN was under civil control where the political leadership of SWAPO provided guidance to the military and this pattern continued after independence (Interview, November 19, 2007).

PLAN was subordinated to civil control. The Commander-in-Chief of PLAN, who was a civilian, is now the Commander-in-Chief of the NDF. Minister of Defence and former PLAN Chief of Staff, Major General (Retired) suggested that:

> PLAN was under the control of the party. During the liberation period the Secretary of Defence, PLAN commanders and Political Commissars were all subordinated to the party thus ensuring civil control of the military. All PLAN members took an oath of allegiance to respect the hierarchy of

> SWAPO. The supremacy of SWAPO over PLAN was emphasised at all times. In an independent Namibia, the military accepts its constitutional mandate and is regulated by the Constitution which is the supreme law of the country (Interview, March 15, 2006).

This study notes that a hybrid of the British civil-military relations that emphasises subordination of the military to civil authority, and the liberation struggle tradition where PLAN was subordinated to the party is being practiced in Namibia. This is evident in the appointment of senior military officers such as the Chief of Defence Force, NDF Chief of Staff etc., who are all former PLAN soldiers to ensure loyalty to the Government.

Governance context

Scholars such as Pantev have summarised some useful requirements necessary for effective democratic control of the military activities. These include the following: a clear judicial separation of authority between the constitutionally prescribed political authorities – to guarantee checks and balances as prescribed by the Constitution, especially in relation to emergency powers in crisis and the authority to introduce emergency law as was in the case of the Caprivi armed uprising; separation of the military from areas such as internal security and the fight against organised crime – this is to be done so that the military concentrates in the area of its specialisation; and appropriate judicial oversight over the activities of the military to ensure that security forces act only within the framework of the law and international humanitarian norms (2005:8).

Institutionalised checks and balances as per the Constitution have enabled Namibia to preserve stable civil-military relations since independence. Democratic values and respect for civil institutions by the Defence Force are evident. Prime Minister of Namibia, Nahas Angula, noted that:

> Namibia has democratic institutions in place such as the Constitution that specifies the President as Commander-in-Chief of the armed forces. The Constitution also established the NDF as an institution. The military respects the Constitution as the supreme law of the country and have accepted the supremacy of civil authority over their activities. That is the reason Namibian has not experienced military interference in the governing of the country (Interview, October 4, 2007).

The Constitution of Namibia, Chapter 15, Articles 118 (2), Chapter 6, Article 40 (e, j), Chapter 7, and Article 44 outlines the following principles, structures, responsibilities and relationships necessary for civil-military relations:

- The President shall be the Commander-in-Chief of the Defence Force;
- The President may, with the approval of Parliament, declare a state of national defence;
- The Minister of Defence shall be accountable to Parliament for the activities of the Defence Force;
- Parliament shall approve the defence budget annually; a joint standing committee on defence and security shall be established in Parliament to investigate and make recommendations on matters affecting defence and security.

The Constitution establishes Namibia as a sovereign, secular, democratic and unitary state founded on the principles of democracy, the rule of law and justice for all. Additionally, the Constitution outlines the principle of separation of powers and recognises the dignity, equal and inalienable human rights of all members of Namibian society. The Constitution that has been mainly respected since independence is looked upon as one of the most liberal and progressive constitutions in the world.

Immediately after independence the government prioritised its focus. It committed itself to consolidating peace and democracy, establishing and consolidating institutions for promoting the welfare of the citizens and strengthening the economy of the country. Researchers such as Pantev are of the view that the establishment of the rule of law is at the heart of a successful transition to and consolidation of democracy. He further argues that the adoption and enforcement of essential legal acts, such as the constitution, are crucial to the rule of law (2005:29). In addition, he suggests that the change of the entire cycle of state establishments to serve the rule of law, rather than the agencies of repression, is one of the vital requirements for both successful transition and progressive consolidation of democracy. This view is shared by Tjitendero, the first Speaker of the National Assembly, who asserted that before independence, Namibia did not have any parliamentary system, and therefore after independence the Parliament of Namibia was the first

institution that was established to serve the interests of citizens (2006:2). The new independent government replaced apartheid structures with those that reflected the new reality of independence. For example legislative instruments for affirmative action, for the advancement of persons within Namibia who had been socially, economically or educationally disadvantaged by past discriminatory laws and practice, were created and strengthened. Also, the government created and consolidated policies and programmes aimed at fostering reconciliation and nation building, boosting socio-economic reconstruction, consolidating the rule of law and security sector reform, as well as supporting development programmes across the political and security sectors. In addition programmes and policies were strengthened to redress social, economic or educational imbalances in Namibian society arising out of past discriminatory laws or practices or for achieving a balanced structuring of the defence force, the police public service and the prison service.

Key posts that play a role in Namibia's Constitutional checks and balances have also been established and consolidated. The Office of the Ombudsman is one such office that plays the role of a watchdog body that guards human rights, promotes fair and effective administration in the public service, combats corruption, and protects the environment. It has powers to investigate complaints, including issues of defence and security, and to refer matters to the courts or other authorities. The other is the Office of the Auditor General that audits government spending and presents an annual report to the National Assembly. The Auditor General is appointed by the President on the recommendation of the Public Service Commission and with the approval of the National Assembly. The other post is the Attorney General who is the main legal advisor to the President and the Government, protects the Constitution, and has the final responsibility over the Prosecutor General. The Attorney General is appointed by the President from the National Assembly, and he/she is invited to attend Cabinet meetings.

Civil control and supervision of the Armed Forces in Namibia is vested in democratic structures such as the Constitution, Parliament and the civilian dominated Ministry of Defence.

Traditional forms of political and parliamentary control over the armed forces that have been successfully applied elsewhere in the world and are being practiced in Namibia include the institution of a strong and legitimate civil-dominated Ministry of Defence that supervises the NDF,

and the Minister who directs the Chief of the Defence Force in executing his peace-time roles. The civil authorities maintain control over the Defence Force through Parliamentary Committees that have total or partial jurisdiction over defence and security matters such as budget, public accounts, foreign affairs and intelligence; the authority of the Ministry of Finance over defence spending, the Ombudsman system to whom aggrieved civilians or military personnel can refer military related complaints, and the provision of legislation allowing the public access to and information on military related developments. Nonetheless, the MoD has been challenged, without success, by individual citizens and civil society organisations to avail information on the casualty figures of NDF soldiers during the DRC conflict where Namibia sent troops. Since there is no law on access to information in Namibia nothing much could be done in this case.

In Namibia, the legislature possesses oversight powers which include the enactment of legislation that seeks to prevent excessive secrecy with respect to the budget. The legislature determines the military's budget allocation and procurement expenditure. The National Assembly has the power to approve budgets. As per the Constitution of the Republic of Namibia, Cabinet Ministers are accountable to both the President and Parliament (Articles 63 sub-Article 2A, 41). Equally, the National Council, which is composed of representatives from the thirteen political regions of the country, has the power to review bills passed by the National Assembly and has certain investigative powers (Article 59 sub-Article 3). These are important mechanisms for ensuring checks and balances. However, their effectiveness is undermined by lack of in-depth debates in Parliament on issues of defence and security. A lecturer in Political Science at the University of Namibia, Phanuel Kaapama, argued that:

> When it comes to debate on defence budgets, Members of Parliament do not interrogate issues sufficiently, probably because of lack of knowledge in finance and budgeting. Politics also plays a major role especially since the ruling SWAPO party has a two-third majority. This has an impact on transparency and the extent of debate in the national parliament (Interview, April 5, 2006).

Moreover, civil supremacy in Namibia was further consolidated by the failure of SWAPO to win a two-thirds majority in the first democratic elections when the opposition parties secured 31 out of 72 seats in the National Assembly. The existence of a reasonably strong opposition meant that the risk of using the military for political reasons by the ruling party was significantly reduced (Lamb,

1999:7). This view appears to be valid because the ruling and dominant SWAPO party is constrained by legal instruments from directly influencing the activities of the Defence Force. Similarly, political activities within the NDF are forbidden by relevant defence regulations. Nevertheless, voting from military bases helps SWAPO to win some constituencies they would not carry otherwise. As the President of the Congress of Democrats (CoD) and Member of Parliament, Ben Ulenga, put it:

> The Defence Force as well as other security agencies is largely comprised of former PLAN fighters as well as SWAPO returnees. Obviously this makes SWAPO easily garner votes from the military sector compared to other parties. This is a reality of the Namibian political landscape (Interview, August 14, 2006).

This researcher argues that the military vote is essential because it is a democratic right of every citizen to exercise his or her vote. The military like any other group of voters in the country is affected by the policies and decisions of elected leaders. Therefore, the military has a stake in the outcome of elections. To disenfranchise the military may cause a military coup d'état. Winning the military vote is crucial for the ruling party as it may be seen as an acceptance of the ruling party's policies and programmes, thus strengthening civil-military relations.

Incidentally, it is felt by other observers that stable civil-military relations have been successful in Namibia because of a wide range of benefits that are given to the Defence Force such as a pay promotion and increasing the number of senior officers with high remuneration, although this is not sustainable in the long term. In addition, senior military officers such as retired NDF Chiefs of Staff have been given generous overseas appointments as ambassadors. An NDF informant claimed that other senior military officers were seconded to the parastatal sectors, such as August 26 Holding Company, as managers, and also serve in various companies on boards of directors with high remuneration (Interview, April 11, 2006). These stabilising strategies that were adopted by the political leadership further cemented the control of civilian authority over the military in Namibia and somewhat militarised the society.

Social context

Although there are democratic institutions that ensure civil control of the NDF, social factors such as poverty and corruption may undermine the effectiveness of these institutions. Poverty in Namibia is one of the factors that may pose a security threat to the country. Poverty in the Namibian context is defined as "income differences among the country's citizens" (Sibeene, 2007: 9). It is argued that when a community spends 98% of its income on food consumption and cannot afford to spend money on other basic needs, and then such a community lives in poverty. According to the Poverty Bulletin (2005:9) about 38 % of the Namibian population lives in poverty. On a positive note there is complete national leadership commitment to improve both the quality and quantity of public service delivery. In 1998 Cabinet approved a Poverty Reduction Strategy which mapped out the central path for poverty reduction in the country including (i) fostering more equitable and efficient delivery of public services through decentralisation; (ii) accelerating equitable agricultural expansion, food security and other crop development; and (iii) exploring options for non-agricultural economic empowerment as well as informal and self-employment (Poverty Bulletin, 2005:9). The government had attempted to address the basic needs of citizens. It is estimated that 87% of the population has access to potable water compared to 46% in the pre-independence period. In addition, more people have access to electricity. Similarly, government has made progress in the education sector, where the historical disparities before independence were evident. It is estimated that 90% of children aged six to 24 are now in school (Sibeene, 2007: 9). However, despite the great strides made by government in addressing poverty, the problem still persists. The Government has performed less well on this policy issue.

In Namibia the economy is performing reasonably well, and therefore there is no general frustration among the civilian population or in the military. This observation was also confirmed by D. Motinga, a Director of the Institute for Public Policy Research, who said, "Where there is rampant corruption, ongoing suffering of civilians, the continued lack of development in a country, and when government's policies are not working it is a serious concern" (Interview, April 24, 2006). The military intervene when civilians fail to manage the country properly and may actually become popular under such circumstances. In Namibia, there are instances of corruption that need urgent attention from all stakeholders. According to the Corruption Perception Index (CPI) of the

Transparency International (TI), an organisation that reports on the state of corruption in the world, from 1998-2004 Namibia was regarded as one of Africa's cleanest countries, second only to Botswana (NID, 1990-2004:18). Namibia's index position was centred in the ten-point scale (NID, 1990-2004:18). The CPI ranks countries from completely clean (10) to completely corrupt (1) (NID, 1990-2004:18). According to the CPI score, from 1998-2002 Namibia moved from 5.3 to 5.7 showing a slight improvement. However, in 2003 Namibia's CPI score was 4.7 and in 2004 it was 4.3 (NID, 1990-2004:18). The CPI score during 2002-2003 dropped, putting Namibia on the negative side of the CPI scale. The drop in the CPI position during 2002-2003, could be attributed to two key corruption cases such, the Social Security Commission case and the Roads Authority case (NID, 1990-2004:19). This researcher argues that although some people may argue that corruption is not widespread, it would be unwise to conclude that all is well and under control. Corruption is a problem in Namibia that cannot be ignored, because it undermines good governance.

It is a contradiction that Namibia is classified as a 'middle income' country. The categorisation is based on a high annual GDP per capita of about US$2,000 per annum (Poverty Bulletin, 2005:8), which translates to more than N$14, 000 per month per individual. However this average does not reflect the realities on the ground. Speaking at the Junior Achievement Namibia Business Hall of Fame function in Windhoek, the country's Prime Minister, Nahas Angula, estimated that "Only 15 per cent of our population consumes over 80 per cent of our wealth, and the rest is shared by the poor majority of our people" (Mukuzunga, F., 2007:4). The country has a dualistic economy where abject poverty exists alongside extremes of wealth. This is partly attributed to the country's colonial past. Namibia inherited widespread poverty at independence because of the discriminatory laws that kept the majority of black people in poverty. According to a research study conducted in 1993/94 --the Namibia Household Income and Expenditure Survey (NHIES) --37% of households were categorised as poor, with food accounting for 98% of their household expenditure. There are also wide income disparities in the population. For instance, studies indicate that the average income of a German speaking Namibian is over 23 times than that of a San speaking Namibian (NHIES, 1993/94). It is estimated that more than one third of Namibians live on less than US$1 per day. At the same time the urban middle classes and landowning farmers enjoy a comfortable lifestyle similar to anywhere in the developed world (OneWorld.net, 2007). It is also reported that

Namibia's Gini Coefficient of 0.6, the figure signifying the level of economic discrepancy, positions the country as one of the world's most unequal societies (OneWorld.net, 2007). This disparity has increased since independence in 1990, challenging the guarantees of freedom from the colonial period and the fruits of independence. In addition, there are large disparities in infrastructure development between the impoverished northern parts of Namibia, where the majority of the population lives, and the central and southern regions. Poverty poses one of the biggest security challenges in Namibia. Among these challenges is that poverty can undermine political institutions in the country; it can also affect the credibility of the state as well as expose people to manipulation. The Office of the Ombudsman asserts that corruption has been the cause of political uprisings, economic decay and even military coup d'état in some nations. "It undermines the quality and quantity of public service, and leads to reduced confidence, trust and respect in the public service; and respect for the Rule of Law is undermined and ultimately lost " (Ombudsman, 2007:2). Overall, poverty does not only affect civil-military relations, but it has wide implications for democratic governance in general.

The other factor that most respondents felt poses a security challenge in Namibia, and therefore needed serious attention, was the widespread corruption in government and parastatals that has contributed to poor public service delivery. Corruption is a world-wide phenomenon and generally refers to the abuse of public office for private gain. Public office is abused when an official accepts, asks for or forces someone to give a bribe, or when a private agent offers a bribe, to avoid public policies and procedures in order to get a workable benefit and profit from that advantage. This understanding is further elaborated by Bottelier (1988) cited by the NID (2007:6) who outlines the following as methods of how public office can also be abused for personal rewards: patronage – the control of appointments to office, privileges, etc; nepotism – favouritism shown to relatives and friends in awarding jobs or privileges; under pricing state assets; collusion – making a secret understanding to divert public resources; or outright theft (Namibia Institute for Democracy, 2007:6). Generally, Namibians have a high level of confidence in their political leadership, and there has been a modest popular outcry in response to the allegations of corruption reported on a regular basis in the media. However, the international perception differs from the local discernment that corruption is not a severe problem in Namibia. A survey in Transparency International's 2005 Corruption Perceptions Index ranks Namibia number 47 out of 159 countries worldwide in terms of

the perception of corruption (Freedom House, 2006:1). This indeed indicates that Namibia has a corruption problem.

The most common forms of corrupt practices elsewhere in the world are also found in Namibia. The following are notable forms of corruption: favouritism shown to friends or relatives, party affiliations, tribe, religion and other preferential groupings in awarding privileges such as jobs or services; fraud – involves some type of deception or counterfeit pretence to achieve a benefit; bribery – promise, offer or giving of any benefit that inappropriately influences the actions or decisions of a public official; theft – of resources by persons assigned with authority and control over anything of value; extortion – forcing a person to pay money or other valuables in exchange for acting or failing to act. This coercion can be under the threat of physical harm, violence or self-control; abuse of power – using one's vested authority to give excessive special treatment to any group or individual or to discriminate against any group or individual; conflict of interest – engaging in transactions or attaining positions or business interests that are irreconcilable with one's official role and duties, for the reason of illicit enhancement; illicit donations – where political parties or government in power receive money in exchange for not interfering with the activities being provided by those making the donation (Namibia Institute for Democracy, A Namibian citizen's guide to Anti-corruption, 2007: 10). If corruption is left unchecked, it may lead to the collapse of certain important areas such law enforcement, the security of the country etc. Corruption undermines the rule of law. The principle of equality before the law will be disregarded, as those who corrupt a law enforcement officer will not be arrested and prosecuted for their crimes. In the long run corruption will lead to a rise in the crime rate. Corrupt offices that deal with the security of the nation such as the Ministry of Home Affairs and Immigration, may issue identity documents or passport, or allow undesirable people to enter the country, thus endangering the security of Namibia.

In terms of the statistics on corruption practices over the last few years, the Namibia Institute for Democracy (NID) has estimated that 467 cases between 1990 and 2004 were reported in the local media (Graham Hopwood, 2007:13). Corruption has serious costs to society such as losses in economic efficiency, distortion of incentives and distribution, loss of political legitimacy by government institutions, dilution of the work ethic and damage to the moral fabric of society

(Accountability and Transparency in Africa, http://www.pdgs.org/Archivo/d0000090.htm). One could also add that corruption promotes ethnic loyalty, ethnicity, nepotism and dishonesty; therefore it must be fought at all costs. To this end, political will is crucial to the effectiveness of any anti-corruption measures. Accordingly, the second President of the Republic of Namibia, Hifikepunye Pohamba, upon taking office declared tackling public corruption to be his top priority. He said, "Government is committed to address corruption with a sledgehammer". According to Hopwood (2007:15) some of the preventive and curative measures to be instituted were the removal of lethargy and inefficiency in the public service and the removal of meritorious recruitment of civil service (which can contribute to the reduction of patronage). There can be no uncertainty regarding the helpful paradigm that is being set by the President in his efforts to encourage a new move toward the elimination of corruption. Accordingly, then Deputy Minister of Works, Transport and Communications, Paulus Kapia, was forced to resign after being caught in a fraud scandal at the Social Security Commission and the Avid Investment Corporation, relating to the misdirection of government monies and illicit payments to certain SWAPO members.

However, there are many other high profile cases that still need to be accounted for, such as the missing N$ 3 million at the MoD, the missing N$ 100 million at the Offshore Development Company, which implements projects on behalf of government, and the missing N$ 30 million investment at the Social Security Commission in 2005. In the case of the latter, the investigation is now in the hands of the Prosecutor General, but it has been there for more than a year without any sign of progress on the case. Other irregularities that involved high ranking government officials and senior politicians in the early years of independence and were widely reported by the media include the irregularity in 1991 in the allocation of fishing rights, where Cabinet Ministers were allegedly involved; the Borehole Scandal in 1992 that implicated some ministers and other senior government officials; the Single Quarters housing scandal where millions of Namibian dollars went missing; corrupt dealings that came to be known as "Merc-Scandal" involving the Permanent Secretary in the Ministry of Foreign Affairs; and corporate donations for the wedding of Minister of Fisheries in 1999. The Minister's wedding was funded by donations from the fishing industry, thus causing accusations of conflict of interest. Although Government, in terms of democratic principles and rule of law, put up commissions of inquiry, such as the Frank Commission of Inquiry in 1990, the Commission of Inquiry into the Activities, Affairs, Management and Operation of the Social

Security Commission in 2002, the Commission of Inquiry into the Activities, Affairs, Management and Operation of the Roads Authority in 2002, and the Commission of Inquiry into the Activities, Affairs, Management and Operation of the former Amalgamated Commercial Holding (Pty) Ltd and the former Development Brigade Corporation in 2004, to investigate a number of irregularities in government and parastatals, the findings of such commissions have not yet been made public nor has any punitive action ever been taken on these reports from 1990 to 2005. The Anti-Corruption Act was introduced to Parliament in 2001, but significantly, the Anti-Corruption Commission only became a reality after President Pohamba was sworn in as President in 2005. According to the Executive Director of the NSHR, Mr. Phil ya Nangolo, the findings of the commissions have been deliberately and systematically hidden from public scrutiny and kept secret for political reasons (Interview, November 01, 2006).

The general view was created that the authorities were either unwilling or unable to tackle graft, especially if it occurred within their own ranks. Therefore, it could be said that the government exercise of setting up commissions of inquiry has served little purpose and has cost the taxpayer a lot of money. Additionally, the secrecy surrounding the findings of these commissions of inquiry was inconsistent with government's policy of transparency and accountability, further casting doubt on its credibility and integrity. These are serious issues that may affect healthy civil-military relations in the country. The Executive should be seen to be clean and not conduct business in a corrupt way. As discussed above, corruption has led to military interference in the political governance of some countries. Therefore Government, in collaboration with other stakeholders, needs to address the issue of corruption, because if left unimpeded, it leads to high levels of wasteful government spending and increases the gap between the rich and poor. Consequently, this may lead people to despair and lack of trust or confidence in the political governance, thus destabilising the country.

Parliament also has a potentially major role to play in the battle against corruption, but unfortunately it seems to play an ineffective role in this regard. For instance, the reports of the Auditor General on the expenditure by line ministries are presented to the Committee on Public Accounts and the Economy on an annual basis for discussion and later presented to Parliament for consideration and approval. Some of these reports contain instances of fraud, unauthorised

expenditure and theft, but hardly any punitive action is taken by parliament. As Mr. Hans-Erik Staby remarked, “As a rule, the reports receive merely superficial attention and are considered primarily from a party political perspective, perhaps because so many of the delegates are acknowledged addicts of patronage and possibly because the accused might be integrated in the aforementioned system” (Hopwood (ed.), 2007:14). This is indeed unfortunate as it undermines the integrity of the political leadership as well as the confidence citizens have in democracy and government.

It is also felt by some observers such as William Lindeke, a Senior Research Associate: Democracy and Governance, Institute for Public Policy Research (IPPR), that there was no transparency with regards to the manner in which Namibia was given a diamond concession in the DRC following Namibia’s military involvement in that country’s civil war (Interview, April 21, 2006). A diamond mine, which was estimated to cover 25 square kilometres of land along the Kasai River 40 kilometres from Tshikapa, was granted to Namibia as a five-year concession. According to Dzinesa and Rupiya (2005) the proceeds from the diamond mine were meant to counterbalance the increasing military operating cost incurred by Namibia’s involvement in the DRC, which was projected by the UN Panel to have depleted Namibia’s treasury of more than N$700 million. The exploration activities of the diamond mine were undertaken by a parastatal company, August 26 Holding Company, a 100 per cent government-owned company. This company is run by the MoD as a shareholding ministry on behalf of the Government of Namibia. William Lindeke noted that the activities of the company are not very transparent, “as its books are audited privately and in secrecy” (Interview, April 21, 2006). This raises some suspicions on the governance of the country as it clearly shows the military-political corruption nexus. Therefore, there is a need for checks and balances, and this is where a robust civil society, strong opposition political parties, parliamentarians, Auditor-General and Ombudsman’s office are needed. The absence of effective institutional control in any country undermines good governance including that of the armed forces. This researcher argues that by employing best governance practices civil authorities may be able to control the military, and military officers can come to understand that, in the long run, such control benefits them and their nation. Therefore, these institutions should be consolidated and entrenched with particular reference to the armed forces. These are valuable commodities for any government to ensure peace and stability in the country. Moreover, institutional consolidation is significant for civil-military relations as it also facilitates effective oversight over the military.

Notwithstanding this, there is a positive relationship between citizens and the state. Keulder and Wiese claimed that most Namibians generally hold the state in high esteem and regard the SWAPO government as legitimate. They regard the state as having sufficient capacity to enforce its laws (2003:35). Citizens also believe the current system is responsive to their needs and they trust government.

To attest to the point above, in 2005 there was an ethnic dispute over grazing land in the Kwangali speaking area in Kavango Region involving the cattle of Oshiwambo speaking Namibians. The cattle owners have been using grazing areas in the Kavango Region dating back to 1991. It is estimated that about 1, 670 head of cattle are grazing in the part of Kavango Region that is the focus of the dispute. It is being argued that the cattle are illegally grazing in the area, because they came from elsewhere without proper authorisation from the local traditional authority. Additionally, it is argued that the presence of the animals exerts an enormous problem of competition for grazing in the area. In an effort to defuse mounting ethnic tension, the Government ordered over 200 farmers from the Oshiwambo tribe off the land owned by the minority Kavango people.

Moreover, the political authorities are handling the ethnic dispute with extreme caution and patience. The case is now in the hands of the High Court. This case was important as it affirmed the rule of law in Namibia which is essential to peace and stability. Chapter 1 Article 1 (1) of the Constitution stipulates that the Republic of Namibia is a sovereign, secular, democratic and unitary State founded upon the principles of democracy, the rule of law and justice for all. Therefore, the fact that the Oshiwambo-dominated Executive did not take the side of their fellow Oshiwambo speaking Namibians in this dispute was in line with the above Constitutional principle, thus ensuring unity among different ethnic groups in the country. Moreover, the Executive's non-interference in the dispute that is now before the courts shows the independence of the Executive Branch from the Judiciary Branch, further enforcing the principle of the separation of powers among the three branches of the State. The Executive's conscious handling of this dispute had prevented a potential explosive tribal conflict that would have destabilised the country. Since the NDF is comprised of all ethnic groups in the country, the tribal conflict could have also created tension within the military, endangering healthy civil-military relations in Namibia.

Operational context

This exploratory section attempts to describe various democratic mechanisms, principles and practices that guide the operations of the NDF. The section assesses the principles and operational practices of the NDF and the impact on civil control of the military in Namibia.

Military operations involve the employment of military resources to achieve a specific objective. The operations require planning of force structure, budget approval, procurement and other administrative activities. The operations of the NDF are subject to democratic mechanisms in the country such as the Constitution and the legislature, and thus have an impact on civil-military relations. To understand the conditions in which the NDF operates it is significant to examine the basis of Namibia's Statement on Defence Policy. The Parliament of Namibia approved the country's Statement on Defence Policy (White Paper) in 1993.

According to the Statement on Defence Policy:

> Namibia's foreign and defence policy is founded on the principle of peaceful co-existence and cooperation with other countries and in the operation of international law. The day-to-day guarantee of security lies in the maintenance of international order and, in particular, in regional stability (MoD, 1993:6).

The above provision is significant because since independence Namibia has lived peacefully with its neighbours. Moreover, the NDF has participated in numerous UN peacekeeping operations as well as in regional military exercises that have ensured international peace and served as confidence building measures for the armed forces in the region. The NDF has participated in regional military exercises to enhance its capacity for peacekeeping missions. These programmes include Exercise Morning Star -- a map reading exercise that was held in South Africa in 1996; Exercise Blue Hungwe at a battalion level that was hosted by Zimbabwe in 1997; and Exercise Blue Crane at a brigade level that was held in South Africa in 1999. In addition, the NDF took part in a French-led military exercise 'Reinforcement of African Peacekeeping Capabilities' (RECAMP) or Tanzanite Recamp 3, in Dar es Salaam and Tanga in Tanzania in 2002. This mutual exercise involved armed forces of sixteen African countries under the auspices of the UN in collaboration

with the OAU. The purpose of the exercise was to enhance harmonisation among African militaries in the areas of peacekeeping and response to humanitarian or natural catastrophes. The exercise was part of the SADC proposal to find a general approach among the armed forces of countries in case of natural or humanitarian catastrophes. Moreover, this researcher argues that joint military exercises are essential because they assist in building confidence and trust among defence forces thus ensuring peace and stability. The NDF has also participated in military operations in the DRC, Angola and in the Kavango and Caprivi Regions of Namibia.

In 1998 the DRC was invaded by armed forces of Rwanda and Uganda. The President of the DRC, Laurent Desire Kabila, requested Namibia, along with Zimbabwe and Angola, to repel the military aggression by Rwanda and Uganda. In his argument, a SWAPO Senior Official and former Minister of Defence, Errki Nghimtina, opines that "In defence of the AU and SADC principles Namibia heeded the call of the government of the DRC for military assistance to ward off foreign invasion and aggression"(MoD, 2000/01). Consequently, Namibia deployed an estimated 2, 000 NDF soldiers and equipment in the DRC, and in the process Namibia incurred financial and material costs in addition to human casualties. The then Minister of Defence, Erkki Nghimtina, told Parliament when motivating the N$ 172 million allocated to the MoD under the Additional Budget in 2000 that N$74.5 million would cover conditions of service for NDF soldiers in the DRC, while more than N$36.8 million would be spent on the purchase of a variety of ammunition and explosives (MoD, 2000/01). Subsequently, Namibia's Defence Budget increased so as to maintain NDF soldiers in the DRC. This also meant that the taxpayers had to dig deep into their pockets to finance Namibian troops deployed under the SADC alliance with Angola and Zimbabwe to support President Laurent Kabila's government, which was threatened by an invasion. In spite of this, the defence budget did not have a big impact on the budget deficit and inflation, unlike the Zimbabwe case. This was confirmed by the then Finance Minister, Nangolo Mbumba, who claimed that the participation of the NDF soldiers in DRC would not have any serious impact on the country's finances: "No expenditure item, programme or project of the Namibian Government will suffer as a result of our military involvement in the Democratic Republic of the Congo" (The Namibian, 2000). In addition it did not negatively impact on public opinion, as there were no protests or civil disobedience against troop deployment in the DRC. As a member of SADC, Namibia has certain

security obligations to fulfil and this was one instance. As the then Minister of Foreign Affairs, Hidipo Hamutenya, explained:

> Proceeding from the standpoint of Pan-African solidarity and commitment to regional peace and stability, the three countries responded to the Congolese request to blunt the advance of the aggressor forces on Kinshasa and other major Congolese economic and population centres such as Mbuji-Mayi, Lubumbashi, Matadi etc. (Parliament of Namibia, 2000:178).

The deployment of NDF soldiers in the DRC paid peace dividends in the Southern African Region. For example, it was only after the SADC allies' intervention that an enabling framework for peace talks in the DRC took place. Therefore, Namibia's participation led to the signing of a cease-fire, opening up the way forward for peaceful and democratic transformation in that country. The signs of a long lasting peace and stability look promising, the then Namibian Foreign Affairs Minister, Hidipo Hamutenya, informed Parliament in 2002:

> With Rwanda and Uganda aggression blunted and their hegemonic ambitions checked, it was now possible for other parties, such as the UN and South Africa, to step forth with proposals for peacekeeping and national reconciliation…talks are going on between the government of the DRC and the various groups in that country in an effort to find a formula for the setting up of a transitional government of national reconciliation. These talks are talking place on the basis of the Pretoria Agreement, which is the latest attempt aimed at achieving national reconciliation in that country (Parliament of Namibia, 2000:179).

This researcher argues that Namibia's military involvement in the DRC defused the potential human, social and economic devastation. As the Deputy Minister of Defence, Victor Simunja, claimed, "It could have had far reaching economic and security consequences in the SADC Region" (Interview, January 16, 2006). But, it also led to corruption, especially since there was no transparency and accountability in the operations of the mine that was awarded to Namibia as earlier explained in this chapter.

Similarly, researchers such as Dzinesa and Rupiya (2005) are of the opinion that Namibia's military expedition in the DRC earned the country a respectable standing among the SADC member states as a dependable nation.

All the same, the deployment of troops in the DRC introduced a new dynamic (also related to secrecy and MoD's hostile attitude toward media) into Namibia's civil-military relations. The MoD was not giving sufficient information to the public on the wellbeing of the NDF soldiers in the DRC. Similarly, there was no transparency in the deployment of NDF soldiers in the DRC conflict, thus undermining one of the fundamental principles of democratic control of the military. Although there are differing views on the extent of consultations made by the President before deploying NDF troops to the DRC, this researcher argues that the event exposed how the President exceeded his authority by unilaterally sending soldiers to the DRC, because he did not consult a constituted Cabinet or Parliament. Some analysts considered the President's action an abuse of constitutional power that could seriously undermine the democratic dispensation in Namibia. The President's action to deploy the NDF in DRC is ominous to civil-military relations as it undermined the constitutional checks and balances function of Parliament on the Executive. Details are discussed in Chapter 6 and 7 of this study.

It is also interesting to note that Namibia has chaired SADC in the past, as well as the SADC Organ on Politics, Defence and Security in 2005, but ordinary citizens do not know the implication of this to the country. A lecturer in Political Science at the University of Namibia, Phanuel Kaapama, remarked that:

> Namibia has regional and international security obligations to fulfil. However, citizens are not properly informed about Namibia's foreign agenda. As a result there was a public outcry when NDF soldiers were deployed in the DRC. It is unfortunate that citizens who play a decisive role in the successful implementation of Government programmes are not adequately informed about the country's foreign agenda (Interview, April 5, 2006).

This is an area that needs a serious review by Government to strengthen civil-military relations in Namibia.

Internally the NDF carried operations to restore peace and stability in the Caprivi and Kavango Regions. In 1988 Mishake Muyongo, a former Member of Parliament and leader of the Official Opposition Party, the DTA of Namibia, after expulsion from the party revived his United Democratic Party (UDP). The UDP spearheaded an attempt to secede the Caprivi Region from Namibia alleging marginalisation of the local inhabitants. He also alleged that the Caprivi Region was historically, geographically and culturally not part of Namibia (*Human Rights Practices for 1998: Namibia Country Report*, http://www.usemb.se/human1998/namibia.html).

Following the 1998 rebel attacks by the Caprivi Liberation Army secessionists, the armed wing of UDP, on the NDF military base, at the police station, at an NBC radio station and other government installations in the Caprivi Region, NDF soldiers were deployed in the area. Eventually, the rebellion was crushed, but afterwards the security forces, particularly the paramilitary police unit, Special Field Force (SFF), was implicated in random beating of civilians, looting of property, and shooting and wounding civilians who were fleeing arrest (*Human Rights Practices for 1998: Namibia Country Report*, http://www.usemb.se/human1998/namibia.html). In 1999 government also confirmed revelations in the media of human rights abuses against suspected secessionists by security forces.

In 1999 the NDF launched pursuit operations deep in Angola against UNITA rebel forces that were threatening the security of residents in Kavango and Caprivi Regions. The purpose of the operations was to minimise UNITA atrocities on the civilian population in the two regions. According to NDF military commanders, the operations subsequently led to the annihilation and elimination of UNITA leader, Jonas Savimbi, on 22 February, 2002 (Personal Communication, August 21, 2002).

As well as these military operations, the NDF also has rendered the following services in support of the civil authorities and communities: the repatriation and settlement of Namibian nationals from Botswana; apprehension of foreign trawlers illegally fishing in territorial waters; joint operations with Namibian Police to ensure law and order during holiday seasons; search and rescue mission of a Cessna aircraft that crashed in the Namib-Naukluft; mine clearance operation in the country's northern regions of Kunene, Omusati and Ohangwena as well as Kavango and Caprivi Regions

where hundreds of unexploded ordinances were destroyed; recovering of stolen cattle; assistance to the Ministry of Health and Social Services in escorting pension paymasters; emergency relief operations and assistance to civil communities affected by natural disasters such as floods in the Caprivi Region and fire fighting services.

In the international arena the NDF's participation in UN peacekeeping missions is well documented. Mindful of the fact that the struggle for Namibia's independence was boosted by international support and solidarity, the government adopted a deliberate policy of active participation in efforts to bring about peace and stability in the SADC Region and beyond. To this end, Namibia contributed NDF soldiers and equipment to United Nations peacekeeping operations such as the United Nations mission to monitor elections in Cambodia in 1993 (Government of Namibia,1990-200:388). The NDF contingent worked as part of the United Nations Transitional Authority in Cambodia (UNTAC). UNTAC was established by the UN Security Council Resolution 745 of 28 February, 1992, to ensure the implementation of the agreements on a comprehensive political settlement of the Cambodia conflict, signed in Paris on 23 October, 1991 (Dzinesa, 2005:222). The mandate of UNTAC incorporated aspects relating to human rights, the organisation and conduct of free and fair elections, military arrangements, civil administration, the maintenance of law and order, the repatriation and resettlement of Cambodian refugees and displaced people, and rehabilitation of critical Cambodian infrastructure during the transition period. The above operations of the NDF are important issues in the governance of the military in the country. Decisions to contribute troops to multinational peace support operations were made by the executive in consultation with the legislature, thus ensuring transparency and accountability in the governance of the security sector in Namibia.

In addition the NDF participated in the United Nations Angola Verification Mission (UNAVEM III) in 1996 and 1997, where it was charged with road verification, VIP escort, as well as serving as a Rapid Reaction Force. UN Security Council Resolution 976 of 8 February, 1995 established the multidimensional UNAVEM to support the Angolan government and UNITA in re-establishing peace and achieving national reconciliation alongside a backdrop of a delicate, politico-military setting. The NDF continued to serve with the subsequent United Nations Observer Mission in Angola (MONUA), and its duty ended in 1999 (Government of Namibia, 1990-200:389). These

operations were essential as they built the professional capacity of the NDF which is an important element in civil-military relations.

In 2004-2005 the NDF was deployed to serve with the UN observer mission in Ethiopia and Eritrea as well as with the African Union (AU) observer mission in the Sudan. Also an NDF battalion comprised of 860 personnel was deployed and served in the United Nations Mission in Liberia (UNMIL). The battalion, that was drawn from the 26 Brigade and attachments from 12 Brigade, 4 Brigade and Engineering Regiment, was charged with securing and safeguarding Liberia's western corridor next to Sierra Leone. The contingent also included six civilian police, four staff officers and three military observers. Two-thirds of the battalion had previously served in different foreign missions in Cambodia, Angola, Ethiopia, Eritrea and the DRC (http://www.geocities.com/athens/4795/Namibia.htm).

The NDF's involvement in UN peacekeeping operations, as we have discussed, is in line with Namibia's Defence Policy Statement, which among other aims, is to guarantee international peace and stability. This researcher argues that peacekeeping operations contributed to exposing the NDF not only to organisational, managerial and technical skills required to undertake such operations, but also to the respect for the rule of law and accountability to civil authorities.

Additionally, Namibia is a signatory to various international agreements and protocols such as a bilateral agreement between Namibia and Brazil on maritime cooperation (1994); a protocol between Namibia and China on the provision of military assistance (1995); a Memorandum of Cooperation between the United States of America and Namibia on the removal of landmines and other unexploded ordinances (1995); Agreement between Namibia and Russia on military cooperation (1997); the Non-Proliferation Treaty (1997); the Treaty on an African Nuclear Weapons-Free Zone (Pelindaba Treaty); and the Ban on Landmines (1999). Moreover, Namibia continues to play an active role in the activities of the Southern African Development Community (SADC) such as in the Inter-State Defence and Security Committee (ISDSC); the Organ on Politics, Defence and Security; and the country has Joint Permanent Commissions on Defence and Security with all its neighbours, thus consolidating peace and stability in the SADC Region. This researcher argues that such bilateral agreements and the role Namibia continues to play in SADC

helped to develop and strengthen regional or geographical approaches to solving common security problems. The cooperation with other countries on military activities also assisted in fostering the principle of transparency which is the cornerstone of ensuring accountability in the security sector governance.

Conclusion

The nature of civil-military relations in Namibia is an emulation of the British civil-military relations as reflected in both the structure of the MoD and NDF as illustrated in this chapter. Additionally, the composition of the command structure of the military that is civilian-dominated is significant in the oversight of the armed forces. The Minister, who is a member of the executive and political head of the MoD, is responsible to parliament, further strengthening the accountability of the military to the legislature except when the executive and legislature decide to collude.

Likewise, the legal instruments that outline the relationships necessary for civil-military relations in Namibia are vital for the control of the military. Additionally, legal instruments that limit the involvement of the military in political activities have helped to ensure the military's non-involvement in the political process of the country. These instruments have also contributed to successful subordination of the NDF to civilian political authorities. Civil control of the Armed Forces, as provided in the democratic institutions such as the Constitution, Parliament and other relevant Defence Acts, has further strengthened civilian control of the NDF.

The unilateral decision by the President to deploy the NDF in the DRC undermined the constitutional principles of checks and balances. Therefore, there is a need to strengthen the oversight function of the Legislature and the Cabinet over the Chief Executive.

Widespread poverty in the society and corruption in the public sector may undermine the effectiveness of democratic institutions that perform oversight functions over the military. Therefore, there is a need for enhanced political will to fight poverty and corruption to consolidate civil control over the military. The next chapter assesses the division of powers and the responsibilities of the Executive with regard to civil control of the military.

CHAPTER 6

EXECUTIVE CONTROL

Control of the armed forces is vested in the Executive Branch of Government, which represents the contract between elected officials and the electorate. This chapter looks at the Executive Branch of the Namibian Government and how it ensures the subordination of the military through legal or constitutional mechanisms.

Across almost all the world, democratic constitutions implement the principle of civilian supremacy by naming the head of state or government, whether it is the president or prime minister, as the commander-in-chief of the armed forces. It is evident that African states have adopted a western approach to military governance that ensures the subordination of the armed forces to civilian authorities through legal or constitutional institutions.

In Namibia, executive power is vested in the President and the Cabinet, comprised of the Prime Minister and Ministers appointed by the President from the National Assembly, who initiate laws and ensure their implementation. Article 32 (4) (c) (aa) of the Namibian Constitution empowers the President to appoint the Chief of Defence Force (CDF) on the recommendations of the Security Commission. The Constitution, Chapter xiv Article 114, establishes the Security Commission.

The Function of the Security Commission, according to the Namibian Constitution, Chapter XIV, Article 114 sub-Section (1) is to make recommendations to the President on the appointment of the CDF, the Inspector-General of the Police and the Commissioner of Prisons and other functions as may be assigned by an Act of Parliament. The Security Commission consists of the Chairperson of the Public Service Commission, the Chief of the Defence Force, and the Inspector-General of the Police, the Commissioner of Prisons and two members of the National Assembly, appointed by the President on the recommendation of the National Assembly. This composition strengthens civil control over the military and other security establishments and further ensures checks and balances needed for good governance.

Nonetheless, in October 2000 there was a widely publicised case involving a certain individual, Josè Domingo Sikunda, who was identified by Government as a UNITA representative and activist living in Namibia illegally. It was reported that he was involved in terrorist activities in Namibia, furthering the interest of UNITA to the detriment of Namibia. The Minister of Home Affairs wrote a letter to the Chairperson of the Security Commission to recommend to his office to declare Mr. Sikunda a *persona non grata* and removal from Namibia as his presence endangered the security of the State (Supreme Court, 2002 NR 203: 211). The four-member Security Commission responded positively to the Minister's request. However, Article 114 (2) of the Constitution of Namibia stipulates that the Commission shall have six members. Therefore, the Commission was considered not properly constituted, and its decision was declared null and void (Supreme Court, 2002 NR 203:204).

Similarly, the decision of the Supreme Court is exemplary of the fundamental principle of the independence of the Judiciary as provided in Article 78 (2) of the Namibian Constitution. The ruling of the court, to set aside the Security Commission decision to deport and declare Sikunda *persona non grata,* shows that judges are able to decide cases based on the law and facts without being influenced by politics, the media or public outcry to sway their decisions. Central to the decision of the court was the conduct of the Minister of Home Affairs as a member of both the Executive and Legislative Branches of Government to take such as decision. The court further set aside the Security Commission's decision because of its non-compliance with principles of administrative justice and statutory law.

It is remarkable to note that the Commission, which was no longer properly constituted for a considerable period, took such a decision. Two members of the Commission, the Attorney-General and the leader of the opposition in the National Assembly, had vacated their positions. Therefore, the Commission could not form a quorum and thus could not perform its duty. This indicates that although structures are there, they do not always perform their work properly.

The President may remove the Chief of the Defence Force from office for good cause and in the public interest, as well as in accordance with the provisions of an Act of Parliament which may prescribe procedures considered to be advantageous for this purpose. This is a key mechanism for

ensuring civilian supremacy over the Defence Force. In addition, the Permanent Secretary chairs the Military Steering Committee (MSC) and performs such duties and functions as may be necessary for democratic and civilian management of the defence functions to enhance parliamentary and ministerial control over the Defence Force.

Article 32 of the Constitution further outlines the functions, powers and duties of the President as Head of State. He/she has the powers to appoint and accredit ambassadors and other diplomatic representatives; appoint and dismiss cabinet ministers and deputy ministers who also serve as Members of Parliament, the Attorney General, judges, the Ombudsman, the Prosecutor General, the Inspector General of the Police and the Commissioner of Prisons, among others. The President also has the following legislative powers:

(a) to assent to, and promulgate legislation;
(b) to initiate and submit legislation to, and for consideration by, the National Assembly;
(c) to appoint six non-voting members of the National Assembly on the basis of their skills, expertise and experience;
(d) to open Parliament and deliver the State of the Nation Address in which he/she outlines the government's future policies and accounts for past performances; and
(e) to declare martial law or state of national defence.

The Constitution obliges the President to act in consultation with Cabinet except where the law says he/she can act on his own or in consultation with other bodies. This implies that the President has an obligation to seek and consider the views of the Cabinet on issues of national importance. Ideally, the President and Cabinet should not only agree but take the decisions together. Article 41 of the Constitution specifies that all ministers are accountable individually for the administration of their ministries and collectively for the administration of the work of the Cabinet, both to the President and to Parliament. Members of Cabinet supervise the activities of ministries and government departments, including parastatals, and are responsible to provide Parliament with regular reports on matters under their control. Cabinet initiates bills for submission to the National Assembly. They are expected to explain government actions to Parliament in areas such as defence and security, foreign policy, international trade agreements and the national budget.

The Prime Minister, Deputy Prime Minister and ministers must be appointed from the National Assembly, although Deputy Ministers can also be drawn from the National Council. The Prime Minister, who is the leader of government business in Parliament, coordinates the work of Cabinet and advises and assists the President. In Parliament, the Prime Minister is responsible for the announcement of major government policies and programmes. All members of the National Assembly look up to the Prime Minister to clarify and explain government issues in case of doubt or uncertainty. Moreover, the National Assembly gives time to opposition Members of Parliament to hold the Prime Minister accountable by asking questions relating to matters for which they are responsible.

The Office of the Prime Minister not only provides the required administrative and technical assistance to the President as head of the executive authority, it is also responsible for the management of the Cabinet Secretariat which is the nerve centre of government machinery. In accordance with the principle of accountability of the Executive Branch to the Legislature, which requires ministers to be answerable to Parliament, the President is empowered by the Constitution, Article 27, to dismiss any minister if the majority of members in the National Assembly pass a no-confidence vote on such a minister. In the same vein, the President may also dissolve the entire Cabinet if the majority of members in the National Assembly pass a vote of no-confidence in all ministers. In terms of Article 57 of the Constitution, the President is obliged to form a new cabinet, failing which he/she must dissolve Parliament, because the Government would have been deemed to have failed to govern the country effectively.

The Executive is the instrument of the state vested with powers and charged with duties, among others, to formulate policies, suggest laws and implement laws passed by the Legislature; to account to the National Assembly for state revenue and expenditure as well as development plans. This arrangement weakens the Legislature since Cabinet Ministers who are also Members of Parliament are part of the Executive. Principal Legal Counsel in the National Council, Brian Chaka, is of the opinion that the Namibian Parliament is weakened by a heavy Executive. He argues that, in some democracies such as the United States members of the Executive Branch are separate from the Legislature. The separation of powers between the Executive and the Legislature is

crucial for the success of democratic governance (Interview, February 19, 2007). However, it should be noted that the NDF is subordinate to the Executive and the Legislature to ensure checks and balances. (See appendix 1 attached).

In Namibia, the Head of State, who is an Executive State President, is also the Commander-in-Chief of the Armed Forces according to Article 118 (2) of the Constitution. The command and authority over the Armed Forces rests with the Head of State, which is sometimes delegated to the Minister of Defence. This understanding is shared by Welch who suggests that "As long as the head of state is drawn from a civilian background, his personal command over the military provides a veneer of civilian control" (1976:6). In essence, the Executive power decides when, where and how the military will be used. As per the Constitution of the country, the President as the Chief Executive Officer of the nation has the duty to ensure the upholding, protection and defence of the constitutional order, and has the power to declare a state of emergency and martial law. Additionally, the Defence Act (Act 20 of 1990) Chapter VI Article 29 (1) empowers the President, in time of national defence, by proclamation in the Gazette or in such other manner as the President may consider expedient, to call upon the Defence Force for service –

(a) In the prevention or suppression of terrorism;
(b) In the prevention or suppression of internal disorder in Namibia;
(c) In the preservation of life, health or property; or
(d) In the maintenance of essential services.

This implies therefore that a president may call upon the military if he/she deems it necessary to uphold, protect and defend the constitution of the land as well as to suppress internal order, as happened during a secessionist rebel attack on government installations in the Caprivi Region of Namibia. In August 1999 a secessionist organisation calling itself the Caprivi Liberation Army, a military wing of the Caprivi Liberation Movement (CLM) under the leadership of Mishake Muyongo, former leader of the main opposition DTA in Namibia, launched a surprise attack on the regional capital, Katima Mulilo. The attack was efficiently and brutally countered by the Namibian Defence Force (NDF). Nevertheless, this set up puts excessive concentration of power in the Executive and limits accountability.

Similarly, to comprehend democratic civil-military relations in Namibia it is vital to look at the country's Constitution, which empowers the Executive to engage the Defence Force. According to the Namibian Constitution, the President as the Commander-in-Chief of the Defence Force has the authority to appoint senior military officers and to declare war (Article 27, 32 sub-Article 4c).

From a democratic perspective the above legal requirement is a cause for concern because it gives extensive power to the executive. Moreover, the legal provision gives extensive freedom to the President as Commander-in-Chief of the NDF to utilise the military and therefore leaves wide opportunities for misuse of the Armed Forces. This view was proved right after the President deployed the NDF in the DRC in 1998, without the knowledge or approval of Parliament. This aroused debate on the Constitutional issues regarding deployment of the NDF, in particular by the President as the Commander-in-Chief. The first Prime Minister of Namibia, Hage Geingob, claimed there was nothing unconstitutional in the actions taken by the President to deploy soldiers in the DRC. As he clarified:

> The Constitution is very clear. If Parliament is in recess, he can take action and report later. Immediately when the session of Parliament opened, as the Prime Minister I addressed the Parliament and explained the situation. The President consulted the Cabinet Committee for Defence and Security which I was chairing as Prime Minister. Later we met at State House in a broader and extended group including senior Ministers and members of the Committee on Defence and Security. The Constitution does not stipulate how many ministers the President must consult in a situation like that. So if he consulted key ministries, then he met the constitutional requirements (Interview, October 4, 2007).

But the deployment of NDF soldiers in conflict areas outside Namibia is not clearly stipulated in the Constitution. However, Article 32 (1), of the Defence Act 1 of 2002 makes provision for members of the NDF to perform services at any place outside Namibia whenever it is necessary. It further gives details on the authority of the President when it comes to democratic control of the Armed Forces: (a) The President may, with the concurrence of the Cabinet, deploy members of the NDF outside Namibia in compliance with a resolution of the United Nations Security Council or the African Union or the Southern African Development Community; or (b) in the execution of an obligation arising from a bilateral or multilateral agreement to which Namibia is a party, for the purpose of

maintaining, bringing about or restoring peace, security and stability in a country other than Namibia. Notwithstanding these privileges, the President is required to inform the National Assembly as soon as possible about the deployment of the military. The President has the power to summon the National Assembly to meet if, during the time the deployment is made, the National Assembly is not in session. Upon being informed in terms of subsection (3) of a deployment, the National Assembly may, by a resolution proposed by one third of all members and passed by a two-thirds majority of all members, disapprove of the President's decision to deploy members of the Defence Force. If the deployment is disapproved under subsection (5), the President is required to withdraw the members of the military not later than 30 days from the date of such disapproval. If a resolution considered in subsection (5) is not implemented, the deployment is judged to have been accepted by the National Assembly. However, it is interesting to note that the deployment of NDF soldiers in DRC took place before the amendment of the Defence Act 1 of 2002, Article 32 (1). This researcher argues that the amendment to the Defence Act 1 of 2002, Article 32 (1) came about as a result of strong opposition from opposition parties to the manner in which NDF soldiers were deployed in the DRC. Therefore, we argues that there was no transparency and accountability in the deployment of the NDF soldiers to the DRC, undermining the principle of checks and balances between the Executive and the Legislature which is fundamental to civil control of the military.

The framers of the Namibian Constitution unanimously agreed that Executive power should not go unchecked. They feared that the absence of checks and balances on the power of the Executive would result in a dictatorship, a concentration of power in one person and an undemocratic Namibia. Some of the drafters of the Constitution were also aware that executive presidencies in Africa were not on the whole successful. To this end, Hage G. Geingob argued that the problems of many African countries were not a result of executive presidencies, but of inadequate constitutional checks and balances. He further argues, "In the absence of checks and balances trouble could come from where the executive power rested. Therefore Namibia opted for an executive presidency with appropriate constitutional checks and balances" (Geingob, 2002:8).

Nonetheless, while the Constitution stipulates that the President is the Commander-in-Chief of the Armed Forces, as a necessary condition for asserting civil control over the armed forces, it is not

enough. The Head of State generally does not have the time or the skill to personally direct the formulation and implementation of defence policy. As a result, he/she ends up delegating responsibility to the Minister of Defence.

The administration of the military in Namibia is entirely under the control of the Executive Branch of Government. The Defence Act 1 of 2002, Chapter V, Article 11 (1) (2) (3) provides for the establishment of the Council of Defence, which is responsible for guidelines on the military strategy of the country. The Council of Defence consists of the Minister of Defence and five members appointed by the President. The Council is also chaired by the President as Commander-in-Chief of the Defence Force.

There are bodies such as the Council for Defence which is chaired by the President; Defence Staff Council chaired by the Minister of Defence, which is comprised of five officers appointed by the Minister; Senior Management Committee chaired by the Permanent Secretary of Defence; and Military Steering Committee chaired by the Chief of Defence Force, whose members include all Chiefs of Staff and all heads of arms of services. According to Article 12 of the Defence Act 1 of 2002, the Defence Staff Council is responsible for the policy on the defence of Namibia. Edward Hauanga explained that "The Council meets weekly to review security issues and make submissions to the Cabinet Committee on Defence and Security for consideration" (Interview, March 3, 2003). This provision of the Defence Act is significant because it empowers the Executive to guide and ensure effective coordination of activities of the military.

To further ensure civil control of the security sector there is also a Cabinet Committee for Defence and Security (CCDS) chaired by the Prime Minister, which looks after defence and security matters and makes recommendations to the Cabinet. The CCDS is important for policy coordination and democratic control of the defence and security sector in the country. According to Du Pisani (2003), the CCDS is responsible for coordinating the activities of the Namibia Central Intelligence Service (NCIS); determines policy in respect of the deployment and undertakings of the NDF, the Namibian Police (NAMPOL) and other security agencies; and deals with the top management of national emergencies inside and outside the country.

The Executive plays a significant role in civil-military relations in independent Namibia. The Defence Budget, which is an important control mechanism of the military, is first discussed by CCDS before it is tabled in Parliament. Furthermore, the Executive ensures the day to day control of the military. Colonel Frederick Siluzungila claimed that:

> Everything the military intends to do have to pass through the Minister of Defence as well as problems faced. Additionally, the Permanent Secretary, who is part of the Executive Branch of Government, authorises military spending, recruitment, purchasing of military equipment, renovation of bases etc. (Interview, November 19, 2007).

In most modern societies the indispensable support for the position of the military in the state, as well as the mechanisms for the democratic civil control over the military, are often found in the constitution. A crucial function of the country's constitution and of the classic features of democracy is the separation of power among the three branches of governments (the Legislature, the Executive and the Judiciary) insofar as they perform their important functions. There is a mutual relationship between these various branches of government when carrying out their tasks, in that they keep careful watch on each other while at the same time are independent of each other. This function implies the provision of checks and balances that is intended to ensure successful governance. For example, it is enshrined in the Namibian Constitution that laws passed by the National Assembly are subject to review by the National Council. It is an institutional arrangement that is supposed to limit the power of one branch of government over the other. If one critically looks at the Constitution, the Armed Forces are an institution of Government and therefore part of the system of the separation of powers. The military are bound by law and justice, subordinated to legislative and judicial control. For this reason, the principal legitimate source for the direction and actions of the military should come from civilians outside the military institution. However, in the case of Namibia the separation of powers is somehow blurred. It is argued that the executive power has dominated legislative power because of the dominance of SWAPO in the two Houses of Parliament. Chapter 4, Article 35 of the Constitution empowers the President to appoint his/her Cabinet from the members of the National Assembly. This therefore, means Cabinet Ministers who constitute the Executive Branch of Government are also Members of Parliament. The Prime Minister, Deputy Prime Minister, Ministers and their Deputies are members of the Legislature. While executive authority is vested in the President, under a weaker version of

separation of powers, not only is the President responsible to the National Assembly, but Cabinet is accountable collectively and individually to Parliament for the exercise of their powers and the performance of their functions. Therefore, the Legislature can not effectively perform oversight function over the Executive under such an arrangement.

The fact that the separation between the Executive and Legislature in Namibia is contested has to do with the country's Constitution and the political set up. The Constitution of Namibia requires that the Executive is answerable to the President and the Legislature. In that respect, a member of the Executive must also be a member of the Legislature. The Constitution requires ministers, first and foremost, to be members of the National Assembly and deputy ministers may be appointed from the National Council. Therefore the President is somehow forced to appoint his/her Cabinet from Parliament. The other dimension to the problem is the political issue that has to do with the decision of the electorate. As Nahas Angula claimed:

> Political parties must see to it that they canvass enough political support from the electorate to get more members in Parliament to tilt the balance of power. If they increase the number of their members in Parliament, they would create a proper balance between the Executive and the Legislature in terms of performing the oversight function of Parliament over the Executive (Interview, October 4, 2007).

It is significant that during the 1989-90 when the Constituent Assembly met to debate on the structure of government, SWAPO was strongly in favour of an executive presidency to lead the nation. In contrast, opposition parties that were represented were not in support of the executive presidency. They instead favoured a second house of parliament, the National Council, to check on the activities of the National Assembly. Nonetheless, over the years, the National Council has not played an effective role in checking the National Assembly because of its limited powers and the dominance of SWAPO members of Parliament. Researchers such as Hopwood (2004) contend that the real power is in the presidency and that the Legislature and to some lesser extent the Judiciary fail to offset the concentration of power in the Executive. Other critiques argue for the distribution of the executive power of the President as a result of his sharing executive power with the Cabinet. Some people are of the view that the Legislature can only have more correcting power if votes of the opposition parties improve, leading to an increase in the number of their

representation in Parliament. This view is supported by the Chairperson of the National Council, Asser Kapere, who claimed the current situation had to do with the weak opposition. "If you have an opposition that can marshal enough votes to make the two-thirds required in certain things, and the ruling party does not have the two-thirds, then they can block issues. But here the issue is opposition parties are not garnering enough votes. SWAPO has two-thirds majority and that is where the problem lies" (Interview, October 3, 2007). However, only time will tell if political parities can improve on their performance and whether the distribution of executive power will succeed in protecting the country from the possibility of any dictatorial biases. In the interim the media and some sections of the civil society and NGOs have to some extent succeeded in playing the role of checks and balances in the absence of an effective oversight function from the Legislature.

While Namibia has made significant progress in democratic governance, the role of the founding President, and founding President of SWAPO, Sam Nujoma, continues to be on the agenda of the debate on good governance. At independence in 1990, the Namibian Constitution limited the President to two terms. However, the Constitution was amended to allow President Sam Nujoma to serve for a third term. Former Minister of Trade, Hidipo Hamutenya argued that:

> When we sat down to reflect on the demand we were hearing…we heard: "We want Sam Nujoma once more". I was one of the drafters of the Namibian Constitution. Now you draft a piece of paper that runs counter to the will of the people, and they say, "Our will must be first. [So] we allowed a third term to take place". We were emerging out of a long struggle, and in that struggle Sam Nujoma stood tall for three decades, nearly four decades. He had won the hearts and the minds of the people of Namibia, so they wanted him around for some time, at least to solidify the independence we had achieved through that very difficult struggle (allAfrica.com Interview, 12 June 2002).

The Constitutional amendment to allow Nujoma to run for a third term as President does not augur well for good governance. A critical issue of national importance such as a constitutional amendment should not be done to suit one person, as it may also undermine the checks and balances role of political institutions necessary for civil control of the military.

Namibia experienced a smooth transition of power from the founding President Sam Nujoma to President Hifikepunye Pohamba. A firm ally and friend of Nujoma since the days of the independence struggle; Pohamba was Nujoma's personal choice as successor and enjoyed his open support in the run-up to the SWAPO Party Congress (Price, 2004:1).

Hifikepunye Pohamba won the presidential election and took over from founding President Sam Nujoma in 2005. However, despite standing down, Nujoma continued as the leader of SWAPO, a position that he has held for the last four decades. Critics argued that since Nujoma remained at the helm of the Party, President Pohamba would replicate Nujoma's style of governance. According to Opposition leader Ben Ulenga, President of the Congress of Democrats (CoD), "Pohamba was handpicked by Nujoma as his successor. Essentially, his leadership will not be different from that of Nujoma. Additionally, Nujoma remains heavily involved in both party and government activities. We want to see Pohamba engage more independently on the political front to distinguish himself from Nujoma" (Interview, August 14, 2006).

Nonetheless, President Pohamba has a different style from that of Nujoma who had displayed an autocratic style towards the end of his 15-year rule as President (Weidlich, 2006:1). President Pohamba's strong standpoint on tackling corruption and his approach of consulting with stakeholders rather than taking unilateral decisions has been well received by the Namibian public. Professor Andre du Pisani, a lecturer of Political Science at the University of Namibia affirmed that:

> President Pohamba has emerged as a capable leader who follows the approach of collective decision-making and he is not iconic (Weidlich, 2006:1).

President Pohamba's biggest challenge has been to become his own man, capable of stepping out of Nujoma's shadow and applying his own authority and developing and implementing his own policies.

Conclusion

The Constitution stipulates that the President serves as Commander-in-Chief of the Armed Forces and outlines his/her powers and oversight functions over the military. As illustrated above, the President, as Chief Executive, has constitutional powers to declare war or utilise the Armed Forces in consultations with relevant oversight bodies. However, there is a weak separation of powers among the three branches of state that compromises checks and balances. For this reason, too much power is concentrated in an Executive Branch that also dominates the Legislature. This weakens the oversight powers of the Legislature over the Executive. Therefore, it raises not only a concern about providing effective oversight function over the military, but also about good democratic governance in the country.

The ongoing political relationship between President Pohamba and Nujoma has somehow overshadowed Pohamba's leadership. Nevertheless, SWAPO's collective leadership and President Pohamba's emphasis on inner stability, peace and harmony has served Namibia well thus far. The success of civil-military relations centres on the role of Parliament when issues of democratic control are considered, because Parliament should scrutinise both the military and the executive. It is against the foregoing conceptualisation that this study will analyse Parliamentary oversight on the military.

CHAPTER 7

PARLIAMENTARY OVERSIGHT

The specific role of the parliament in civil-military relations is at the heart of issues of democratic control. The purpose of this chapter is to asses the role of the Namibian Parliament in providing a critical check on the dictates, authority, and the roles of military establishments and structures. Accordingly, the constitutional and legal role of the Namibian Parliament in civil-military relations is examined.

The general role of the Legislature in defence and security matters, according to Pantev is to pass legislation and to approve procurement decisions, approve the budget for defence and security, discuss the suitable numbers for funding and adequate policies for the military, and overview and amend the budget funds as well as deployment of forces. In this framework, Parliament has responsibility regarding force structures and defence strategies and personnel planning conceptions. The Legislature also has the final authority in deploying troops and deciding on the participation of military forces in international missions. An additional responsibility is procurement decisions, the right to approve or reject contracts related to weapons, military equipment, supplies and armament (2005:35).

Therefore, parliamentary oversight of the military is an essential element of the arrangement of checks and balances found in a democratic constitution, serving as a counterbalance to executive power and monitoring the Executive on defence and security issues.

The legal basis of the Namibian State and its institutional structures were decided by the Constituent Assembly elected during the UN-supervised elections in 1989. The crucial framework for the position of the military in the state, as well as the mechanism for the democratic civilian control over the Armed Forces, is set forth in the Constitution. Similarly, nearly all constitutions in democratic countries make a distinction between different government bodies along the lines of separation of powers (Rautenbach, 1996: 68). Likewise, the political power of the Namibian state, according to the Constitution, is divided into three branches that have certain powers and perform

different responsibilities. The first branch is the Executive – that initiates legislation, enforces the law and accounts to the law for its action. The executive authority is vested in the President, who together with his Cabinet, is responsible for implementing national legislation, developing and implementing national policies, coordinating the functions of government ministries, offices and agencies. Secondly, the Legislature is responsible for law making, changing any law and amending laws that are deemed not necessary. Thirdly, the Judiciary is responsible for law enforcement and also determines what law is in dispute and how it should be applied to the dispute in question.

According to the Namibian Constitution, the Armed Forces are part of the government institution and entrenched in the system of separation of powers. They are constrained by law and justice, subordinated to political leadership, and like the other branches of the state, the military is subject to legislative and judicial control. This set of constitutional regulations ensures that the exclusive legitimate basis for the direction and actions of the military is derived from civilians. Correspondingly, the Namibian Constitution grants accountability for the overall control of the military to the President as the Commander-in-Chief of the NDF.

Constitutions usually reflect the wishes of the people and therefore legitimise the system of government. The people elect governments into power. For that reason, governments are expected to serve their interests. The Legislature should be made up of representatives elected by the people, and the implementation of laws should be subject to certain, clearly defined controls to ensure accountability. The crafters of the Namibian Constitution settled for a bicameral system of Parliament. The Namibian Parliament is comprised of the National Assembly and the National Council. In terms of the Constitution, Article 146(2) (a) Parliament is defined as the National Assembly "acting, when so required by this Constitution, subject to the review of the National Council". This has led to some people referring to the Namibian Parliament as a quasi-bicameral legislature. Nonetheless, the Constitution provides for two chambers whose function is to make laws for the Republic of Namibia. In respect of the quantum of powers assigned to the two houses, the National Assembly is by far the more significant of the two. This is supported by the fact that the National Assembly is exclusively vested with oversight powers and functions to control the activities of the executive authority; in addition, the Executive Branch is drawn from the same house.

The Legislature is the supreme lawmaking branch of the state. The Executive Branch of government normally prepares and recommends defence and security policies and executes them after approval by Parliament. The functions and powers of Parliament include the following:

1. To oversee the activities of government ministries/offices/agencies and ensure detailed scrutiny of the Executive's work;
2. Hold public hearings to hear the views of citizens on the bills being considered;
3. Approve government spending and regulate taxation by considering the budgets prepared by government ministries;
4. Approve international agreements entered into by the Government of Namibia with other governments/organisations;
5. Defend and uphold the Constitution;
6. Initiate, approve or decide to hold referenda on issues of national concern; and
7. Debate issues and advice the State President on matters the Constitution authorises him/her to undertake (Parliament of Namibia, 2001:2).

To fulfil the above responsibilities, Parliament has various committees, including Foreign Affairs, Defence and Security Committees in both houses. Each house of Parliament has the constitutional power to create multi-party joint parliamentary committees with oversight powers of all defence and security activities (Article 59 (3) and Article 74 (2)). Thus the Constitution gives effect to the principle of transparency and accountability in the activities of the military. Parliament as a whole is too cumbersome a body to make full inquiries into matters of interest to it and to consider issues in detail. This is why parliamentary committees have become one of the most powerful tools for efficient parliamentary business. To this end, both Houses of Parliament have established multiparty Standing Committees on Foreign Affairs, Defence and Security comprising a limited number of members of parliament. Their responsibility is to perform in depth the vast and complex task of overseeing the defence and security area.

Parliament controls the military as one of the machineries of the state. It does that in various ways such as through the Standing Committees on Foreign Affairs Defence and Security and the Standing Committee on Public Accounts. The Legislature, among other things, ensures the

principle of transparency in the activities of the NDF. In this regard, the Permanent Secretary of the MoD is regularly summoned to appear before the Standing Committee on Public Accounts to account for the utilisation of financial resources by the Ministry and the NDF. Parliament also passes legislation related to defence. For example, Namibia's Defence Act, which was initiated by the Executive, was passed by Parliament. While in Parliament the bill is referred to committees where the public is expected to give input before it is passed into law. Standing Committees on Foreign Affairs, Defence and Security are empowered by legislation to discuss issues that have been referred to it. However, a significant deficiency in the process of enacting legislation related to the military is lack of in-depth debate in Parliament and lack of civil society input. One could attribute this to insufficient military understanding on the part of members of the Standing Committees on Foreign Affairs, Defence and Security who are expected to scrutinise the Defence Bill and other security issues before they are passed into law. Henk Mudge argued that:

> Our problem is that the Executive has a strong presence in Parliament. For example bills and the budget are tabled in Parliament by the Executive. This weakens the oversight function of the Legislature on the Executive and thus on the military. Therefore these committees are somehow performing inadequate oversight function on the Executive (Interview, October 16, 2007).

The National Assembly consists of 72 Members elected from the political party list through elections held every five years using a proportional representation system. Six additional, non-voting members are appointed by the President for their special expertise in certain matters, status, skill or experience. However, none have been military or former military thus far. The National Assembly was established in terms of Chapter 7, Article 63 of the Namibian Constitution, which gives it the power to make and repeal laws for the peace, order and good government of the country in the best interest of the people of Namibia.

The National Assembly has Standing Committees consisting of Members of Parliament (MPs) from all political parties represented in Parliament who scrutinise bills and other documents in details. The Committee members are drawn from MPs who are not ministers or deputy ministers and are appointed by the Speaker of the National Assembly. These members usually look at specific issues and can ask for input from experts and hold public hearings. The Committee can suggest changes to a bill as part of its findings. Sometimes a Select Committee is set up to deal with a particular

matter before the National Assembly. The National Assembly has a Standing Committee on Foreign Affairs, Defence and Security which has the duty to:

- monitor, investigate and make recommendations relating to any aspect of the legislative programme, budget, rationalisation, restructuring, functioning, organisation, structure, personnel, policy formulation in the Ministry of Defence;
- exercise an overall oversight function with regard to security matters in Namibia;
- investigate issues relating to human rights violations;
- obtain information from Government regarding any real or perceived threat to the security of the Republic of Namibia;
- enquire into and monitor international protocols, conventions and agreements that may affect the security situation in Namibia (Parliament of Namibia, 2003:17-18).

A lecturer in Political Science at the University of Namibia, Phanuel Kaapama, commented that "There is very little of evidence to suggest that the Committee is performing the above mentioned activities. The only visible activity is familiarisation tours of military bases" (Interview, April 5, 2006). However, the Prime Minister of Namibia, Nahas Angula, claimed the Committee is effective as "They conduct tours of military bases and compile reports on their findings and submit to the President who is the Commander-in-Chief. As a result their recommendations are being implemented by Government. This can be seen in the renovation of their barracks and military installations" (Interview, October 4, 2007).

The National Council's Standing Committee on Foreign Affairs, Defence and Security (2006) declared that various issues continue to impede the effective performance of the military. These issues include inadequate budgetary allocation which restricts the military from fully implementing their programmes; poor working conditions and sub-standard accommodation facilities, as most of the bases are old and inadequate – leaking bathtubs, broken pipes, leaking geysers and broken ceilings; shortage of vehicles and fuel – about 70% of existing vehicles were inherited from UNTAG and are no longer in good working condition; lack of career development for the soldiers to improve their skills; poor remuneration compared to their counterparts in the Namibian Police (NAMPOL). This disclosure is serious, as it may affect healthy civil-military relations in the country.

As indicated above, the National Assembly is empowered to oversee and control all actions of the Executive. This power may be exercised by way of reviewing, correcting or even reversing any action taken by the Executive. Although this power depends on the balance of power in the National Assembly, Executive actions may be reviewed, reversed or corrected only if a resolution to that effect is tabled by at least one third, and passed by at least two-thirds of all members of the Assembly. The very existence of the National Assembly is a vital check on the powers of the President and his/her Cabinet. It should be noted that the mere fact that the National Assembly is empowered to debate on the activities of the Executive with the view to determining their wisdom and correctness, offers an effective device for ensuring transparency and public accountability.

The National Council consists of 26 Members – two (2) from each of the 13 regions of Namibia. Each Regional Council selects two representatives for the National Council from their elected members. If one political party controls the Regional Council, then its representatives to the National Council are normally from that party. But if no party has overall control of a council, then its members can agree to send counsellors from different parties to the National Council. The National Council members are the only MPs who are elected to represent territorial constituencies and are therefore expected to raise regional concerns during debates on legislation. Like the National Assembly, the National Council has a Standing Committee on Foreign Affairs, Defence and Security whose functions are:

- To review international and regional cooperation as regards trade, tourism, peace and security;
- To review Namibia's foreign policy and make recommendations to the Council;
- To review and monitor the defence and security policies and requirements and advise the Council;
- To deal with questions falling within the ambits of Ministries of Foreign and Home Affairs, Defence and Security matters (Parliament of Namibia, 1999:56-57).

Parliamentary committees differ in their powers to collect and receive evidence from external sources. Some parliamentary committees, such as the ad hoc committee of the British House of

Commons, are not entitled to collect evidence themselves, whereas other committees, such as those in the US Congress, have nearly unlimited power to take evidence from external sources. In Namibia the Parliamentary Committee on Foreign Affairs, Defence and Security has the power to access expert advice and opinions of academics, businesses, professionals and interested groups, individuals and groups on specific legislation through convening public hearings. Additionally, parliamentary committees in the National Assembly and National Council have the vital role of scrutinising bills and the work of the Executive. These committees also oversee the activities of various ministries under the Executive Branch of government and keep the Public Service accountable to Parliament.

According to a Senior Research Associate at the Institute for Public Policy Research, William Lindeke, despite the existence of the parliamentary Standing Committees on Foreign Affairs, Defence and Security in the two houses of Parliament, neither of these committees seems to have effectively performed its duties so far. However, the Standing Committee on Public Accounts has been effective as it frequently performs an auditing function of annual reports of the Auditor General on various ministries, and scrutinises government's financial proposals and fiscal policies (Interview, April 21, 2006). In this regard, Accounting Officers of government ministries, including the MoD, are summoned to appear before this committee to account for the expenditure incurred. This is significant as it ensures transparency and accountability when it comes to public expenditure and financial demands of the government.

Phanuel Kaapama argued that the Standing Committees on Foreign Affairs, Defence and Security are not active but reactive with regard to security and defence issues that are of national concern. For instance, they are seen to be doing something when there is a bill to be debated, but on other days they are dormant. These committees need to oversee defence policy and to examine operations and performances of the military on the ground. They are supposed to scrutinise defence and security issues and offer better expert advice or guidance to the legislators on the floor when they are presenting executive drafts or amendments to the house for full debate. "Unfortunately, this oversight function by committees is not adequately performed. Perhaps this could be attributed to a residue of fear toward the military" (Interview, April 5, 2006). The main problem seems to be a serious shortage of skilled support staff and Members of Parliament who

are well versed in defence and security issues. On the contrary, argued Nahas Angula, "We do not expect them to be military experts, but they must be able to look into the welfare of the soldiers. Soldiers do not have trade unions to speak for them, so somebody somewhere should be able to alert the Government what needs to be done for the military" (Interview, October 4, 2007). The Namibian Legislature requires people with detailed knowledge of a range of defence and security related issues in order to make the much-needed improvement in the decision making processes with regard to checks and balances on the military. In any event, Parliament alone can not guarantee effective oversight of all executive activities and policies within the defence and security establishment. Other national institutions also responsible for overseeing the defence and security sector, such as the Judiciary, the Auditor General's Office and the Ombudsman could come in and assist.

In some countries, the parliamentary committee on defence and security is required to present an annual report to Parliament on the activities of the military. This report can be followed by a vote, and even sometimes by a vote of no confidence. This routine evaluation is an area in which Namibia needs to improve. On the other hand, the significant role of parliament in legislating on defence and security matters is an important requirement for good civil-military relations. This role, argues Pantev "is fundamental in the formulation of defence and security policies, the decision-making process concerning defence budgets, and controlling mechanisms for spending the resources" (2005:34-35).

In most countries, Namibia included, Parliament is not a principal player in the budget process until the Executive Branch of government tables the budget to the Legislature for review and enactment into law. Once the Executive tables the budget in the National Assembly, the budget is debated before voting on the total amount of the budget. The budget is discussed in four stages: first, is the first reading where it is introduced by the Minister of Finance. It is during this stage when the objective of the budget is also stated. Second, is the second reading stage where the budget is debated. Third, is the committee stage – when the whole assembly goes into committee to discuss the budget referred to it, or the budget is referred to some other committee to debate in detail the allocation of resources among and within ministries and government agencies. During this stage the money bill is examined vote-by-vote, but no changes have ever been made to the proposed

budget. The last stage is the third reading where the money bill is read for the third time. Thereafter, it is referred to the National Council with the message that it has been passed by the National Assembly which desires the concurrence of the National Council. In the National Council, which is the House of Review, similar discussion stages are followed. If the money bill that has been passed by the National Assembly is returned by the National Council without amendment, it is forwarded to the President for assent (National Assembly of the Republic of Namibia, 1993:41).

In some countries such as the United States the Legislature is involved at the formulation phase where the Congress plays a vital function in setting initial spending limits. Also in South Africa, a special working group brings together representatives from the Department of State Revenue, Department of Defence, and the Parliamentary Defence Committee (Giraldo, 2001:16). One could therefore argue that the Legislature can only have a meaningful input into the budget if it is involved at the initial stage of the budget process. It is at this stage that it will have enough details to understand what it is approving or rejecting. The US Congress, for instance, makes substantial changes to actual spending allocations during budget debates.

The major role of the Parliament in legislating on defence and security issues is also a vital precondition for healthy civil-military relations. This role is crucial in the formulation of defence and security policies, the decision making process concerning defence budgets, and the controlling mechanisms for spending the resources. Hage Geigob commented that the major control measure over the military by the Legislature is through the budget. “Parliament gives and approves military budgets. Therefore money is a key control measure that is exerted over the military by the legislature” (Interview, October 4, 2007).

Vibrant opposition political parties exist in Namibia, but unfortunately they are not robust enough to ensure checks and balances. As Henk Mudge claimed:

> Opposition parties do not really exercise checks and balances on Government. In most cases Government does not listen to the opposition. The reason is because the opposition did not make positive and constructive contributions in the past. I am quite sure that a responsible Government will listen to advice. We certainly offer solutions where possible. We do not only come in public and criticise and present our solutions, but we also do it in private by consulting with the President and

> ministers. Hopefully one day we will have a vibrant opposition party to ensure checks and balances on Government, not by number or voting power in Parliament but by discussion and making them realise what they can do and should do (Interview, October 16, 2007).

This situation could be attributed primarily to the dominance of the ruling SWAPO Party. Over the last two elections since independence SWAPO has won a two-thirds majority and controls both Houses of Parliament. In the absence of an alternative political party, this could weaken the oversight function of parliament. Detailed discussion on the role of political parties in civil-military relations will be covered in Chapter 9 below.

Conclusion

Besides the normative, law-making function of the Legislature, Parliament is also responsible for overseeing the activities of the military. Various Parliamentary Committees have oversight powers over defence and security. Therefore, they play a significant role in ensuring efficiency, transparency and accountability within the military. However, for the role of Parliamentary Committees over the NDF to be effective, much needs to be done. Besides, their lack of knowledge in military issues is somehow a deficiency. The functions of the Standing Committee on Foreign Affairs, Defence and Security are not clearly specified. There is a need for additional functions such as monitoring of the defence budget, oversight over declaration of state of emergency, deployment of troops and ensuring transparency in the financial activities of defence institutions such as August 26 Holding Company. These are issues that need to be assessed and addressed to strengthen the capacity of oversight function of the military. Defence establishments and procedures that focus on the role of civilians in security issues are vital in civil control of the military. Against this understanding, the next chapter examines the structure and mechanisms in the Ministry of Defence (MoD) that assist in oversight function of the armed forces.

CHAPTER 8

CIVIL-MILITARY RELATIONS WITHIN THE MINISTRY OF DEFENCE

The purpose of this chapter is to assess the structure of the MoD and the relationship between civil and military components that ensure civil control of the military in Namibia. Most democratising and democratic countries have civilian dominated ministries of defence to provide political direction and oversee the activities of the military. However, researchers such as Giraldo assert that the challenge faced by these countries is the lack of expertise, procedures, or legal power to coordinate a defence and security planning process that will inform their decisions on military activities (2001:35). This is important because if civilian authorities do not have the necessary military skills, they will not be in a position to take informed decisions on defence and security issues. Moreover, a lack of mechanisms to guide civilians in their performance of the oversight function over the military will undermine the process of civil-military relations.

The MoD of Namibia was established immediately after independence in 1990 to respond to the new defence and security challenges facing the new country. The Ministry was established taking into consideration the history of the country. Peter Shivute explained that:

> When the country was under the colonial apartheid regime of South Africa, there was, in effect, no organised structure responsible for defence matters in Namibia. At independence the apartheid regime withdrew personnel, equipment and expertise from the country. Consequently, the new and inexperienced government had to put new structures in place to keep government machinery working. It was during this process that the MoD was conceived (Interview, March 19, 2006).

The personnel in the Ministry are comprised of former adversaries of PLAN, the former military wing of the now ruling SWAPO Party, and the former members of the SWATF, an extension of the apartheid defence force, composed mainly of Namibians. The Namibian MoD, therefore, was designed to meet the defence and security needs of the country as well as to ensure national reconciliation. Additionally, the MoD serves as a department of state responsible for setting up the organisational and administrative structure necessary to manage the Namibian Defence Force. The British government assisted the new Namibian Government to set up the structure of the MoD.

Basically, as discussed in Chapter five, Namibia's MoD is organised and operates along similar lines to the British Ministry of Defence. The Ministry of Defence was created to fulfil the complementary roles of a department of state and headquarters of the defence force, co-locating the Chief of the Defence Force with the seat of political authority. The primary benefit of this plan is that it facilitates clear political control and management of the Defence Force. This arrangement, according to Victor Simunja, Deputy Minister of Defence, "ensures that military advice is readily available when decisions of a military nature are taken; it simplifies the chain of command, reduces duplication of work among the three arms of service and encourages an integrated approach to operations, thus further entrenching democratic civil-military relations"(Interview, January 16, 2006).

Moreover, to replicate the MoD's twofold roles, the Ministry is comprised of both civilian and military staff. Military officers seconded from the Defence Force work alongside civilian employees. This arrangement ensures that military advice provided to senior management is up-to-date. There is also regular liaison between the MoD and the Army Headquarters to ensure that military views are heard at the political level. Civilians formulate defence policy and the military executes it. Also civilians are responsible for the political dimensions of defence. However, military officers contribute to policy formulation on the basis of their functional expertise in their field of competence. However, critics argue that such an arrangement seldom works well because there are likely to be some communication problems. As Chuter adds: "Two centres of power will always compete with each other, especially if they work for the same master who, in practice, must choose between their advices". Furthermore, it is argued that "The motivations of a ministry of defence and defence HQ will be quite different and often opposed" (Chuter, 2000:59). The Namibia Ministry of Defence has parallel structures where the defence function is divided into a defence headquarters which deals with technical military issues, and on the other hand, a defence ministry that is largely staffed with civilian staff who handle political and financial issues as well as support the Minister.

The MoD's main responsibilities are to:

- Formulate and execute defence policies for the government;
- Provide central operational and administrative headquarters for the NDF;

- Procure equipment for the NDF; and
- Present the defence budget to Parliament (Government of Namibia, 1990-200:389).

The above functions of the MoD are an indication that government recognises that civil military relations will be stable if the required control is accompanied by the fulfilment of certain responsibilities towards the military. In addition, Chuter suggests a number of useful functions of the Ministry of Defence such as the command and control of operational forces; operational planning and exercises; the peacetime recruitment, training and administration of military personnel; intelligence analysis and sometimes collection; formulation of defence policy; equipment research and development; equipment procurement; and administration of the organisation itself (Chuter, 2000:55). Namibia seems to have co-located most of the above functions within the MoD to save costs. This is evident in the structure of the MoD discussed in this chapter below. Additionally, Namibia's MoD has specific management priorities that include the determination of force levels, equipment requirements, training, recruitment and deployment policy of the defence force; career planning, the refinement and review of the concept of operations; the effective management of resource allocation and distribution; and the articulation of the defence programme into detailed long term financial planning (MoD, http://www.mod.gov.na/mod_pol.htm).

Structure of the MoD

As shown in Appendix 2, the Ministry is hierarchically structured and emphasises supervision/subordination relationships. In essence, it is a bureaucratic organisation, characterised by features identified by Max Weber, cited in Starling, such as division of labour based on functional specialisation; hierarchy of authority; a system of rules, rights and duties of employees; a system of procedures for dealing with work situations; and impersonality of interpersonal relations (Starling, 1986: 300).

From the hierarchical structure of the Ministry, one can clearly see that one level is subject to control by the next level. To further strengthen democratic civil control of the military, the MoD is headed by a minister, who is a civilian and political head of the ministry. He/she also chairs the Defence Staff Council, the Ministry's highest management committee. The Defence Staff Council

consists of five officers appointed by the Minister. The Defence Staff Council is responsible for policy on defence. The Minister also represents the Ministry in the National Assembly and Cabinet. As the civilian head of the defence and security institution, the Minister of Defence is accountable to the Cabinet, Parliament, and finally to the citizens of the country. Some researchers are of the understanding that a civilian minister of defence has a responsibility to provide comprehensive regulations for policy implementation, to issue detailed guidance on the implementation of policy, set by the Legislature or the Executive, to elaborate priorities, to determine budget requirements, to account for the money spent, to recommend changes in policy, sign contracts for the most important procurements, nominate senior personnel for appointment and promotion, and propose changes in organisational structure and operating procedures (Pantev,2005:38). The Namibian Minister of Defence to a large extent performs similar duties. The Minister is assisted by a Deputy Minister, the Permanent Secretary and the Chief of the Defence Force in performing some of the above outlined duties. To illustrate the above, all major changes that take place in the military, such as senior promotions and implementation of policies, have to be approved by the Minister of Defence. This is supported by the Minister of Defence, Charles Ndaxu Namoloh, who affirmed that:

> The Minister of Defence is accountable for the operations of the military. Every year he reports to Parliament activities and programmes of the NDF and defends the defence budget. In addition, he is responsible for informing the public, through Parliament, of important military decisions, procurements, contracts, training etc. (Interview, March 15, 2006).

The Permanent Secretary, who is a civilian, is responsible for the financial, administrative and political aspects of defence policy and its execution. As an accounting officer, he/she controls the spending level of the NDF. Under the Permanent Secretary there are different offices in charge of controlling the expenditure of and accountability for the usage of money. The Permanent Secretary is also responsible to the Minister and to the National Assembly for the financial propriety and regularity of the MoD business and for its prudent and efficient administration. When it comes to the usage of funds allocated to the Armed Forces, there are commodity managers in different directorates who are charged with ensuring that money is spent accordingly. These managers form a body known as the 'economising committee' responsible for the monitoring and control of the usage of the funds. The committee is chaired by a Brigadier General who is responsible to the Permanent Secretary of the MoD. On the other hand, the Defence Act, 2002 (Act No. 1 0f 2002)

specified that the executive command of the Defence Force is vested in the Chief of the Defence Force (CDF). The CDF is responsible under the terms of the Constitution for the organisation, training, discipline and efficiency of the Defence Force and any auxiliary services, medical services and reserve forces (Government Gazette, No. 2749, 2002:7).

The Minister, Deputy Minister, Permanent Secretary, and Deputy Permanent Secretary constitute the civilian authority on military matters on behalf of government. Therefore, there is regular civilian interaction with experienced military professionals in the NDF at the most senior leadership levels. Such interactions, based on trust, open lines of communication and shared inclusion, prevent a division between politicians and the military. Therefore, civilian and military officers in the MoD are integrated and work together as a complete whole. As Robbins stresses, "In an organization, this integration is typically achieved through devices such as coordinated levels of hierarchy; direct supervision and rules, procedures, and policies" (Robbins, 1990:4). Consequently, a corporate MoD provides a better organisational environment for such interactions and thus facilitates effective democratic civil military relations.

Sharing the same understanding, Negonga writes that civilians in the MoD formulate defence policy and are responsible for the political dimension of defence (2000:5). On the other hand, military officers execute defence policy and contribute to policy formulation on the basis of their functional expertise. The Defence Secretariat, which is civilian, dominated, is responsible for coordinating functions in the ministry. Moreover, there is business-like interaction between military and civilian personnel in the MoD. For instance, civilians in the Ministry are employed permanently on the basis of their specialised skills, while military officers are seconded for a certain period and rotate between defence force units throughout the country. It is therefore argued that this arrangement assures healthy civil military relations in the highest decision-making hierarchy in the MoD.

Chuter advises that there has to be a regular contact between the military and civilian staff, and it should be a basic principle of the Ministry's operations that there is a single source of advice to ministers, reflecting both military and civilian viewpoints (2000:60).

The MoD consists of the following six directorates and two divisions, namely, Policy and Operations, Personnel, Logistics, Medical Services, Military Intelligence, and Finance, and divisions Central Staff (Secretariat) and Procurement, Research and Development:

- The Directorate Policy and Operations formulates operational concepts, organisation, deployment, planning of force structure, policy for support arms, management of day-to-day military cooperation, and combat support services of the NDF. The Chief of Staff: Operations, who is also a member of MoD's Senior Management Committee (SMC) and the Military Steering Committee (MSC), is the head of the directorate.

- The Directorate of Personnel is responsible for the management of human resources including selection, recruitment and career development of all NDF personnel and MoD civilian staff. In addition, the directorate coordinates training of officers, soldiers and civilians. It is also responsible for discipline and welfare, terms and conditions of service, pay policy, pensions and allowances, promotion and commissioning policy, leave and dress code. The Chief of Staff: Personnel, who is a member of both the SMC and the MSC, heads the directorate.

- The Directorate of Logistics is accountable for the provision of the combat support and material that the Ministry needs to discharge its functions effectively and efficiently. The directorate also prepares logistics policies, plans and their implementation, records acquisition of new material and equipment in line with the defence procurement policy, and manages all vehicles and transport-related issues through an efficient, cost-effective management practice. The Chief of Staff: Logistics, who is a member of both the SMC and MSC, is the head of the directorate.

- Health issues are taken care of by the Directorate of Medical Services. The directorate is in charge of formulating health policy, oversees medical supply services and ensures the general wellbeing of all NDF personnel. The Chief of Staff: Medical Services, who is also a member of both the SMC and MSC, heads the directorate.

- The Directorate of Military Intelligence in the MoD is charged with dealing with all matters concerning military and security. These include ensuring the security of all military installations, personnel and equipment, the collection and dissemination of security information, production and management of the MoD's communication policy, and managing media relations. This directorate is bound by directives issued by the Minister, and the Permanent Secretary. The Chief of Staff: Military Intelligence heads the directorate.

- The management of financial matters is the responsibility of the Directorate of Finance. The directorate manages and prepares the defence budget, the accounting of defence expenditure, internal financial administration, and management of the financial system of the MoD through efficient financial accounting practices. The directorate operates according to the directives of the Ministry of Finance and the Auditor-General's office. The head of the directorate is the financial advisor to the Permanent Secretary of the Ministry (Government of Namibia, 1990-2000:383).

Each directorate consists of a number of divisions. For all practical purposes, all the directorates and divisions of the MoD fall under the Permanent Secretary who is the Accounting Officer. The Permanent Secretary is the overall head of the civilian component in the MoD. He/she is responsible for the financial, administrative and political aspects of defence policy and their execution. This ensures civilian involvement in military decision making. In addition, the inclusion of a Secretariat to the MoD structure enables civilians to do the work such as finance, administration, policy formulation, judiciary, medical etc. that can be done better and at lower costs by civilians rather than the military.

The Division Central Staff (Secretariat) was established to coordinate the work of the Ministry. It is the main body tasked with processing submissions from directorates to the Permanent Secretary and the Minister. It is also charged with coordination of all policy matters and the preparation of all policy papers in partnership with heads of directorates for approval by the Defence Staff Council and Senior Management Committee. The division is also responsible for the preparation of meetings and regional conferences concerning defence and security, production of agendas for

these meetings and preparation of minutes as well as protocol and policy on VIP visits. The Central Staff (Secretariat) is also responsible for ensuring effective production and presentation of the Ministry's development plans, and creating a good public image of the MoD and NDF through the media (Government of Namibia, 1990-2000:385). Within the Secretariat there is the Information and Systems sub-division, which executes strategies and plans for the development of Information Systems. There is also a sub-division of Internal Audit, which oversees the ministry's internal auditing functions. The Secretariat is headed by a deputy director who is a civilian and serves as the secretary to the SMC.

The Division Procurement, Research and Development was established to coordinate capital procurement for the NDF. This includes the acquisition of all military, ammunitions and materials, contract negotiations with suppliers, service providers, inspections and reviewing conditions of sales as per purchase terms, attending military exhibitions to ensure effective sourcing, and liaising with manufacturers. The division also has the responsibility for researching, designing and developing military materials for the defence force (Government of Namibia, 1990-2000, 2000:385-6).

Civilians and military officers work side by side in these various directorates and divisions. Nonetheless, there are some areas that fall within the domain of the military in the MoD. As Chuter asserts, both military and civilians should be satisfied to work for each other to ensure efficiency. Furthermore, he is of the view that jobs will be performed much better if they are tasked accordingly, for instance operational planning can be performed more efficiently if it is left to the military. On the other hand, personnel issues within the MoD should be left to civilians (2000:61-2).

Factors that shaped the MoD

There are many factors that contribute to the establishment of the structure of a defence ministry that sometimes go outside the power of the authorities (Chuter, 2000: 58). Chuter argues that the principle of institutional integrity is essential, as the organisation has to be arranged in such a manner that it supports the realisation of its purpose. At independence, certain people, especially the opposition parties, were against the establishment of the NDF and by implication the MoD.

They argued that there was no immediate threat that faced Namibia. The Chief Editor of the Windhoek Observer Newspaper, Hannes Smith, was of the opinion that:

> Namibia has no threat from outside. We peacefully co-exist with all our neighbours. Therefore there is no reason for the country to have a defence force. I also do not see why Namibia should have a big defence force that is expensive to maintain (Interview, July 24, 2006).

The factors that could have contributed to the establishment of the Namibian MoD and the way it is shaped are mainly political. First, instability in the region may have convinced political authorities of the general risk, and thus justified the maintenance of an independent national defence capability. Second, since the country attained independence after a liberation war, the political leadership saw it fit to create the National Defence Force to take care of the liberation fighters and those who were in the colonial South African Defence Force. The other factor could have been regional balance of power. The security situation in the region at the time of independence, and presently, remains volatile as the country is surrounded by heavily armed neighbours, though the country has sound relationships with them. The other is to defend and protect the territorial integrity of the Republic of Namibia. However, one could also argue that the people, as an input to the organisation, had influence on the Ministry. Since there were thousands of soldiers who were demobilised after the war, their skills and services were still needed by the new government, and hence the establishment of the Ministry.

Moreover, the establishment of the Ministry of Defence that co-locates the defence force headquarters is a confidence-building measure for both civilians and the military. This was affirmed by Negonga (2000) who argued that it reduces suspicions in the operations of both civilians and the military. For example civilian officials and military personnel work together as a team in preparing defence budgets, policy formulation etc. It also limits the duplication of duties by the three arms of services (the army, the air force and the navy) and improves the quality of military advice to political elites. Additionally, the fact that the defence force budget is debated in Parliament ensures transparency and accountability on the part of the military. This arrangement has created confidence in the operations of the military in Namibia.

It is also important to note that the structure of the MoD clearly stipulates the vertical flow of authority and responsibility from the highest level of the organisation that is the Minister to the lowest levels. This guarantees that each level in the structure is responsible for activities or tasks taken. The divisions that give specialised support further strengthen the organisation. People in various directorates and divisions of the MoD have technical knowledge and skills and assist the organisation to keep up with current changes or developments in the technological field. Relationships between job levels are clearly spelt out. In addition, the MoD structure shows, for instance, specialised task activities divided into directorates that perform specialised functions. In this way, the structure of the establishment has provided a means for achieving organisational goals through specialisation and division of labour. However this is in variance with what some employees in the MoD feel, that there is too much delegation of tasks from supervisors, resulting in many tasks not being properly performed (MoD Informant Interview, May 20, 2006). This could be as a result of lack of job descriptions or lack of self-confidence on the part of supervisors.

The MoD structure also puts more emphasis on procedures, communication channels and grievance procedures. This has led to considerable frustration among members on the lower levels as employees fail to communicate important messages from the bottom to the top. Problems experienced by people on the lower levels remain unresolved for a long time as they do not reach relevant authorities on time because of the many levels of channels of communication and supervision. Above all, they are required to follow laid down procedures or chain of command each time they want to put across their grievances. This was confirmed by an MoD employee who claimed that many times, the arrangement has proved to be ineffective, leading members of the MoD/NDF to discuss their problems in the media (MoD Informant, May 20, 2006). This undermines professionalism, which is crucial in the democratic civil control of the military.

There is also no personalised relationship, because those at the top are pre-occupied with giving orders and control and fail to come to grips with what is happening on the ground. This has led to some employees saying the institutions belong to ‘senior officers’ only. This could be justified because seniors are detached from the problems at the lower levels. Moreover, it could also be argued that it is a result of the nature of the military institution which is basically authoritarian.

The other deficiency is the staffing of the organisation. Most people who occupy top positions in the MoD do not have formal management training or skills, apart from military training, necessary to run the institution (NDF Informant, April 11, 2006). This undermines efficiency in the Ministry. As in most African countries, especially in public institutions, appointments and promotions to senior levels are not done on merit and not based on competence. Most of these are based on political consideration, favouritism or patronage. The Executive Director of the National Society for Human Rights, Phil ya Nangolo, put it succinctly:

> All the top brass of the NDF are Oshiwambo speakers and former PLAN cadres. Although senior ex-SWATF soldiers were recruited into the defence force, they were given junior ranks that led to many of them resigning from the military. Promotions in the NDF especially to top positions such as colonel and brigadier are hardly done on merit, but purely on political considerations. Almost all senior civilian posts at the MoD, from the Minister, Deputy Minister, Permanent Secretary, and Deputy Permanent Secretary are all ex-PLAN and card-carrying members of SWAPO. Recruitment in senior civil service posts such as Permanent Secretary, Under Secretary, Director, and Deputy Director are also determined by one's political affiliation. The defence force must be professional, fair in its promotion and must be seen to be just (Interview, March, 01, 2006).

This has led to many public institutions in Africa failing to achieve their goals, because people who are supposed to steer the ship don't have the necessary skills to do so.

The other weakness is that pyramidal structures like that of the MoD do not adequately allow for personal growth and development of mature personalities. It has been observed by the researcher, as a former employee of the MoD, that most of the old military guard in the higher echelon of the Ministry fail to utilise the rising talent of young individuals skilled in policy analysis and administration that can contribute to effective running of the institution. Their job security is threatened, and thus they are not willing to accept any change in the organisation to improve on service delivery. For that reason, there seems to be a failure on the part of those in senior management positions in the MoD to clearly explain the responsibilities and tasks of every employee; they need to know the part they are to play in the total effort and how their roles relate to each other. This is important if the MoD is to achieve its set goals.

There is no doubt that almost all nations need Armed Forces. In addition, the military is expected to effectively perform their task of external security without infringing on the rights of the society. It should, however, be noted that members of the Armed Forces have undertaken to fight and die for the nation; therefore one could argue that the society should be prepared to accept this unique feature which comes from military duty. The society, for instance, should also accept inconveniences which may be caused by the Armed Forces such as the use of land for training purposes or of airspace for noisy aircraft. Above all, the society should accept that the Armed Forces are entitled to proper pay, accommodations, living conditions, and friendship within the communities they serve. The military should also be welcomed back into the civil economy after their service or when they retire from active duty.

The Namibia Defence Force (NDF)

Over the years, the strength of the NDF has varied from the envisaged 10,000 strong NDF. According to the most recent statistics of the *Public Service Commission* and budget documents cited in *The Namibian* newspaper, the defence force stands at 14,800 soldiers (Dentlinger, 2006:1). The number of NDF soldiers has increased over the years. The opponents of the military argue that Namibia does not need a big army because it has friendly neighbours, even though there might be rivalry in economic, political and diplomatic arenas, but no one would want to send troops to destabilise the country. Hannes Smith argued that it is too expensive to maintain such a Defence Force (Interview, July 24, 2006). Similarly, the Editor of the Namibian Newspaper, Gwen Lister (2005), wrote in her 'Political Perspective column' that the NDF is bloated, poorly trained, inadequately equipped, and probably unable to deal with a major emergency if it arose. It is also felt that the Defence Force is largely demoralised because it does not have much to do, and that the living conditions are not up to standard. Consequently, "What does it help Namibia to have a Defence Force at all?" she asks. She further opines that Namibia needs a small, properly equipped and well-trained force staffed by motivated, educated and civic-minded individuals who could be deployed in the case of a national crisis or emergency and not necessarily a military one.

The composition of the Defence Force was established by the Defence Act, 1957 (Act No. 44 of 1957) and it consists of the Namibian Army; the Namibian Air Force; and the Namibian Navy (Government Gazette No. 2749, 2002:7).

The Army

The primary role of the Army as provided for in the Defence Amendment Act (Act 1 of 2002):5 (1-5), as well as in the Defence Policy that incorporates policy guidelines for the development of the Ministry, approved by Parliament in March, 1992, is to ensure the maintenance of the sovereignty and territorial integrity of Namibia; on service in the prevention or suppression of terrorism; service in the preservation or suppression of internal disorder in Namibia; in the preservation of life, health and property; service in the maintenance of essential services; other services as may be determined by the President; and "while employed as contemplated in paragraph (a), be used in those police functions mentioned in section 13 of the Police Act, as may be prescribed". Researchers such as Du Pisani (2003) are concerned with the widening of the functions of the NDF. According to him, the last provision of the roles of the NDF distorts the separation of responsibilities between the military and the civic authorities.

The Policy for the Development of the Army envisages that the army should remain a disciplined and accountable professional force; continue to train along the lines of other Commonwealth armies; train with the police to rehearse plans for aid to the civil authorities, civil ministries and the civil community; and promote a good public image and contribute to the communities in which it is based (*MoD*, http:www.mod.gov.na/army_pol.htm). This is significant as it ensures the army's responsibility and accountability to the citizens, through, among other things, involvement in community activities such as assisting in building roads in rural areas, renovating schools, assisting during natural disasters such as floods, and extinguishing bush fires, thus strengthening civil control of the armed forces in the country.

The Air Force

The Namibian Air Force is another component of the NDF. The Air Force was commissioned in 2005 at Grootfontein. The Air Force is small and consists of 4 Chinese Nanchang K-8 light attack aircraft; 12 Chengdu F-7NMs; 2 FT-7NGs – conversion trainers; 2 Mikoyan-Gurevich MiG-23 multi-role fighters; 5 Cessna FTB.337G and O-2A – light utility aircraft; 2 Antonov An-12 transport aircrafts; 2 Harbin Y-12 transport Aircrafts; 1 Learjet 36 VIP Transport; 1 Dassault Falcon 900 VIP Transport; 2 Mil Mi-8 assault helicopters; and 2 Mi-24 Aeropatiale Alouette III light utility helicopters (ISS, http://www.iss.co.za/Af/profiles/Namibia/SecInfo.html). The role of the Air Force is to operate in support of the Namibian Army and the Namibian Navy. It is also responsible for conducting surveillance, transportation of personnel, supplies and equipment, training, as well as rendering support to civil authorities and community (Government of Namibia, *1990-2000*, 2000:386). The Air Force also avails its assets to other ministries for non-defence tasks as well as to private and other national air assets where necessary (MoD, http:www.mod.gov.na/mar_pol.htm). Accordingly, as part of the assistance to civil authorities, it played a major role in the campaign against malaria outbreak in the northern parts of the country in 2001. During the perennial floods in the Caprivi Region the Air Force has been deployed to relocate the affected communities to higher ground. Additionally, the Air Force flew in medicines from Zimbabwe and in the process saved many of the people who were affected by malaria and other water-borne diseases.

The Navy

The development of the Namibian Navy has been slow. The first ten officers from the army units were sent to Brazil in August, 1995 to study and set up the maritime wing of the NDF. A year later a group of six students was recruited from members of the public and sent to Brazil for training. In 2002 the Ministry of Fisheries and Marine Resources donated a patrol vessel, the NPV Oryx, to the MoD. In 2003 two Namacuras were donated to the MoD by the South African Navy. The navy was commissioned in 2004, and in the same year it acquired its first warship, Lt Gen Jerobeam Dimo Hamaambo, named after the late first Chief of the Defence Force. The warship was donated by the Brazilian government through a cooperation agreement between the two countries. The Namibian Navy is comprised of about 374 personnel (MoD, http://www.mod.gov.na/mar_pol.htm).

In 1994 the Namibian government entered into a cooperation agreement with Brazil to provide training to Namibian cadets. Additionally, the agreement included the provision that Brazil would assist Namibia in acquiring naval facilities such as patrol boats; and provide general consultation services on naval matters to Namibian cadets (Dzinesa and Rupiya, 2005: 215). Consequently, Brazil offered 80% of the required naval training, South Africa 10%: the remaining 10% was provided by India, the United States, Greece and Germany respectively (*NDF Journal*, 2002: 3).

The Namibian Navy is responsible for defending the country's rich maritime domain and coastline, which extends over 1,500 kilometres, against external attacks. In addition, the role of the Namibian Navy includes assisting civil forces to combat illegal immigration, smuggling (arms, drugs etc.) and threats to the environment; conducting maritime surveillance, search and rescue; and assisting the Ministry of Fisheries with enforcing a fisheries protection regime. It is also envisioned that in the long term the Navy will be responsible for the protection of offshore oil, gas, diamonds and other installations (MoD, http:www.mod.gov.na/mar_pol.htm).

The structure of the NDF is subjected to the powers of the Minister of Defence to ensure checks and balances. The Defence Force has headquarters, arms of service, formations, unit and personnel as determined by the Minister. The executive command of the NDF is vested in the Chief of Defence Force (CDF). The Minister directs the CDF in the execution of his duties during peacetime. Conversely, the CDF executes the defence policy; executes military commands over the armed forces and directs its activities in peace and war times; manages the operations of the military; and he/she is the principal advisor to the minister on all aspects of the military and to the government as a whole. The CDF is answerable to the President, as the Commander-in-Chief of the Defence Force.

From the above description of the organisational structure of the MoD, one finds a clear division of labour, not only among the directorates and divisions, but also between civilians and military personnel. This enhances professionalism because both civilians and the military have relative autonomy within their own specialised areas. One could therefore say the clearer the separation of

spheres of job responsibility between civilians and the military, the less the likelihood of intervention into one another's areas of authority.

Members of the military who are arrested for criminal activities outside the scope of their duty, or who perpetrate crimes on civilians, are subject to the jurisdiction of civilian courts. This is an important indicator in civil-military relations in Namibia, because it shows the extent to which civilian institutions have authority over potential excesses by the armed forces in the country. In Namibia members of the military who commit civil crimes outside the scope of their duties are liable to be arrested by the civil police and taken to civilian courts and prosecuted. As a general norm, and according to Article 10 and 12 read together with Article 78 of the Namibian Constitution, members of the Namibian Defence Force are liable and subject to Namibian courts for any civil act committed against legal interests of another individual or group in their personal capacity. According to an NDF informant this rule further applies and is not an exception to any commission or omission committed by the military while executing their duties and exceeding the limits of authority (Interview, April 11, 2006). Nevertheless, members of the NDF are not liable for acts committed while performing official duties although they are subject to Namibian courts for any act committed while executing duties or while furthering the interests of their employer. In this instance, the employer, that is, the MoD, is held accountable by stepping in the shoes of the employees. This is significant because it shows the authority of civil institutions over the military, which is a vital element of healthy civil-military relations.

Furthermore, the criminal liability of members of the NDF cannot be protected under the pretext of performing 'official duties'. On the contrary, an NDF Senior Legal Officer argued that official capacity is not a defence for any crime committed by a member of the military irrespective of whether such commission or omission is on or off-duty (Interview, May 4, 2006). This principle means that, like members of the civil society, members of the Namibian Defence Force are individually or collectively, but separately from their employer, liable for their own criminal misdeeds committed within the jurisdiction of Namibian courts.

Correspondingly, the Defence Amendment Act (Act 20 of 1990) amending the South African Defence Act (44/1957), Chapter VII Article 41 (1) stipulates the Jurisdiction of civil courts in regard

to offences under the Military Discipline Code. The Act states that the High Court of Namibia or, subject to any other law prescribing its jurisdiction, a magistrate's court may –

(a) Try any person for an offence under the Code; and
(b) Impose any punishment which may be imposed for that offence under the Code and which is within the jurisdiction of such court, including, in the case of a magistrate's court, a sentence of detention.

To illustrate the above, there has been a recent civil case that involved a senior member of the military who crashed a military vehicle on the walls of State House. The MoD distanced itself and the military officer was arrested and duly appeared before a civil court. There was also a case of Namibian soldiers who were alleged to have committed crimes against civilians in Liberia while doing duty for the UN in that country. An NDF Senior Legal Officer (who preferred anonymity) claimed that NDF suspects were withdrawn from Liberia and brought before an internal hearing and were found not guilty (Interview, May 4, 2006). However, William Lindeke also claimed that as a result of some incompetent courts in the country some cases take as long as seven years or more to be decided (Interview, April 21, 2006). Nonetheless, it is reassuring that soldiers who commit civil crimes are brought before a court of law, because they are, first and foremost, citizens like anybody else. It is therefore concluded that civil institutions indeed have authority over military excesses in Namibia, further strengthening civil control of the military.

In an effort to prevent military involvement in politics, Namibia has a defence law that specifically forbids the military as an institution from playing a political role. In this regard, Section 14 of the Defence Force Amendment Act (Act 20 of 1990) prohibits a member of the NDF from nomination, election or appointment as a Member of Parliament or any prescribed public body. Additionally, the Statement on Defence Policy (2003) describes the NDF as apolitical, organised and managed to serve the government of the day and the entire population of the Republic of Namibia. These provisions are significant in putting a stop to the kind of military participation in partisan politics, frequently portrayed by non-democratic governments. However, Giraldo (2001) warns us that the provision can be too narrowly interpreted, because it excludes military participation in partisan activities and contests, but permits more general comment on government policy or participation in

policy making. Interestingly enough, in the Namibian context, even though military personnel who are on active duty are prohibited from running for and holding legislative office, they are allowed to belong to political parties as provided by Article 21 (1) (3) of the Constitution. Political parties are banned from carrying out activities in military barracks, where there is a confined audience, because this might be interpreted as official endorsement of a partisan, political view. Nevertheless, soldiers are allowed to vote, because it has been recognised as one of the foremost basic political rights.

The military institution itself is not democratic; therefore it is not always possible to exercise democratic principles within the Armed Forces because the institution of the military is autocratic by design. This was supported by Victor Simunja, Deputy Minister of Defence and Member of Parliament, who said:

> There was no democracy in the military because of the nature of the profession. The military cannot, for instance, lobby someone because they are not happy with something; neither can they bargain for something. It will be against the profession of the military to do so. Moreover, in the military sphere, decisions are implemented by giving orders and not by consensus. In addition, soldiers face many challenging tasks. Therefore if they were given choices when to perform a task, it would not be done. Some of the tasks cost life. Therefore from basic training soldiers are taught in autocratic ways of doing things (Interview, January 16, 2006).

Then again, the military in Namibia understands and respects the way of doing things in the broader democratic government system. The military accepts its constitutional mandate. The duties and responsibilities of the Defence Force are clearly defined in the Constitution and they are bound by the supreme law of the country. Nonetheless, there is need for a developed civil society that has a clear understanding of the democratic political culture, including the acceptance of the roles and missions of the military.

Defence Budget

Control of the Defence Budget is significant for civil control over the military. Namibia, like other democratising countries, moved rapidly to exert control over the Defence Budget to ensure civilian

control over the military. It is argued that "The power of the purse provides civilians with a key lever of control over the military" (Giraldo, 2001:6). The characteristic budget cycle has four separate stages, namely (1) budget preparation by the Executive, (2) budget approval where it is enacted into law by the Legislature, (3) spending or budget execution, and (4) audit and review for the efficiency and effectiveness with which the money was spent.

In Namibia, roles and responsibilities for the preparation of the Defence Budget are very clear. Accordingly, civilians and the military participate in various ways at every phase of the Defence Budget which is prepared at the MoD. The preparation of the National Budget, including the Defence Budget, usually takes place within the Executive Branch of government. In addition, it involves the distribution and allocation of funds to all sectors such as defence, education, health etc. Junias Kandjeke, a former Director of Finance in MoD, claims that "The allocation of resources within a sector is the responsibility of the relevant line ministry, in this case the MoD in consultation with the Ministry of Finance" (Interview, July 12, 2004). Consequently, the preparation phase is an inclusive process as comments are sought from the National Planning Commission Secretariat, the Presidential Economic Advisory Council, the Bank of Namibia, and Regional Councils (Bank of Namibia, 2001:35). Once comments are received, the draft budget is sent to Cabinet for approval. Once approved by Cabinet it is brought back to the National Planning Commission Secretariat who then distributes the Budget Circular and approval guideline amounts to line ministries, in this case, the MoD. The line ministries are expected to draw up their draft budget for funding of their programmes and projects. These proposals are to be accompanied by written motivation reports justifying their expenditures. The completed draft budgets are then sent to the National Planning Commission Secretariat for appraisal and scrutiny to determine whether they are within the set limits and address national objectives of accelerated economic growth and development, employment creation etc. (Ministry of Finance, 2003/04-2005/06). The final figures are then compiled into a draft budget bill, which is then sent to the Parliament for approval. As Welch (1976) asserts, budgetary supervision is the most powerful weapon for civilian control over the military establishment.

Democratically-elected officials have succeeded in asserting control over the spending level of the Defence Budget. Junias Kandjeke explains that "The Ministry of Finance has authority that is

considerably greater than that of spending ministries on budgetary matters. Ministries that have submitted additional budgets are normally invited for budget hearings. The purpose of the budget hearings is to give an audience to Accounting Officers of the line ministries to motivate their expenditure proposals. In a situation where excessive amounts are identified, the ministry concerned is advised to re-prioritise" (Interview, July12, 2004). From the above explanation one can obviously see that civilian officials provide a deliberate review of the Defence Budget and the military operational features. Moreover, elected civilian officials have a duty to rationalise spending because excesses in military spending could inflate the Defence Budget. Conversely, democracy comes with forceful demands for increased social spending, which are often answered at the expense of the defence sector.

Giraldo (2001) argues civilian predominance is especially significant in budgetary issues because democratically elected leaders are better placed to ensure that the allocation of financial resources is rational and balanced. Nevertheless, argued Ben Ulenga, that there are weak internal evaluation mechanisms in the MoD to determine whether the money has been spent according to the stipulation of the Defence Budget (Interview, April 18, 2006). This is mainly as result of secrecy that surrounds certain activities of the military. To illustrate this point, when it comes to budget preparation at the MoD, there is a vote referred to as 'special'. The activities that are financed in this vote are not made public, unlike other votes, for 'security' reasons. Therefore, it is difficult to account for proper utilisation of this money. Hence, this researcher is of the view "budgetary allocations to 'special' votes in the military budget are not publicly audited or accounted for". This is an area that needs serious attention.

It has been argued that the Namibian design of the MoD guarantees political control and management of the Defence Force. Practically, this arrangement may get in the way of civil supremacy as it could lead to unnecessary military influence in the affairs of the civilian-oriented MoD. This is so especially when it comes to responsibilities of the Permanent Secretary and the CDF. It is most likely the two offices in one ministry will always compete with each other when it comes to military supremacy. Therefore, some scholars suggest that for this arrangement to perform well, "It is important that the responsibilities of each military and civilian division should be

clearly distinguished from one another to avoid competing hierarchies, second-guessing, and competition" (Chuter, 2000: 60).

To begin with, the creation of a civilian dominated MoD is essential but not a sufficient condition for civilian control of the military. Civilians within the MoD must play a vigorous role to develop a technical establishment and expertise required to control the military (Giraldo, 2001:12-13). Junias Kandjeke argues that although the MoD has the responsibility of formulating the Defence Budget and supervision of its execution, "There is no credible body with appropriate technical know-how to perform the tasks adequately" (Interview, July 12, 2004). This is a serious concern that could weaken civil-military relations.

There are areas that are potential sources of conflict in the conduct of civil-military relations in the country. The challenge faced by Namibia is to develop professionalism in the NDF. Namibia has a young Defence Force, which is still in the process of consolidating itself as a professional force. A professional defence force would be evident by its moral principles and discipline; credibility and dignity; adherence to the democratic norms and principles, national and international laws and treaties; respect for cultural diversity; and acceptance of civilian control. Boene gives further details on the basic norms and characteristics of military professionalism:

> …exclusive expertise drawn from a lengthy education; a service ethic calling for personal sacrifices in the cause of society's higher good in exchange for a degree of public recognition and social honour; delegation of public authority in the discharge of military roles, and the internal management of the profession, thereby fostering corporate feeling among professionals - chiefly officers (2000:12).

The above comments are significant. Deputy Minister of Defence, Victor Simunja, claimed that, the NDF has met some of the principles mentioned above, "However, the main constraint is lack of human capacity to manage the Defence Force" (Interview, January 16, 2006).

Negonga (2003) asserts that civil-military relations in Namibia are threatened by insufficient resources allocated to maintain the military because of the competing, national, socio-economic and political needs that need to be addressed as well. He further adds that the state should

increase the Defence Budget as this would improve professionalism in the NDF and therefore enhance healthy civil-military relations. While these observations are significant, it will be interesting to see whether an increased Defence Budget will enhance professionalism in the military at the expense of other considerations such as culture, historical and political factors that have influenced civil-military relations in the country. The other challenges include lack of understanding of the tasks and responsibilities of key actors, ineffective policy on the reintegration and resettlement of ex-combatants that remain to be adequately addressed by the government.

Recruitment and Promotion

According to the Statement on Defence Policy (2003) the NDF is expected to reflect the demographic composition of the society through its recruitment procedures. To this end, the policy envisions a military that has a broad representation of all Namibians at all ranks. Accordingly, when recruitment is done, it is explicitly stated in the advertisement that all young men and women between the ages of 18 to 25 years old are eligible for employment in the Defence Force. In the case of older recruits who have specialist or technical qualifications needed by the NDF, the age limit is 40 years. The other requirements are that candidates must possess a minimum educational qualification of Grade 10 and must pass an English language test; they must be medically fit; they must have no criminal record; and they must be Namibian citizens (MoD, http://www.mod.gov.na/n_item4.htm).

For the past 15 years of independence, the MoD's recruitment into the NDF was based on applications received from each of the thirteen political regions of Namibia. For example, each year the Ministry advertises for 1 500 applicants to join the military, and the number of those recruited is determined by the number of applicants from a particular region. However, according to the Senior Personnel Officer at the MoD, Lt Col T. Iyambo, this procedure was not found to be suitable. Therefore, "We now use the population census percentage of the region to determine the number to be recruited into the military" (Interview, May 7, 2007). Accordingly, if the population census percentage in a certain region is three percent and the MoD is recruiting 1000, three percent of 1000 will be recruited from that region. Nevertheless, the MoD Senior Personnel Officer is of the view that this recruitment procedure is not perfect because people in regions such as Karas,

Hardap, and Omaheke etc. are reluctant to join the military. Lt Col T. Iyambo claims that, "The Ministry is forced to look at the individual names of those who applied and associate their origin to a region" (Interview, May 4, 2007). It is unfortunate to note that the Whites are not keen to join the military and those who do, prefer the Air Force, but again stay for a short period and then opt for the private sector. According to him the main reason given for lack of interest in the military, especially for the black population, is lack of recruitment information from the Defence Force. This is indeed worrisome and not good for healthy civil-military relations in the country. Recruitment and promotions should be done professionally to enhance the integrity and image of the military.

There has been a public outcry on a clause in the recruitment policy of the NDF that compelled all new recruits to undergo a comprehensive medical examination including HIV and AIDS testing. Consequently, recruits who are found to be HIV and AIDS positive are disqualified and not allowed to join the NDF. It was felt by civil society that compelling anyone to undergo HIV and AIDS testing and disqualifying candidates from employment on the basis of their HIV and AIDS status was discriminatory and therefore unconstitutional. The Permanent Secretary of the MoD, Peter Shivute clarified that:

> The nature of the military profession requires that soldiers are fit in order to perform their duties. The NDF recruitment is clear and the MoD is not forcing anyone to join the defence force. The recruitment requirements, among others, stipulate that eligible candidates must be medically fit and must undergo voluntary testing for HIV and AIDS. In addition recruits must be between 18 to 25 years old; without a criminal record; and satisfy certain educational requirements. Recruits can only join the NDF if they are medically fit and meet the above mentioned requirements (Interview, March 19, 2006).

The Executive Director of the National Society for Human Rights, Mr. Phil ya Nangolo, estimates that about 98% of the command structure of the NDF is composed of the dominant Oshiwambo-speaking ethnic group who are also former members of the People's Liberation Army of Namibia (PLAN), SWAPO's former military wing (Interview, March 1, 2006). The top structure of the NDF is occupied by Oshiwambo-speaking Namibians and former PLAN cadres. To illustrate this point, the Chief of Defence Force, the NDF Chief of Staff, The Army Commander, Commanders of the Air Force and Navy are all Oshiwambo speakers. Additionally, all Brigadier Generals heading the six

MoD Directorates except for one are all Oshiwambo speaking Namibians. This falls far short of the democratic ideal that the armed forces should reflect the ethnic, racial or other social distribution of the Namibian society. Although new recruitment is done evenly across all groups, integration of PLAN resulted in a particular composition of the officer corps. The Namibian Constitution Article 119 makes provision for a balanced structuring of the Defence Force, but this seems not to be the case. This raises serious questions as the Defence Force seems not to adhere to the provisions of the Constitution. Moreover, tensions could arise in civil-military relations as a result of such disparities. Parliament should ensure that the recruitment system for the Defence Force is open to all segments of society and selection based on merit and quality. All positions within the Defence Force must be open to all citizens, regardless of gender, political affiliation, class, race or religion. To maintain peace and stability, recruitment into the Defence Force must be fair, professional and reflect the demographics of the country.

Of equal concern is the appointment of retired military officers to fill the key civilian positions of Minister or Deputy Minister, because it distorts the separation of responsibilities that is fundamental to civil-military relations; civilians recruited to head certain divisions such as legal affairs in the MoD were appointed as Colonel and Lieutenant Colonel respectively. An MoD informant clarified:

> When one is recruited from the streets, on the basis of his/her specialisation, into the NDF, he/she is required to have a military designation to fit in the structure (Interview, May 25, 2006).

Similarly, this researcher has evidence that civilians who were recruited to head directorates such as Medical Service and Finance were also translated into military positions and promoted to the rank of Brigadier General. One could argue that this practice being done in the NDF/MoD undermines military professionalism.

The MoD uses the Performance Appraisal Reports as a basis for staff promotion. However, a Report of the Third National Council Standing Committee on Foreign Affairs, Defence and Security (2005) points out that the MoD does not adhere to this mechanism when considering the promotion of soldiers. Accordingly, certain personnel are promoted without the consent and knowledge of the responsible Commanding Officer. Equally disturbing is the revelation by an NDF informant that

there is no defined criterion for serving personnel to qualify for promotion or provision for an exit package for non-promotable members of the NDF (Interview, April 11, 2006). Serving members continue until they reach the retirement age of 65.

Another sign of subjective control is the use of the media to solve organisational problems such as recruitment and promotions issues in the Defence Force. Over the years the leakage of information to the public through the media on issues internal to the Defence Force has become a pattern, and judging by the character of information it is mostly probably provided by senior officers in the Ministry. When the researcher was a MoD Public Relations Practitioner various internal cases such as promotions, soldiers' wellbeing, disciplinary actions etc were often leaked to the media. This pattern contradicts major principles of military ethics, and acts against the unity of the officer corps and the corporateness of the military profession. These are serious concerns that political elites need to revisit to ensure effective civil control over the military in Namibia.

Conclusion

The creation of the NDF and the establishment of the MoD was determined by historical, political and security considerations. The skills of thousands of disarmed and demobilised ex-fighters were needed by Government as part of nation-building process. Additionally, the formation of a unified Defence Force, that reflects the demographic composition of the society and the reconciliation of former adversaries on both sides of the liberation war, has assisted to ensure peace and stability. We could further argue that the new political leaders were driven by a common goal of defending the sovereignty and independence on Namibia by creating a new Defence Force and MoD.

The co-location of MoD and Defence Force Headquarters reduces duplication of tasks between civilians and the military. It also encourages an incorporated approach to operations and enhances the quality of military advice to politicians. Additionally, it has served as a confidence-building measure because there is transparency in the activities of both parties. To ensure professionalism there is a clear division of labour between civilians and the military.

The budget, which is a crucial tool for civil control of the military, is firmly under civilian control. Civilians are mainly responsible for budget formulation and the military for its implementation. Furthermore the budget is debated in Parliament annually to guarantee checks and balances by the legislature further strengthening civil-military relations in the MoD. A civilian-dominated MoD is critical to civil-military relations as civil control is particularly essential in budgetary issues. Civilians are better positioned to ensure that allocation of defence resources is coherent and reasonable. On the other hand, organisations will not survive without people to defend it against coercion from outside thus assuring their continuous survival. The participation of civil society in defence and security related issues can be a barometer of the country's maturity for civil-military relations. The next chapter investigates the role of civil society in ensuring civil control of the military.

CHAPTER 9

THE ROLE OF CIVIL SOCIETY AND POLITICAL PARTIES IN CIVIL MILITARY RELATIONS

This chapter will examine and explore the role of civil society and political parties in stable civil-military relations in Namibia. In the military area, the relationship between civil society organisations and the state has been that of apprehension. There is tension between the imperative of safeguarding secrecy on sensitive matters and the need for transparency. However, through global liberalisation of economics and politics, the military has been subjected increasing to the discipline of good governance. Within this framework of good governance, the engagement of civil society organisations such as public policy research institutions, the media, academic institutions, and NGOs has become a crucial element of effecting transformation in the defence and security sector (*Civil-Military Relations*, http:www.gfn-ssr.org/good_pratice.cfm?id=74&p=22).

The role of civil society and its expert institutions has become essential in implementing democratic civilian control of the military in established democracies. This has arisen from the need to increase democratisation of society and to deal with the rising complexity of defence and security. On the other hand, the public demands and expectations that their money, provided to the state, is spent in the most effective way is a basic reason for civil society organisations to have a say on the issues of defence and security. This view is supported by Pantev et al. who point out the need for vibrant civil societies to guarantee that defence and security issues of state are not monopolised by selected groups of people (2005:8).

Therefore, civil society organisations frequently play a watchdog function and draw government attention to abuses of power or to policies that need to be corrected. Civil society organisations that are interested in the activities of the armed forces include expert think-tanks, academic institutions, churches, peace groups, the media, human rights activists, environmental groups, public policy research institutes, academic departments, non-governmental organisations, and employer organisations. Their involvement in issues of defence and security has become necessary in promoting transparency and accountability in the military in a democratic society. Pantev et al. are of the understanding that civil society organisations can be producers of analytical

information on defence and security issues, educate the public on the military, inform the international community about the country's defence policy, raise significant military issues for public and specialist debate, add to parliament's capacity to perform its oversight function on defence and security issues, provide government with alternative views on the same defence and security issues and provide assessment on the implementation of the country's defence policy (2005:58-9).

However, scholars such as Forman are of the opinion that the extent to which civil society is permitted or wants to engage in military issues can be used as an indicator of the country's maturity of civil-military relations (1998:38). Stepan (1988) argues that the task of civil society organisations is to commit themselves to the defence of democratic rights and processes and stop inviting the military to interfere in political conflicts. The civil society, he argues, should be capable of challenging the existing security doctrine.

Definitions of civil society are diverse. Bratton has defined civil society as "a sphere of social interaction between the household and the state which is manifest in norms of community cooperation, structures of voluntary association, and networks of public communication". Additionally, he is of the view that civil society "is the realm of organized social life that is open, voluntary, self-generating, at least partially self-sufficient, and autonomous from the state, and bound by a legal order or set of shared rules". Therefore, civil society largely operates outside the domain of the state machinery. It is further founded on the principle of voluntary association with different social interests (1994:11).

Scholars such as Diescho are of the view that government sometimes co-opts the leadership of civil society such as unions, churches and other community organisations (1996:12). This makes these organisations less critical of government when it comes to challenging the political elites to deliver more service to the voters or looking into cases of corruption, self-indulgence or lack of rules and principles.

Non-Governmental Organisations (NGOs) in pre-independence Namibia had little opportunity for involvement in the affairs of the state. A number of NGOs in the country such as the churches, trade unions, student movements, women's organisations and human rights organisations were active in providing mainly social protection and support while being highly critical of the colonial regime. Other NGOs outside the liberation movement were tolerated and at times used as 'fronts' by the colonial administration with no, or very questionable, legitimacy (Geingob, 2006:244). Nevertheless, it can be argued that the liberation struggle against apartheid and colonialism was, in itself, a movement of civil society, which proved to be highly effective and eventually contributed to the end of colonial occupation and the independence of Namibia.

Civil society organisations in Namibia such as labour unions, student and teacher organisations as well as churches played a key role during the country's liberation struggle. Before Namibia's independence most civil society organisations served the interest of the minority white oppressors (Geingob, 2006:246-7). Black associations that emerged to counter the oppression had to struggle against the colonial state and the white civil society organisations.

Namibian migrant workers formed the first informal civil society organisations of blacks, despite the fact that they were denied the right to legally organise themselves. In 1893 the workers staged the first strike at the Gross Otavi Copper Mine to protest against working conditions. In 1920 an African trade union was formed, but it was ruthlessly suppressed by the occupation regime. In 1957 Namibian contract workers in South Africa formed the Owamboland People's Congress led by Andimba H. Toivo ya Toivo with the aim of fighting against the hated migrant labour system. This organisation was later transformed into the Owambo People's Organisation (OPO), the forerunner of SWAPO. In the 1970s the National Union of Namibian Workers (NUNW) was established in exile by SWAPO.

In post-independent Namibia labour unions continue to play an important role in influencing government policy. For example during the National Land Conference, the NUNW that represents the interest of Namibian workers presented its position paper on the land question, where it was "fundamentally opposed to any attempt that regards the market as a mechanism for redistribution land from the privileged propertied minority to the landless majority" (Geingob, 2006:5). Be that as

it may, one could question the effectiveness of the Namibian trade unions in performing their responsibilities. Since most trade union activists have been co-opted in government positions, this has increased the imbalance in power relations. It has been observed that they are reluctant to speak out on critical issues of public interest because of fear that they may be labelled as 'unpatriotic' as they are dependent on the ruling SWAPO Party for their livelihood. It should be noted that the umbrella trade union, NUNW, that represents various trade unions such as the Namibian Public Workers Union (NAPWU), Namibian Food and Allied Workers Union (NAFAU) and NANTU, is affiliated with the SWAPO Party.

Similarly, Namibian churches also played an important role in supporting the independence struggle. The churches gave SWAPO moral support and secured for it the backing of the international church organisations. The clergy such as Reverend Michael Scott, Pastor Marcos Kopper and Reverend Theophelus Hamutumbangela petitioned the United Nations against South Africa's occupation of Namibia (Geingob, 2006:250). In post-independent Namibia the Church continues to play a vital role during drought periods by distributing food to the vulnerable, identifying most vulnerable individuals, families and groups, as well as providing education to citizens on HIV/AIDS. All the same, the churches' involvement in military issues is limited.

Students and teachers were also involved in the struggle for the independence of Namibia. The formation of the Namibia National Student Union (NANSO) in 1984 increased the protests of largely black people for equality in education. The teachers were organised under the banner of the Namibia National Teachers Union (NANTU) and the Teachers Union of Namibia (TUN) to fight for the elimination of inequalities in education and promote social equality.

Notwithstanding the above mentioned unions and organisations, there were many others that were involved in the liberation struggle of the country and continue to contribute to nation-building. Such organisations and unions include the farmers' union, the Legal Assistance Centre, the Chamber of Commerce and Industry, the Media Institute of Southern Africa, the Namibia Sports Council, and the Namibia Institute for Democracy, the National Youth Council of Namibia, the Namibia Housing Action Group and many others. All these organisations work under the umbrella of the Namibia

Non-Governmental Organisations Forum (NANGOF), although some analysts argue that NANGOF has been 'captured' by government (Hohn, 2007:6).

NGOs play a significant role in healthy civil-military relations. Since NGOs are grass-roots based, they are an important mechanism available to assist Government to implement some of its programmes and to alert it on potential problems facing the society. They also serve as checks and balances on Government performance including military activities. Daphne de Klerk claimed that:

> The military in Namibia do not work closely with civil society organisations on issues of national interest. For instance, we heard that the MoD is drafting the Defence Policy. At what stage is the MoD going to involve civil society organisations in drafting this important national document? These are some of the issues that need to be reviewed for healthy civil-military relations in Namibia. (Interview, April 4, 2006).

NGOs in Namibia play a minimal role in civil-military relations despite the fact that they are permitted to engage in security related issues. At independence in 1990, the first democratically elected government realised the importance of NGOs in the development and reconstruction of the country (Government of Namibia, 2005:4). The government has consequently recognised the important role that NGOs can play in development (Government of Namibia, 2005:8).To this end; it has made provision for the involvement of NGOs in policy development and implementation. Additionally, government has recognised that development has to be from the bottom up, and must include the active participation of citizens and their organisations, thus 'democratising development'. Some of the reasons for the low level of involvement of civil society organisations in government policy and strategy implementation have been alluded to, according to the Civic Organisations Partnership Policy as the following:

> COs are insufficiently aware of policy components and miss the opportunity to actively participate both in the formulation of strategies and the implementation of such strategies. The Government has not been sufficiently forthcoming in creating awareness amongst COs about what participation (co-operation and collaboration) opportunities exist arguing that it is the role of COs to identify and propose strategies for collaboration.

> COs fear that their roles may be instrumentalised in the sense that they may become part of the Government bureaucracy without being given the resources to carry out their assigned functions (Government of Namibia, 2005:7).

In the light of the above, in 2005 Government approved the Civic Organisations Partnership Policy. The overall goal and objective of the policy is for civil society, its individuals, groups and organisations to cooperate with Government and its agencies at local, regional and national levels in order to consolidate democratic ideals and create synergy in development efforts so as to maximise the social and economic benefits for citizens. This, according to the policy, will be accomplished through the following four objectives:

- To create a greater commitment for civic participation through the promotion and encouragement of active citizenship
- To enhance the environment for civic participation and partnership
- To bring the Government closer to the people and create partnership opportunities that benefit the Government, civic organisations and civil society
- To enhance the capacity of partners (Government and civic organisations) to enter into partnerships and jointly respond to development challenges and opportunities in an efficient and sustainable manner (Government of Namibia, 2005:12).

There is no provision for the closer working relationship between Government and civil society on the defence and security sector. It seems defence and security issues are left entirely in the hands of Government, which is a case for concern for democratic governance of the security sector.

Civil society organisations are registered under Section 21 (a) of the Companies Act of 1973 “not for gain” (Kavei, 2005:8). These organisations are established, among others, for the purpose of:

- Promoting religion, art, science, education, charity, recreation or any other cultural or social activity or communal group interests;
- Advocacy – facilitating the development of policy formulation with increased participation of civil society;

- Making people aware of their human rights and responsibilities and ensuring their role in a democracy.

There has been a rapid growth of NGOs and other civic organisations in Namibia since independence in 1990. Initially, the civil society sector was fragmented and experienced extremely low levels of capacity. However, this changed as a result of the establishment of democratic principles and practices and freedom of association. Consequently, Namibia became a favoured country of international donor agencies, which were eager to support a fast growing civil society sector (Government of Namibia, 2005:4).

Civil society organisations have been active in almost all the major development sectors such as education and training; agriculture and rural development; small and medium enterprises; gender issues; health; housing; relief, and human rights and democracy. A growing number of them have moved from operational service delivery to advocacy and capacity building (Government of Namibia, 2005:9). Nevertheless, the civil society in Namibia has not been actively involved in contributing to and debating defence and security issues. A National Coordinator of NANGOF, Daphne de Klerk, opines that the reason is that they are not fully accepted by the military as a partner in defence and security issues (Interview, April 4, 2006). Sharing the same understanding, the Executive Director of the National Society for Human Rights, Phil ya Nangolo, is of the opinion that there is widespread mutual suspicion between the military and the civil society actors in Namibia (Interview, March 1, 2006).

There are also other organisations whose primary focus is on Namibia's development. These organisations include Friedrich Ebert Foundation, Konrad Adenhauer Stiftung, and the Africa Group of Sweden, the Ford Foundation, the German Development Service and the International Cooperation for Development.

The civil society, according to Namibia's Civic Organisations Partnership Policy (2005), is deemed to encompass all public activity by individuals, their voluntary organisations, the private sector and their relationship with the Government. Civil society emerges as a result of freedom of association, which enables citizens to organise around interests or values. Civil society, therefore, is comprised

of groups, networks, movements and interests sympathetic to national development goals and objectives as well as those who may be hostile to these goals and objectives.

In this study, civil society will refer to the National Society for Human Rights (NSHR), Namibia Non-Governmental Forum (NANGOF), and Legal Assistance Centre (LAC), and Institute of Public Policy Research (IPPR), academicians at the University of Namibia (UNAM), media practitioners and political parties. These groups and institutions are in one way or the other involved in education and advocacy for building a high political culture necessary for democratic participation in Namibia.

Although the above organisations focus on different aspects of national development and the democratic process, they all have a common goal of enhancing democracy in Namibia. These organisations complement each other in their activities especially on governance issues, but they have failed to take a leading role in the democratisation of the Armed Forces in the country.

There has also been a limited involvement of the civil society in defence and security issues. There are organisations that work in other areas but also somehow influence or interact or work on defence and security related issues, for instance organisations that are working on issues of human rights such as the National Society for Human Rights (NSHR), the Legal Assistance Centre (LAC). Only the University of Namibia offers courses on defence and security to defence personnel, Members of Parliament, police and officers from other ministries. These courses are given under the auspices of the Southern African Defence and Security Management Network (SADSEM), and include various topics such as civil military relations, public and strategic management, public policy management, and management of defence resources, comparative defence ministries, and human resources, defence budgeting and military professionalism.

Most non-governmental organisations have no capacity or show little interest in defence and security matters. Nevertheless, the National Society for Human Rights (NSHR) has been, to a limited extent, involved in the defence of democratic rights of citizens. Research oriented non-governmental organisations such as the Institute of Public Policy Research (IPPR), Namibia Institute for Democracy (NID) and the Namibia Economic Research Unit (NEPRU) are expected to

take a lead in generating important, policy-directed research in defence matters. Nonetheless, these institutions are only involved in promoting democracy and governance in Namibia. The Legal Assistance Centre, according to Toni Hencok, is involved in HIV within the military as a workers' rights issue (Interview, April 25, 2006). William Lindeke claimed that there are also other agencies and NGOs that deal with food and HIV/AIDS as security issues, 'but there is not really a big NGO interface like in other countries such as South Africa' (Interview, April 21, 2006). These institutions should actively engage in the study of defence and security issues. The 2001 SADC Protocol on small and light weapons provides for a partnership between the NGOs and defence and security establishment. But according to the National Coordinator of NANGOF, Daphne de Klerk, it has been very difficult to make the military accept civil society as partners in the whole process. She argues that the military viewed the NGOs not as partners but as perpetrators and agitators of imperialist agendas. Nonetheless, Daphne de Klerk is of the view that this stance of the military is slowly changing (Interview, April 4, 2006).

Namibia has also a national focal point where the civil society meets with defence and security officials to deliberate on issues of mutual concern. However, this office is reported by Daphne de Klerk to be mainly run by the military and police causing some dissatisfaction on the part of the NGOs (Interview, April 4, 2006). While there is room for improvement in this field, Namibian civil society is permitted to engage in defence and security related issues, though to a limited extent. The National Society for Human Rights (NSHR), the Legal Assistance Centre (LAC), as well as the print media often comment on and participate in certain security issues but to a certain extent.

The Media

The media played a significant role in the decolonisation of Namibia. The local media that were at the forefront of the liberation struggle for independence, such as The Namibian and the Windhoek Observer newspapers, widely exposed and reported on the destruction of life and property by Koevoet, a special South African police unit, in the former Owamboland at the height of the liberation war, that pitted PLAN forces against the apartheid, colonial South African Defence Force. In addition, the media promoted self-determination and independence and exposed the denial of fundamental rights of Namibians such as freedom of movement; they also reported on the

increasing militarisation, and the dusk-to dawn curfews in the northern parts of the country. Daniels is of the view that the media also survived the transition period from the colonial South African period to independence in 1990 (2005:20).

The media play a crucial role in any democratic society. In the same vein the media ensure that the citizens are educated about the role of the military in society, which is vital for civil-military relations. The media play a vital role in civil control of the military as they often point out where the military needs attention. They also assist in efforts towards achievement of national development including security agenda. Additionally, the media help to shape public opinions on the governance of the country including that of the military. Therefore the media are a powerful tool that Government needs to foster democratic control of the military. Hannes Smith suggests that:

> The public can also use the media to influence Government policy through expressing their views on military programmes and other related activities. The NDF for example has to be accountable to Parliament and its budget and policy subjected to public scrutiny. This requirement can be realised if the public is informed through the media of their duties towards the military. The media is an effective way of transmitting such information to the public. Therefore the media ensure checks and balances to make the military more transparent and accountable and operate in accordance with the popular will of the people (Interview, July 24, 2006).

Transparency and accountability are principles necessary for political control of the security sector. Namibia has been described as a democratic country that has a favourable environment for media freedom on the continent (*Freedom House*, 2006). In fact the Constitution of Namibia provides for freedom of the press as a fundamental human right. Chapter 3 of the Constitution makes provision for the entrenchment of certain fundamental human rights and freedoms. Accordingly, none of these rights and freedoms can be diminished under the current constitutional dispensation. Moreover, Article 21 (1) (a) of the Constitution stipulates that all persons shall have the right to freedom of speech and expression, which shall include freedom of the press and other media. This is a significant constitutional provision because it guarantees development of democracy. In this respect, one can also echo a Namibian legal practitioner who posits that freedom of speech and press is the foundation of any vibrant democracy and is significant for the promotion and respect of all other human rights (Daniels, 2005:41).

The media in Namibia are free and continue to perform the important role of informing the people, educating them about democracy as well as challenging government on issues that they consider to be essential for democratic governance of the country. Private radio stations and critical, independent newspapers such as The Namibian and the Windhoek Observer generally work without executive meddling. However Hannes Smith claims that reporters of state-run media, the Namibian Broadcasting Corporation (NBC) and the New Era newspaper have been subjected to indirect and direct pressure to keep away from reporting on controversial topics including defence and security issues (Interview, July 24, 2006). Whereas most journalists are adamant that the state-run NBC enjoys absolute liberty to criticise the government, others consider it to be biased toward the ruling SWAPO Party. An opposition Member of Parliament, Arnold Tjihuiko, argue that both the New Era and the NBC give more coverage to SWAPO Party and Government activities than to other parties (Interview, April 20, 2006). Also Namibia has no government limitations on access to internet sites, and quite a few publications have popular websites.

The media not only facilitate pluralistic debates on various public issues including defence and security, but also address issues of poverty, state repression, rights abuses and social injustices, to mention but a few. To illustrate this point, the local media reported widely on state repression against the Caprivi secessionists, where security forces were accused of torture, and on Namibia's military involvement in the Democratic Republic of the Congo (DRC) in 1998 that ignored the vital role of parliament. Furthermore, the local print media, and to some extent the electronic media, continue to inform the public on the 128 suspects in the Caprivi high treason trial that has been going on since 1999.

Additionally, the media regularly participate in security issues. For example, during the time of insecurity in the Kavango and Caprivi Regions, where UNITA rebels were terrorising the local people, the Republikein newspaper, together with the MoD, launched the Demining Awareness Programme and distributed pamphlets with information on the dangers of the landmines and other unexploded devices to the inhabits of the affected areas. Chris Jacobie explained:

> We discuss various issues with the military both in public and private. However, it is not always possible to find a military officer who can give you information on certain things. Common sense also guides people where national interest is concerned especially when it comes to the security of our troops. I have given many suggestions to the military especially during the time of insecurity in the Kavango and Caprivi Regions where UNITA rebels were terrorising our people (Interview, April 21, 2006).

The media provide opportunity to inform the public on the country's defence and security decision-making process. The freedom of the press, as outlined in the Namibian Constitution, also provides for the security of journalists, including those who contribute on national defence and security issues. It is further argued by researchers such as Pantev et al that one of the main features of established and functioning democracies is strict legislation providing access to a range of types of information. According to these researchers, in democratic countries the law more often than not guarantees the access of citizens and organisations, including the media, to government information. Such laws create the fundamentals for the implementation of the constitutional rights of the citizen. Nonetheless, the Executive Branch of government may refuse to provide the requested information if an action may put at risk national security interests. Therefore, critically significant for the democratic control of the military is how the classification of information and the access to classified information are regulated. A particular piece of security information and not broad categories of information can be classified according to law. Moreover, such laws or regulations need to be public, and the Executive should not be allowed to use good judgment in their implementation. In addition, the law should oblige the Executive Branch of government to respond to requests for information related to defence and security. Pantev et al also suggested that documents could be classified for a limited period of time, and thereafter, the document or part thereof is made public (2005:61).

Namibia has no information law that allows ordinary citizens to access information in possession of the state or the private sector. However, the country is a signatory to SADC Protocol on Culture, Information and Sport that provides for access to information or freedom of information laws. As the Deputy Director in the Ministry of Information, Wilma Deetlefs, cited by Clemencia Jacobs in the Namibian (2007) clarified:

> "…Cabinet instructed the Office of the Prime Minister to draft the legislation and to make the necessary arrangement to amend the Constitution in order to have access to information under the fundamental freedoms, at its fourth ordinary meeting on 2 March 1999…to date the drafting process has not even begun" (Jacobs, 2007:5).

At present Namibia has only an information policy which does not legally bind government to give information.

However, the media also have a decisive role of contributing to the democratic process in society and the state. Since the media play a critical role in informing the public on matters such as the Defence Budget etc., media practitioners should have competence in defence and security issues. It is vital that news provided by the media must also meet certain criteria such as truth, accuracy and fairness. These criteria are, of course, professional ethics that guide journalists in the performance of their duties.

There have also been interactions between the media and the military in the country, though with difficulties. For example, following the involvement of Namibian soldiers in the civil war in the Democratic Republic of the Congo (DRC) in 1998, and after the public outcry on the welfare of the troops in that country, the MoD organised an all-expenses paid flight for the local media practitioners to and from the DRC to cover military operations of the NDF. The researcher, who was at the time head of Liaison and Public Relations in the MoD, was instrumental in organising the trip. The Media Institute of Southern Africa (MISA) also had the opportunity to give input during the public hearing of the Defence Bill of 2002 on the article that restricted media reporting on certain security issues. Equally, the Legal Assistance Centre gave a submission that called for an amendment of a clause in the Bill on the recruitment in the NDF that would have excluded those living with HIV and AIDS.

Notwithstanding government's tolerance of the free media in the country, controversial issues reported have not escaped the wrath of the authorities. When the media have reported on public issues such as corruption, nepotism, involvement of the military in regional conflicts, rule of law and other social and economic related matters, government officials have not hesitated to attack the

media. However, despite this the media have continued to perform their responsibilities and have taken government officials and politicians to account for their actions. Namibia has an independent media as well as government owned and controlled media. By and large, the independent media are free to report on defence and security related issues with or without government endorsement. This is vital to ensure oversight over the military.

Society needs to partner with the Armed Forces in the above-mentioned issues to maintain a common understanding of and respect for each other. After all, they are both part of the democratic process. In addition, civil society represents the interests of excluded groups and the wider society in defence and security policy debates; influences decisions and policies with regards to military issues; disseminates independent analysis and information on the military to Parliament and the public; provides government with an alternative source of expertise on military issues; and provides feedback on military policy decisions and implementation. Moreover, the involvement of civil society organisations in defence and security matters reduces secrecy, because they monitor security activities for transparency and public accountability.

Political Parties

It has been said that the most important ingredient of a democracy is the existence of political parties (Boer 2004:6). Democracy can only be a reality if there are strong and functional political parties. Political parties play an important role in the democratic politics that drive the country. Bratton and Van de Walle (1997) point out that the principal democratic role of political parties is to give voice to the people's grievances and serve as a conduit for political demands to parliament. Additionally, they argue that political parties legitimise the system's political process, and that they ensure accountability on the part of those who are ruling the country. Political parties also serve as an alternative to the citizens of the country. It is further argued that "The stability and long term institutionalization of democratic politics largely depends on the ability of political parties to meet the above responsibilities" (Bratton and Van de Walle, 1997:251). It can, therefore, be argued that without political parties and the willingness of government to accept them, it would be difficult for a democracy to exist.

In Namibia, as in most African countries, the institutionalisation of a viable, multiparty political system is proving to be a difficult task. During the independence elections in 1989 there were over forty active political parties. Many of these were tribally-based and had been involved with various South African-sponsored attempts to create an internal settlement in Namibia to the exclusion of the liberation movement, SWAPO. Other political parties were particularly established to take part in the 1989 UN-supervised elections. Due to the fragmentation that was encouraged by South Africa's Bantustan or Homeland Policy of promoting group rights, occasionally it seemed as if almost every traditional community had a party representing it.

Since independence, political parties have faced various constraints, among others the economic realities of participating in elections, and the very small size of some parties' support bases have seen some of them either fall by the wayside or get swallowed up by larger or more sustainable alliances.

In 2004 there were eleven political parties that were registered with the Electoral Commission for national elections, although at least two appeared to be either dormant or barely performing their tasks. SWAPO, which is the largest political party, is presently at the helm of political life in the country as a result of the absence of an effective political opposition party. In the 1989 elections to the Constituent Assembly, SWAPO won 57.3% and the remaining votes went to the other parties. In the 1994 parliamentary elections, SWAPO maintained its commanding majority by winning 73.9%, thus obtaining 53 seats in the National Assembly. On the other hand, the Democratic Turnhalle Alliance (DTA) got 15 seats, the United Democratic Front (UDF) had 2 seats, the Democratic Coalition of Namibia (DCN) and the Monitor Action Group (MAG) each had 1 seat. Again in the 1998 elections for the National Council, SWAPO won 21 seats, DTA 4 seats, and UDF 1 seat. In the 1999 presidential and parliamentary elections SWAPO continued its history of political dominance by taking 55 of the 78 National Assembly seats, the opposition CoD and DTA each got 7 seats, UDF 2 seats, and MAG 1 seat (Parliament Journal, 2005:21). As a result, we could argue that SWAPO governs Namibia the way it sees fit, because it has an overwhelming electoral support and dominates the political landscape.

Political parties play an essential role in ensuring stable civil-military relations. However, this crucial role seems to be threatened by the weakness in the legislative process where one party dominates. This view was expressed by Ben Ulenga who argued that "There should be a strong combination of opposition forces in Parliament to be able to vote against the Executive on certain issues including the military. If this is done, the ruling party will be careful to meet the expectations of all citizens" (Interview, August 14, 2006). The dominance of one party is regrettable because the country needs strong opposition political views to ensure vibrant democratic governance. Moreover, SWAPO's dominance of the political scene might lead the ruling party, if not already doing so, to make clientelist use of state resources to dominate electoral politics, thus weakening the consolidation of democracy in Namibia.

Consequently, one could characterise Namibia as a single party dominated democratic state. SWAPO Party has a two-thirds majority in parliament and this has many implications for the quality of debate. Phanuel Kaapama argues that, "There is lack of inner-party democracy in most of Namibia's political parties including the SWAPO, to the extent that when parliamentarians debate, they do not say things that they would like to say because they want to appease their party or they want to be seen to be loyal to their party" (Interview, April 5, 2006). Part of that problem is that Members of Parliament in the National Assembly, which is the principal law-making body, are not directly elected by the electorate to represent their constituencies. He also claimed that:

> We have one big constituency which is Namibia and as a result political parties take advantage of this. They ensure that a seat in Parliament belongs to the party. The moment that a political party is not comfortable with a Member of Parliament, he/she is withdrawn. If a Member of Parliament of the National Assembly were directly elected by the electorate or constituency, he/she could only be removed from Parliament by the electorate (Interview, April 5, 2006).

This view is supported by Nahas Angula who asserted that:

> The party requires you to support its programmes whether legislative or political. Normally parties work on collective responsibility. So a party might take a decision which is in conflict to the way you look at things and you might be put in a situation where you have to make a decision whether to answer to your conscience or follow the party line, but that situation is a rare occurrence. It does

> not happen all the time. It happens with issues like the death sentence or abortion, prostitution, gambling and other moral issues. What I know is that there is always a leeway for one to answer to his/her conscience by abstaining, if it comes to a vote, or if you have serious reservations that you do not want to offend your party, you absent yourself (Interview, October 4, 2007).

Conflicting views among Members of Parliament of the same party may arise on a certain issue, but there are practical ways of dealing with them. Under normal circumstances before a Member of Parliament introduces a bill there is a caucus of the party where one can express his/her strong views on it. During the caucus a Member of Parliament sponsoring the bill may be forced to go back and amend it if there are serious reservations, before it is tabled in Parliament.

Nevertheless, Namibia is credited as a multi-party democratic country because it allows different voices and ideas to be heard. In addition, the Namibian government, unlike that in most other African countries, provides financial assistance to opposition political parties in the country. Namibia's Deputy Prime Minister, Dr Libertina Amathila, reminds us that if political parties are not funded by government for them to function effectively, they may be attempted to seek funding from outside the country, which often comes with conditions that may undermine the sovereignty of the country (*International IDEA*, 2006:3). While this may be true, it is also important for government to finance political parties, because without it, it would be difficult for parties to survive. All parties represented in Parliament each month get a certain amount of money according to the number of seats. Lottie Bock, Chief Accountant at Parliament: National Council, is of the view that "Government pays money to parties in Parliament to assist them with their daily administration such as running their offices" (Interview, September 03, 2007). Arguing on similar lines, Boer (2004) is of the view that without funding, the number of political parties would be reduced, giving voters less choice during elections. He further opines that this may also weaken their effectiveness in providing policy options to move the country forward. Political parties need funds to strengthen their institutions through activities such as recruitment of members, paying salaries, office space and other services needed for their everyday political and organisational undertakings.

Even though political parties receive funding from government, some observers such as Ben Ulenga point out that SWAPO, which continues to win the most votes in every election, gets a larger amount of funding than the others. Moreover, it is felt that SWAPO has access to

government resources for its activities, thus elevating its status among the electorate (Interview, August 14, 2006). The same view was echoed by Henk Mudge who claimed that:

> …SWAPO has state machinery and infrastructure that they shrewdly use for party political activities. Political parties are also financed according to the number of seats in Parliament. The Republican Party gets N$180 000 annually, whereas SWAPO gets N$11 million per year. How on earth can we compete with SWAPO when they have that amount of money to spend in addition to state machinery? So it is very difficult for opposition parties to perform effectively (Interview, October 16, 2007).

While this may be true, government is funding political parties represented in Parliament according to the share of votes each party received in the last election. Despite these criticisms, the fact that the Namibian government is funding all political parties in Parliament helps to ensure the survival of a multi-party democracy in the country.

Nonetheless, highly organised political parties are likely to assert control over military issues in the Legislature. Political parties in democratic countries such as Namibia are committed to the collective goal of democratic stability; therefore it would not be difficult for them to support healthy civil-military relations. The willingness and ability of political parties to debate the activities of the military, particularly their relation to the budget, is significant to civil control of the armed forces. However, political parties in Namibia do not have people with specialised knowledge on military issues, weakening their position in making a meaningful contribution in this sector. Ben Ulenga points out that:

> Political parties can offer meaningful contributions on defence and security issues debated in Parliament once we have Members of Parliament with a military background or who have a clear understanding of the military. A few years ago there was a debate on the Defence Budget. The Defence Budget was found to be the fastest growing compared to other allocations since independence. Some MPs were questioning the justification for spending so much on the military. However, the issue was not thoroughly debated because I believe most of the members had no knowledge of the needs of the military. Therefore at the moment it is very difficult to perform

effective checks and balance on the military, although we are doing our best (Interview, August 14, 2006).

Equally significant, the willingness by political parties to work together in the national interest despite differences has considerably contributed to democracy and the uninterrupted political stability the country has continued to enjoy for the past 15 years since independence.

From the above illustrations, it is clear that political parties are somewhat permitted to engage in discussions on defence and security related issues. Political parties could add a different view to the national debate on defence and security as well as monitoring government spending, but they are presently weakened by capacity limitations. Conditions are there for political party actors interested in increasing civilian control over the military and in improving the quality of the NDF. For example the media in Namibia are free and have space created by the Constitution to debate defence and security issues or report on the activities of the military, thus playing a constructive role in nation-building and preservation of peace and security.

Conclusion

The chapter analysed the role of civil society and political parties in ensuring stable civil-military relations. It dealt with civil society first and then the media and political parties. It is clear that civil society and political parties play a crucial role in ensuring effective civil control of the military. The engagement of civil society organisations in military activities in the country is limited. This is not good because it weakens transparency and accountability in the military. Nevertheless, civil society organisations have to some extent succeeded in influencing changes in policy decisions in the military. However, although civil society contested the NDF recruitment requirement for applicants to undergo a comprehensive medical examination, including HIV testing, calling it discriminatory, the requirement is still applicable to all potential recruits.

Of equally concern is the lack of capacity of civil society orgnisations to eloquently engage in security issues. This has effectively denied the country significant contribution from civil society to the transformation process of the security sector. The media plays a vital role in guaranteeing

transparency in the activities of the military, which is essential in civil control of the armed forces. The general animosity from authorities to media reports on military issues does not only undermine media freedom, but also weakens the watchdog role of the media which is necessary for effective civil control of the military. There should be a partnership between the media and the military to ensure good governance of the security sector. Furthermore, political parties which are necessary to ensure checks and balances on military activities have performed a modest role. This is because of the dominant, one-party democracy that characterises Namibia. Therefore, the playing field is not level for political parties to play a meaningful role ensuring effective oversight of the security sector. The next chapter focuses on analysis of the research findings of Namibia's civil-military relations.

CHAPTER 10

ANALYSIS

The preceding six chapters have outlined in detail Namibia's experience in democratic civil control of the military. The purpose of the research was to investigate the nature of Namibia's civil-military relations and this was accomplished. This chapter presents an analysis of the main findings in Namibia's case study, as they relate to the research questions. The chapter shall deal first with the political transition to independence, the nature of civil-military relations and their influence on the political control of the military. It also analyses, among other things, the country's DDR processes and the implications, if any, for future civil-military relations in Namibia.

Transitional process to independence

The country's political transition to independence was internationally supported, because Namibia was an international territory before independence. Additionally, as illustrated earlier, the international community created conditions that would help to bring lasting peace in the country. For example, Namibian exiles were given a comprehensive reprieve to return home, and all perpetrators of apartheid atrocities in Namibia were given a general pardon.

As explained in Chapter 4, the armed conflict in Namibia triggered international and internal population movements. Namibian refugees crossed international boundaries into countries such as Angola, Zambia, the former Zaire, Tanzania, the former German Democratic Republic, while in Angola and Zambia refugees were under the protection of SWAPO. For security reasons the majority of the refugees did not register with the United Nations High Commission for Refugees (UNHCR) and were not accommodated in refugee camps, but in SWAPO administered camps. This afforded SWAPO political leadership with an opportunity to manage both civilian and military affairs of the organisation. Obviously SWAPO while in exile engaged in governmental activities geared towards administering thousands of both civilians and military members under its care. For instance, the liberation movement was responsible for streamlining the Namibian exile population in its camps into loyal cadres through military training, political and other educational activities. It is

also worth noting that SWAPO, as a former liberation movement, assumed political power and transformed itself into a post-conflict government. SWAPO started work on shaping the government of independent Namibia already in its camps while in exile. These structures served as an embryo of the new government. Therefore we could argue that exile practices and mentality continue in independent Namibia and form a major foundation of government and people's ways of relating to the ruling party.

The role of the UN

The UN played a 'midwife' role and saw through the independence and the transition of Namibia. There was simplicity about the mandate, goals, strategies and the extent of the project as they were clearly defined from the beginning of the process. Consequently, the UN set up a robust and elaborate institutional framework through UNTAG. UNTAG had both the operational and logistic capacity. It was also neutral, and this heightened confidence in its security-building measures and activities. This made UNTAG's mission both credible and workable, and contributed significantly to the success of Namibia's transitional period to independence. As the first President of Namibia, Sam Nujoma, affirmed:

> The hard-worn Independence of Namibia has strengthened and solidified the faith in the United Nations of the then-oppressed black majority of the Namibian people. We fought a long struggle against a powerful occupationist force. Those were difficult times – trying indeed to the human mind. But through the African Group of States, and the Non-Aligned Movement in particular, the United Nations kept the legitimate aspirations of Namibia hot on its agenda, culminating in the long-awaited arrival of the women and men of (the United Nations Transition Assistance Group)… The child of the United Nations was born and the international community was watching and sharing in this highly collective, rewarding achievement. Without the United Nations, today's reality in Namibia would have remained a remote possibility (The Republic of Namibia and the United Nations System in Namibia, 2004:8).

The operational and logistic capacity of UNTAG enabled it to be prominent all over the country. Similarly, its ability to provide the neutral, international, institutional presence necessary for the effective implementation of DDR aspects of its mandate contributed to its success in Namibia.

Moreover, UNTAG was directed by the basic UN values of consent and neutrality (United Nations, 1996:209-210). This finely tuned the concerned parties' confidence in its security building measures and activities.

The UNHCR provided a comprehensive, international, institutional structure as well as supportive dealings with various associated UN agencies, NGOs and the CCN, which was a supporter of SWAPO (National Archives of Namibia, UN Pages, File A. 624). In addition, provision was made for large numbers of ex-combatants to return to Namibia under UNHCR operations as peaceful returnees. This presented vital prospects and a possibility to produce a combined reintegration of ex-combatants with that of returnees under an incorporated support scheme. Accordingly, the returning ex-combatants received comparable reintegration assistance packages as civilian returnees. Typical support packages were comprised of food rations, clothing, health care, agricultural implements and seeds (Report on Namibia 14 March 1990 SACC/NCCR File AC 623 12.8). The latter was meant to facilitate the integration of agricultural-oriented returnees. Moreover, there was no further all-embracing government support for the wider returnee population. The returnees, while recipients of partly-targeted assistance, were settled together with the wider society under nation-building strategies like the Land Reform Programme. This was a bad approach since returnees had distinct and different needs from the wider society. The government adopted a policy of not making a distinction between returnees and the ordinary citizens. For that reason returnees' successful reintegration was not fully realised.

Comprehensive support was undermined by various factors such as incompetent personnel; inadequately orientated former combatants; unfavourable economic, social and political frameworks, a lack of monitoring and revision mechanisms, as well as unrealised expectations of private investment and job creation that impeded the effective reintegration of the majority of the combatants in the country.

The UNHCR effectively discharged its statutory responsibility for assisting in the repatriation of refugees and ex-combatants. The agency played its usual and customary humanitarian role to help provide a safe and dignified return for refugees and returnees to Namibia. The UNHCR initiated the repatriation programme and invited the Council of Churches in Namibia (CCN) to be its main

implementing partner. In addition, other UN agencies such as UNESCO, UNICEF, WFP, and WHO assisted in the transitional process (Colletta, 1995:6).

A comprehensible agenda and comparatively practical targets were prepared for the implementation of these activities. Every single one of the above mentioned factors jointly stimulated the UN's efficiency in implementing its mandate.

The drafting of Namibia's Constitution by the Constituent Assembly

Since the United Nations had played a major role in the process of Namibia's nationhood, considerable influence was also wielded by some of the members of the international community on the outcome of the Constitution. Different parties with various interests were involved in finding a solution to the Namibian problem. These parties included South Africa, the Western Contact Group (the United Kingdom, France and the United States of America), indigenous ethnic political parties, and the SWAPO liberation movement. The Namibian state was founded on the compromising of interests or vision of various groups, individuals and parties that were participating in the process of drafting the country's Constitution. This ensured that the Constitution was seen as a 'public good', and essential for stability. Most importantly, the Preamble of the Constitution captures the shared aspirations of all Namibian people. The Preamble states that:

- whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is indispensable for freedom, justice and peace;
- whereas the said rights include the right of the individual to life, liberty and the pursuit of happiness, regardless of race, colour, ethnic origin, sex, religion, creed or social or economic status;
- whereas the said rights are most effective maintained and protected in a democratic society, where the government is responsible to freely elected representatives of the people, operating under a sovereign constitution and a free and independent judiciary;
- whereas these rights have for so long been denied to the people of Namibia by colonialism, racism and apartheid;
- whereas we the people of Namibia –

> have finally emerged victorious in our struggle against colonialism, racism and apartheid;
>
> are determined to adopt a Constitution which expresses for ourselves and our children our resolve to cherish and to protect the gains of our long struggle;
>
> desire to promote amongst all of us the dignity of individual and the unity and integrity of the Namibian nation among and in association with the nations of the world;
>
> will strive to achieve national reconciliation and to foster peace, unity and a common loyalty to a single state;
>
> committed to these principles, have resolved to constitute the Republic of Namibia as a sovereign, secular, democratic and unitary State securing to all our citizens justice, liberty, equality and fraternity (The Constitution of the Republic of Namibia, p. 1).

This provided a solid foundation for the Namibian state. Namibia, which was later followed by South Africa, according to Geingob was "the only country in Africa at the time that drafted its own independence constitution through a Constituent Assembly" (2006:120). The people of Namibia elected their own representatives who served in the Constituent Assembly to draft and adopt a constitution in a spirit of give and take to launch the country and its people into nationhood. Geingob also contends that many African constitutions were drafted in Europe. This makes Namibia's success story on the African continent admirable and worthy of being emulated by other African countries. Moreover, the Namibian Constitution, acknowledged by many as one of the most liberal ever adopted in Africa, was drafted and accepted in record time by a popularly elected Constituent Assembly comprised of representatives of all parties who were given seats under the closed-list, proportional representation, electoral system.

Namibia's political transition included the independence election, after which a new, fully sovereign and legitimately elected SWAPO government was put in power.

Post-independence and DDR experience

In the post-conflict period, Namibia's independent government's demobilisation and reintegration was influenced by security concerns. The end of the war, the successful conduct of the transitional elections and the formation of the new defence force ushered in a democratic dispensation in Namibia. The country's DDR was facilitated by the multilateral New York Accords that provided for the implementation of the settlement plan. The plan provided a clear policy and UN institutional framework for Namibia's transition to independence and by implication DDR. UNTAG provided the military, political and technical support for the disarmament and demobilisation process. This assisted in reducing the possibilities of former adversaries going back to war, as in Zimbabwe when the Zimbabwe African National Liberation Army (ZANLA) and the Zimbabwe People's Revolutionary Army (ZIPRA) clashed when DDR started. The UNHCR led the repatriation process according to the plan. The principal objective of DDR was to create the appropriate, stable, security framework for the conduct of Namibia's transitional elections. The UN's intervention in the Namibian situation was guided by specific mandates and short timeframes. On the other hand, the post-conflict and long term reintegration of the former PLAN combatants and SWATF fighters, as well as of returnees, was left in the hands of the new SWAPO government. Dzinesa (2006) is of the view that there were no plans to ensure continuity through UNTAG's post-withdrawal interaction with relevant local bodies. This created a gap between the DDR processes mostly as the new government failed to put in place a broad reintegration plan. This view is shared by Colletta et al (1996) and Preston (1997) who opine that there was no reintegration policy immediately after independence. It is argued that the government assumed that the people returning from exile would go back to their homes and resume their lives back in their local communities.

The former PLAN Chief of Staff and now Minister of Defence, Major-General (Retired) Charles Ndaxu Namoloh, who was the head of the PLAN integration team in the negotiation between UNTAG and South Africa, commented that "SWAPO had a strategy for DDR of former PLAN

combatants". He argued that "Both ex-PLAN and ex-SWATF fighters were reintegrated into the new Defence Force according to their numbers". Unfortunately, "The new authorities had structures in place but could not reintegrate all ex-combatants because of lack of resources" (Interview, March 15, 2006).

DDR shortcomings

Nevertheless, various factors such as shortage of skilled manpower, lack of comprehensive DDR policy, and competent, dedicated, institutional frameworks undermined the effectiveness of initiatives such as technical training and cooperative business ventures for ex-combatants. Ex-combatants' need for housing, land access and long-term health insurance were not met by the reintegration policies. The vital shortcomings of the reintegration plans were all exposed by the financial payout which exposed the initiative's short-sightedness. The short-term financial assistance failed to guarantee the long-term sustainability of ex-combatants, threatening national stability. This was of course mirrored in ex-combatant protests within a decade or so after the implementation of DDR.

Moreover, the government did not raise the awareness of the community about what it could do to help the reintegration of women ex-combatants. Notwithstanding national encouragement of the wider population to accommodate returnees including ex-combatants, patriarchal gender relations were reflected in gender insensitive reintegration strategies (Dzinesa, 2006:252-3). Also when planning the Development Brigade and Peace Project, it appears few efforts were made to conscienticise the broader community or to incorporate its input. The ex-combatants did not have access to land, housing, long term health insurance or sufficient trainers who were to cater for twenty thousand people. As a result the project failed to achieve its purpose. More significantly, the relationship and centrality of DDR mechanisms to the broader goals of the changeover to independence through peaceful and credible elections, was demonstrated.

It has also been reported that ex-PLAN fighters feel unfairly treated and discriminated against despite their contribution to the liberation and independence of Namibia. They feel they were not adequately rewarded compared to their counterparts in Zimbabwe and South Africa. The Report of

the Standing Committee on Foreign Affairs, Defence and Security (2005) further indicates that the Ex-Combatant's Fund, which was established to benefit former fighters equally and fairly, has failed to fulfil this task. Moreover, an ex-fighter has to reach the age of 60 years for him/her to benefit from the Fund. The report further states that ex-combatants fail to enrol in the Personnel Administration Matters (PAM), an institution which was intended to empower them to advance their studies in the short term. Obviously, the majority of ex-combatants were inhibited by educational qualifications as they spent most of their time on the battle ground.

Government's Skills initiated Projects for Ex-combatants: deficiencies

The government strategy of providing ex-combatants with vocational training (through the Development Brigade), as well as imparting agricultural skills for self-sufficient civilian life, did not achieve the desired results. The strategy largely failed because of various conceptual, institutional and operational environmental factors as discussed elsewhere in this study. The project was not financially viable. It did not manage to incorporate nearly the intended number of ex-combatants, and its success in helping the trainees to become competitive in the job market was highly questionable. In addition, according to the report of the Technical Committee on Ex-combatants, it turned out during the latest ex-combatant registration that some of the beneficiaries of earlier assistance, including 'a large number of former DBC employees', were not ex-combatants or former freedom fighters at all (Technical Committee on Ex-Combatants, 1998: 11). These shortcomings led the Committee to conclude that DBC was not a sustainable entity and therefore there was a serious need to review its mandate (Technical Committee on Ex-Combatants, 1998: 12). This is exactly what the Committee did. However, the DB and DBC projects succeeded to some extent in defusing the ex-combatants' predicaments. They also provided ex-fighters who were incorporated into these projects with a level of comfort similar to that in exile. Although the DB was initially meant for ex-fighters from both sides of the war, in practice its membership was almost exclusively drawn from the ranks of ex-PLAN combatants. This created some apprehensions among the former SWATF fighters who felt discriminated against.

Amnesty and reconciliation

The policy of national reconciliation played a central role in the prevailing peace and stability in Namibia. The country's independence was attained against the background of a highly divisive and oppressive political context. The policy of national reconciliation helped to unite the people of Namibia.

The underlying strength of reconciliation, as against other conflict handling mechanisms such as force or mediation, is that it is a voluntary initiative of the conflicting parties to acknowledge their responsibility. Since Namibia was an international territory before independence, the international community was keen to create conditions that would bring about lasting peace. Consequently, the United Nations, the Western Contact Group (five Western members of the UN Security Council that included Canada, France, West Germany, United Kingdom and United States of America that negotiated for an internationally accepted transition to independence of Namibia) and SWAPO negotiated for a blanket amnesty for all exiles before they returned home. Geingob asserts that the proposal of the Western Contact Group included:

- the release of Namibian political prisoners or detainees held by South Africa prior to the beginning of the electoral campaign so that they can participate fully and freely in the process without the risk of arrest, detention, intimidation or imprisonment,
- all Namibian refugees or Namibians detained or otherwise outside of the territory of Namibia will be permitted to return peacefully and participate fully and freely in the electoral process without the risk of arrest, detention, intimidation or imprisonment (Geingob, 2006:75).

All the parties accepted the comprehensive amnesty as a practical approach towards reconciling the Namibian society. This has helped reduce the hatred of the past thus laying the foundation for peace and harmony in the country. Therefore, Namibia's post-independence relations were made possible by the effectiveness of the national policy of reconciliation. The former adversaries integrated with ease into the new defence force (NDF), strengthening the process of national reconciliation (Dzinesa, 2006:240). We could argue the policy successfully served as a 'vehicle and

mechanism' to reduce the danger of frustrated integrated ex-fighters from using military means to dislocate the post-conflict nation-building efforts. These political relations, assisted by the absence of a splintered armed liberation movement, generally made it easy for the integration, despite some destabilisation attempts by fifth-column elements (political groups and individuals who supported the colonial South African government and opposed the independence of Namibia). This created the prevailing peace and stability in Namibia that has enabled the country to implement national development plans and programmes for the purpose of eradicating poverty, ignorance and disease.

By and large, Namibians, irrespective of colour, race or creed are united and work together for the common good and mutual benefit of all citizens. With no doubt, the reconciliation policy has helped Namibians to embrace each other and move forward as one people instead of seeking revenge for the past injustices committed. However, the policy is a ticking time bomb if not nurtured by all stakeholders. Reconciliation is being threatened by skewed income distribution, land ownership, and high rate of unemployment. Therefore, government and other stakeholders should give serious attention to these issues.

The NDF/MoD

The Defence Force has headquarters, arms of service, formations, units and personnel as determined by the Minister. As illustrated, the NDF was one of the first agencies of the state to be established by government. The reasons for establishing the Defence Force were mainly political. The new government wanted the military to play a role in nation-building as well as to create political stability and consolidate state power. It is also argued that the Defence Force was formed because the new SWAPO government was faced with, among other things, "a severely weak state that was potentially threatened by 'fifth column' activities of SWATF and SADF counter-revolutionary elements that could easily derail the gains of independence" (Dzinesa and Rupiya, 2005: 207).

The organisational structure of the MoD, as has been illustrated in Chapter 8, which co-locates the defence headquarters, serves as a confidence-building mechanism between civilians and the

military in Namibia. The co-location is significant because it allows the military and civilians to work together, thus solving common problems as a team. The working relationship between the military and civilians is good. This was confirmed by the Minister of Defence Major-General (Retired) Charles Ndaxu Namoloh, who claimed that:

> In this arrangement nothing is done without the knowledge or involvement of either civilian official or the military. Soldiers and civilians sit together in planning the welfare of the soldiers (Interview, March 15, 2006).

Therefore we could say this understanding could have contributed to the reduction of suspicion and created confidence in the operations of the military in Namibia. The transitional period was characterised by historical, mutual mistrust and animosity. However, earlier conflict dynamics influenced the establishment and reintegration of former adversaries into a new and legitimate national Defence Force (NDF) that was central to post-conflict peace and nation-building.

The NDF respects and accepts accountability. The Defence Force does not enjoy any form of impunity. The NDF is accountable and held responsible for its actions. Nevertheless, taking into consideration the nature of the security sector, some information on their activities cannot be disclosed to the public for reasons of national security (Born, H., Fluri, P., and Johnsson, A. B., 2003:92). Under the cover of national security, the military might end up committing certain things which, if they were to be known, would lead to prosecution by a court of law. This view is shared by Philemon ya Nangolo who argues that the military is not open enough. "It seems this scenario largely has to do with the integrity of senior military officers. For instance if an officer has unquestionable integrity, there will be no reason to hide the misdeeds committed by the military" (Interview, March 1, 2006). Some observers are of the view that the unnecessary secrecy in the activities of the NDF might be a result of the liberation struggle experience where everything was classified. It is further argued that SWAPO has retained its liberation *modus operandi* in which secrecy, discipline, internal unity and collective leadership are the guiding principles.

The internal reforms that took place in the NDF, especially training and modernisation, have had significant influence on how the Armed Forces interact with civilian authorities and the public. The

cooperation at the highest political administrative level and the military high command has ensured the consolidation of peace and democratic civil-military relations in Namibia. It is equally important to note that a lack of civilian and military partnership in the reform agenda can lead to inappropriate military interference in the political governance of the country.

Moreover, some observers, such as Lieutenant Colonel K. Carel Ndjoba, are of the view that there has been no military interference in the political process in Namibia because "The NDF is professional in the sense that it is apolitical and therefore not enthusiastic to get involved in politics. As soon as politics is allowed in the military, it is a recipe for trouble in the long run that could cause instability in the country" (Interview, June 28, 2006). Soldiers should be made aware of their responsibilities and prepared to serve the government of the day.

Researchers such as Finer (1962) and Stepan (1974), as noted in Chapter 3 of this study, commented that professionalism may augment the likelihood of coups, because the military institution is politicised and easily manipulated by politicians. On the other hand, Huntington (1957) argues that professionalising the military makes them 'politically sterile and neutral'. Arguing on similar lines, Lamb (1999) is of the view that professionalising the armed forces enhances the military's specialisation and skills in performing their primary task. He further adds that it increases the educational opportunities available to the officer corps as well as enhances the institution's corporateness.

While the above arguments are helpful in understanding professionalism in the military as a crucial element for democratic civil control of the armed forces, it was felt by most interviewees that there has been no military interference in the political governance of the country, not because the NDF is apolitical and professional, but because of the entrenched party control system in the military.

Political leadership of the country

The quality and maturity of the civilian political leadership provided by the ruling SWAPO government has also contributed to stable, civil control of the military, as it seems to have succeeded in subordinating the NDF to the political authority through a host of strategies such as

appointing retired military officers to serve on boards of parastatals, or to serve in the country's foreign missions. For that reason, one could characterise the SWAPO political leadership as having good judgment. As William Lindeke pointed out:

> The SWAPO government has so far performed remarkably well, and this has to do with good military-related policies put in place, such as the Reconciliation Policy as well as the legitimating historical factors behind the ruling SWAPO Party. Citizens largely view SWAPO as the party that brought about the political independence of Namibia. As a result, the political leadership is popular among citizens, and the SWAPO Party is dominating the political scene in the country (Interview, April 21, 2006).

We could also argue that the strengths in the governance of civil-military relations in Namibia were derived from the political leadership that had experience in handling the affairs of the military. Despite the 'teething' problems at independence associated with establishing a national defence force and putting it under firm civil control, the willingness of the military to serve the government of the day was instructive. It is further argued that political control of the military had been consolidated and maintained in the country because of an effective counter-intelligence system in place. The Chief Editor of the Windhoek Observer newspaper, Hannes Smith, noted that:

> The SWAPO government has put an inflated security system on the ground that monitors the military and what goes on in the country as a whole. The security apparatus is wide and effective; there is also a strict tap on the activities of the defence and security forces by the national intelligence agency. Any disturbance or plot by the military against government can be detected within minutes before it happens (Interview, July 24, 2006).

The above claim is interesting as it shows the ascendancy of the communist party control system of civil-military relations in Namibia. This practice is reminiscent of the liberation struggle period experience, where there were fears of secret agents who allegedly had infiltrated SWAPO. However, there is no evidence to suggest that the military in Namibia is infiltrated by enemy agents to justify monitoring the activities of the armed forces. Nonetheless, this case is a typical example of the paranoia of the security operatives of perceived enemies to the state. The secret monitoring of the activities of the military undermines good governance in the security sector. The prevailing

political environment that is conducive to democratic governance of the military may contribute to effective civil control of the Armed Forces.

The nature of civil-military relations

The dynamics of the preceding liberation struggle period impacted on the nature of civil-military relations in independent Namibia. The People's Liberation Army of Namibia (PLAN), SWAPO's former military wing, was subordinated to the political control of the party, further strengthening civil control of the military. At independence, after SWAPO won elections and came to power, the same tradition of subordinating the military to civil authorities continued to be practiced, thus strongly influencing the nature of civil-military relations in independent Namibia. Additionally, BMATT, that helped in providing standardisation training to the integrated ex-PLAN and ex-SWATF fighters as well as the setting up of the structure of the MoD by the British, laid the foundation for the British system of civil-military relations in Namibia. In the final analysis, this researcher argues that both the socialist and Western models of civil-military relations are applicable in Namibia.

BMATT was an important institutional actor during the integration process of former PLAN combatants and SWATF fighters. This view was confirmed by the Permanent Secretary of Defence as illustrated in Chapter 4. These were former adversaries with different political ideologies. Therefore it was a matter of necessity that standardisation training had to be provided to build confidence among the ex-fighters.

Transparency in the Defence Budget

Ideally, civil control of the Armed Forces should be evident in the military budgeting process. It is generally believed that Namibia's budgets, including defence, are transparent and subject to national debate in Parliament. Phanuel Kaapama agreed with this point when he said:

> Every year the Minister of Finance goes to Parliament to present and defend the National Budget that includes the Vote on the MoD. In this way, the Defence Budget is subjected to national debate (Interview, April 5, 2006).

However, some observers are of the view that the Defence Budget is not transparent. The National Coordinator of Namibia Non-Governmental Forum (NAGOF), Daphne de Klerk, claimed that:

> The defence budget is not transparent enough as no-one, for instance, knows how the salaries of the military are determined or how much is being spent on purchasing weapons for the military (Interview, April 4, 2006).

It is felt such issues should be open and debated by the public. This view is shared by Foster who argues that "The structure of the budget has remarkable implications for controlling the military". He adds that "A more comprehensive budget that spells out specific spending authoritisations is better to control than one that presents wide spending categories and substantial, discretionary leeway for actual expenditure by the military" (Foster, 2005:2).

Of course, whether the Namibian budget is transparent or not, the allocations are explicitly indicated and within the allocations there are what is called 'discretionary' allocations and expenditure. This is money allocated for special projects in the Defence Budget. But what the special projects, are and how one monitors the use of funds to ensure that money for special projects is not abused, are some of the things that need to be assessed.

Defence budgeting and expenditure should be a public process because it involves the best possible allocation of national resources. Spending on defence must be seen within the context of the broader economy of the country. Ordinary citizens and NGOs should be informed or involved in the defence spending process. Only then can they be in a better position to know what type of Defence Budget is needed by the military. As Foster adds, "The openness of the budget to public view, is inextricably linked to control: the more open, the more controllable and controlling" (Foster, 2005:2). However, it should also be noted that politics has a major impact on this issue in the sense that the ruling SWAPO Party has two-thirds majority in Parliament and that not only affects the defence and security sector, but the discussion and programmes in general. Phanuel Kaapama noted that, "For instance, when there are questions on certain issues including defence and security, some people just vote in favour without any discussion taking place" (Interview, April 5,

2006). Unfortunately, this is the general political architecture of the country and has an impact on transparency and the extent of debate in the national Parliament. Moreover, it has also been argued that the level of military expenditure is a political decision which reflects the preferences of the government of the day. Therefore the budget needs the ordinary citizens' support for it to work effectively in accordance with other national needs. The budget is not simply a lawfully consistent, fundamental, civic fiscal instrument, but also a way of guaranteeing responsibility. Therefore the military budgeting process needs to be transparent, efficient and effective.

Nonetheless, not all aspects of the military budget are transparent to the society at large. Pantev argues that transparency in the budgeting process allows parliament to execute competently its oversight function and helps society to have confidence in the defence and security area. Nevertheless, the execution of the values of transparency and accountability has to balance carefully with the right for public information and the protection of sensitive information for security purposes (2005:94). However, it is significant that parliament should not allow blanket classification of information related to defence and security. The executive, through the Minister of MoD, should be obliged to justify and explain the reasons for classification of documents.

Budgeting process and implications

The budgeting process in Namibia seems to be confined to the Executive Branch of government and the Legislature. It is, however, encouraging to note that all participants in the budgeting process, that is, civilian and military planners at the MoD, Ministry of Finance, government agencies and the Legislature, play their roles in all aspects of the military budgeting process and adhere to the principles of democratic governance. The President of the Republicn Party and Member of Parliament, Henk Mudge, remarked that, "The military budget and related information is often made public once the national budget is tabled in Parliament" (Interview, October 16, 2007). However, much needs to be done in terms of providing major defence and security policy documents, defence programmes, implementation and budget audit reports to the public. It is also vital for democratic control of the military for civil society such as NGOs, the media and lobbying groups to interact in all stages of the budgeting process.

Namibia's Defence Budget has rapidly increased since independence in 1990. Defence expenditure in terms of the percentage of Gross Domestic Product (GDP) has also risen considerably since 1994 according to economist Robin Sherbourne (2001). He attributed the rise in defence expenditure to the following:

- The implementation of the 1993 Defence White Paper and its provision for the creation of the new air and maritime wings, in addition to upgrading existing military bases;
- The Cabinet directive of 1998 leading to the employment of, 2 000 ex-PLAN fighters into the NDF; and
- The need to finance the deployment of NDF troops in the Democratic Republic of the Congo (2001:8).

Taking the average percentage of military expenditure over 12 years, the country's investment in defence stands at approximately 2.358% of GDP a year. Sherbourne (2001) argues that from all accounts, Namibia has been able to afford its military expenditure. Obviously, the money that has been invested in defence has benefited the country as it is evident in the current prevailing peace and stability.

The interface between the Executive and the Legislature

It is also instructive to comprehend the crossing point between the Executive and the Legislature in their relationship to the military. The Executive, through the MoD, formulates military policy, procures military equipment and makes plans for future development. The role of the Legislature is also defined. Parliament approves the military budget and other policies proposed by the executive. Through budget allocations, the Legislature has the most powerful control mechanism over the way in which the Executive conducts the affairs of the NDF.

Such oversight function makes the military more accountable and transparent. The separate yet harmonizing roles that the Executive and Legislature play in their control of the military serve as an important oversight function, to ensure not only its political neutrality but also its subordination to civilian control.

Parliament has committees that are charged with certain responsibilities, but none of these committees has done much at this stage. This view was confirmed by Ben Ulenga, who claimed that members of the existing committees do not have the necessary knowledge on defence and security matters and, "as such they are not better placed to effectively implement their mandate of oversight function over the security forces" (Interview, April 18, 2006). There is need to empower committee members to ensure checks and balances.

Parliament is intended to serve as an institution through which elected representatives of the people act as watchdogs over the performance and behaviour of government to make certain the interests of the people are best served. The watchdog task is normally performed by various parliamentary committees. Nonetheless, when it comes to overseeing of certain activities of the military, such as monitoring the defence budget, there remains an overwhelming task for the Legislature. Pantev argues that the most important role for the Legislature for civilian control on the military is the budgetary control (2005:31). This function gives the Legislature the capability to pass the budget and to decide on suitable funds for the personnel and material necessities of the military. This responsibility is reinforced by the prerogative of parliamentary oversight in all areas of defence to carry out particular functions in monitoring the implementation of the defence and security policy by government. Nevertheless, the democratically elected civilians are less capable of controlling how the money is spent. This problem is further worsened by the existence of 'secret funds' that are often hidden in other votes of the Defence Budget and therefore are essentially free from legislative oversight. This can undermine state policy and democratisation.

Namibia's bicameralism has been criticised. However, the merits and demerits of this system are not the focus of this study. Having said that, the National Council, unlike the National Assembly, has no formal law-making function while its powers of review are limited and can be overruled by the National Assembly. Although it can offer its opinion, the National Council has no veto on legislation. Therefore, this weakens the effectiveness of the National Council to scrutinise defence bills that are passed by the National Assembly. In one way or the other, this also weakens the oversight function of the Legislature over the military, which is not good for healthy civil-military relations. The other weakness preventing an effective system of checks and balances is that the

composition of the National Council reflects the same pattern of the dominant SWAPO Party politics that operate in the National Assembly. SWAPO Members of Parliament dominate in both Houses of Parliament as a result of lack of significant opposition political parties in Namibia. Since the Executive Branch of state dominates the two Houses of Parliament, the Namibian Parliament lacks the political inspiration to challenge the policies, programmes and Defence Budget submissions of the incumbent government. Henk Mudge noted that when it comes to voting, the voting rules of a 'winner-takes-all' system often result in an unbalanced ruling majority denying the minority opposition the chance to scrutinise military and other related issues. This is not good as it does not only undermine the oversight role but also stifles the voice of opposition parties in Parliament, which is essential in a democratic setting (Interview, October 16, 2007). Moreover, Parliament, as well as appointees in the MoD, lacks sufficient expertise to deal with the growing difficulty of the defence and security programmes. This is where NGOs and research organisations are needed to contribute to the democratic civil control of the defence and security sector. In this regard, these organisations may assist by providing training, educating the public, or giving alternative expert opinion to government on defence policies, budgets, procurement options etc. This in turn may contribute to a broader public understanding of the military, thus strengthening civil-military relations in the country.

Consolidated state and democracy

The data presented in the literature review and subsequent chapters of this study suggest that Namibia has a relatively strong state with an established democracy. This understanding is shared by D. Kellner, Project Manager at the Namibia Institute for Democracy, who suggests that there is moderate political and social division, restrained ethnic conflict, economic stability and prosperity and effective governmental structures. Moreover, elections are generally regarded as free and fair, and where problems are identified, these are regarded as minor (Interview, April 24, 2006). Most respondents also accept that democracy has brought an improvement in both economic and political rights. In addition, people are generally satisfied with current economic conditions and remain confident about the future. As William Lindeke added, there were no incentives and pushes from society to say "Rescue us from this dire situation" (Interview, April 21, 2006). This makes it less likely for Namibia to experience military intervention in domestic politics.

To a large extent Namibia seems to have met most of the requirements needed to consolidate democracy as a vital aspect in stable civil-military relations, as was illustrated in Chapter 3. For example, since independence in 1990 Namibians have ensured that political institutions and processes are set up and strengthened to sustain effective participation of all citizens in the affairs of the country. In the past 15 years of independence there have been sustained attempts by government, opposition political parties and civil society actors to consolidate the fledgling democratic structures, processes and culture in the country. For instance, citizens are free to vote and elect their representatives or to be elected. They have an opportunity to express their views freely, and have freedom of association. Also Namibian citizens perceive the state and government as legitimate. This is significant as it ensures stability, because it enables the government to make and enforce decisions without having to resort to violence or coercion to obtain compliance from citizens.

A "case study" of testing civil-military relations

As discussed in the earlier chapter, following secessionist attempts by the Caprivi Liberation Movement (CLM) to dismember the region from the rest of Namibia, NDF soldiers and other security forces were deployed in the region and fought street battles with the rebels. The resulting violence caused approximately 2,400 refugees from the region to flee to nearby Botswana. Several people were arrested and detained. During and after the attack the military and the police were accused of heavy-handedness and were implicated in human rights abuses, including intimidation, assault, murder and torture, but no one has so far appeared before a court of law. Consequently, there was general concern over these allegations of excessive force perpetrated by security forces on the residents of Caprivi, and a cry for justice to be done. Caprivi, a strip of land extending eastward out of northern Namibia along its borders with Angola and Botswana, differs geographically, politically, and in its ethnic makeup from the rest of Namibia. Before independence, the region was heavily used by the colonial South African Defence Force to launch operations against SWAPO freedom fighters in Zambia and Angola. The Namibian government accused an Angolan rebel movement, the National Union for the Total Independence of Angola (UNITA) of supporting the Caprivi rebels.

Nevertheless, Namibia has signed treaties against torture. Article 2 (1) of the Convention against Torture provides that no circumstances, whether a state of war, internal political instability or any other public emergency, may justify torture. It binds each state to ensure that all acts of torture are offences under its criminal law. Namibia is on record that it is against torture, but government was reluctant to take public action to investigate whether these allegations of torture were true or not.

Clarifying the role of the military

It is vital for the elected civilian authorities to determine whether the military's role should be limited to defending the country from external threats, as clearly outlined in the Statement on Defence Policy (1993), or expanded to include safeguarding internal security, as in the Caprivi incident, and performing other civic duties. In deciding on the role of the military, civilian authorities should put in place a clear, legal framework regulating the activities of the military in specific missions that arise from such roles. The military should not be the first line of defence in internal security or civic action. It is the responsibility of the police force to maintain order in the civil society. It has been argued that deploying the military in police operations may weaken the professional standards of the military (Cilliers, 1995:45). The military is not trained or equipped to deal with police operations. Additionally their involvement in such operations opens up the possibility that they can use excessive force which undermines their image and credibility. To illustrate this point, it was reported that most of the more than 300 people who were arrested following a crackdown by Namibian security forces were tortured, and that at least ten died in captivity, some under suspicious circumstances (OneWorld.net, 2007). Some members of the NDF were also implicated in human rights abuses, including intimidation, assault and torture. Moreover, of concern at least with regard to fundamental human rights, such as the right to a fair trial as contained in Namibia's Constitution, is the lengthy trial of more than 120 Caprivians accused of high treason. The trial began in November, 2003, and is still continuing. At the same time, a second trial of separatists is in progress.

As the literature review suggests, the habit of using the military to perform internal assignments like maintaining law and order should be carefully balanced with the military's primary role of external

defence, because using the military for internal security is open to unprepared and unregulated use of the Armed Forces, thus evading civilian control. For that reason, it is suggested by scholars that legislation must be passed that (1) guarantees civilian control over the military's internal missions; (2) reduces the degree of military encroachment on the roles of other civilian institutions; and (3) minimises the risks of human rights violations (Giraldo, 2001:21). Incidentally, civilians are the ones who should decide when and how the military will be utilised, indicating what can be done or not, the time frame to start and stop the operation, and the sharing of tasks among civilians and officers in control of the assignment. The military's responsibility should be restricted to a support function. They ought to be called in only following the failure of police, and they should not be given police authority to investigate, arrest or imprison. Moreover, military operations should be subject to review by the legislature and civil courts. The latter seems not to have been done during the deployment of the NDF in the Caprivi Region to quell a secessionist rebellion.

Despite the negative implications of an internal role for the military, the NDF have been involved in support of the police to deal with escalating rates of crime especially during the festive season. The military routinely provide law enforcement support to the Namibian Police by jointly setting up roadblocks and patrols to minimise criminal activities during holiday seasons. Consequently, there has been a great deal of support and general satisfaction from the wider public on the use of the military in a policing role during these periods. This is also supported by Giraldo (2001) who asserts that under certain circumstances, the military also prefers such responsibilities in order to gain resources and salvage public confidence in the defence force. The legal framework must be clear and understood by civilians and the military alike to have any impact. Moreover, the military should be limited to a support role and called only after the police have failed to perform their mandated responsibilities.

The NDF is aware of its shared responsibility to the civilian authorities. The Constitution and the Defence Act are clear on what is expected from the Defence Force. The military has undertaken peacetime activities in support of civil authorities. However, the Defence Force should take more initiative undertaking national projects that are beneficial to the country. The military could, for instance, in areas where they have deployed units, assist in activities such as painting schools, building roads to link inaccessible areas etc.

It is also felt by some of those interviewed that the size of the NDF is too big and expensive compared to the military threat facing the country. The appropriate size and strength of the military is however, debatable. But what size or capacity of the military does the country need to have a robust defence and security? Obviously, Namibia needs a military that is highly trained, professional and responsive because it has, among other things, certain international responsibilities to fulfil, such as contributing troops to multinational peace keeping forces under the United Nations (UN), Southern African Development Community (SADC) or the African Union (AU) supervision to bring peace in the world. Moreover, Namibia needs the military capacity to effectively defend the territorial integrity of the country by guarding and protecting the marine resources against fishing piracy, preventing violation of the national airspace and assisting civil authorities and communities.

The military has significantly contributed to peace in the country. As has been illustrated in Chapter 5, the deployment of the NDF in 1999 along the Kavango and Caprivi borders, to root out UNITA bandit activities in the two areas as well as to fulfil the country's commitment to regional security by supporting the Angolan government to fight UNITA rebels, brought peace and stability on Namibia's northern borders.

Internally defence expenditure has been targeted not only at establishing a credible conventional force, but as we have seen, demobilisation had to be revisited in late 1999 when thousands of unemployed ex-combatants threatened violence. Consequently Cabinet approved the employment of about 2 000 unemployed ex-combatants. To this end, the action taken by government was timely and prevented a potential explosive situation.

Likewise, the Namibian government considers multilateral and bilateral contacts as a useful means to improve stability and establish confidence and trust. Consequently, the country's defence expenditure has also been used to finance four Joint Permanent Committees on Defence and Security between Namibia, Angola, Botswana, Zambia and South Africa, which supports the preventive diplomacy and security policy of the country. (This information was obtained through the researcher's personal participation in the preparation and organisation of such joint meetings.)

These committees meet annually to address any security concerns along the common borders and inside the respective countries. This has effectively resulted in better border security with minimal deployment of NDF forces along the international borders, bringing benefits.

Deficiencies in the oversight mechanisms

There is also a Cabinet Committee on Defence and Security (CCDS), as discussed in Chapter 5, but many of its operations are not transparent. For instance, most respondents agree that the deployment of Namibian soldiers in the DRC was undertaken in heavy secrecy. The public, and perhaps Parliament, only found out from foreign media reports weeks later that Namibian soldiers were involved in the DRC fighting. The Executive, through the President, deployed the NDF in the DRC conflict without the involvement of the Legislature. The role that was played by CCDS in the deployment of NDF soldiers is not known. This was followed by a public outcry that the President should have consulted Parliament before the decision to intervene. These are the times we legitimately urge for transparency from the Executive to ensure checks and balances in a fragile democracy such as Namibia.

A link between representative democracy and civil control of the military

Civilian political control finds its roots in the concept of representative democracy. Elections could be used as a measure for representative democracy. The principle is that elected civilian authorities define and guide national policies concerning defence and security and maintain decision-making power over the military. Although Namibia has established a strong and sustainable electoral democracy, there are some concerns about the system of proportional representation where political parties impose unknown candidates on voters. In the proportional representation system political leaders are elected by virtue of their affiliation to the party and not because their followers put them there. This leads to lack of accountability on the part of elected officials as they tend to serve the party. This may affect civil-military relations because the basic principle is that elected civilian authorities define and guide national policies concerning defence and maintain decision-making power over the military. Therefore, lack of accountability on the part

of political authorities, may result in the military's interfering in the political governance of the country.

The National Assembly is composed of members who have no direct constituencies. In the words of Diescho, they "therefore feel no sense of accountability to those who elected them. If anything, their sense of accountability is solely to the party's head who has the power to promote and/or remove them" (Diescho, 1996:8). This is a concern in democracy because the political leaders are not accountable to the electorate, but to their parties. The proportional representation system works according to the party-list system, which depends on the party hierarchy, and the party-list reflects this hierarchy. The order on the list does not necessarily mean that the best candidate or most popular candidate is on top. The more popular candidate with the electorate might in fact be put nearer the bottom. This situation could result in depriving the electorate of having their favoured candidates representing them in the National Assembly. According to Geingob, "It could also undermine the quality of debates in Parliament since the candidates on the top list are not necessarily the best" (Interview, October 4, 2007). This is a concern for a fragile democracy like that of Namibia. Moreover, in one way or the other it could also negatively affect healthy civil-military relations, because people who are sent to Parliament may not be able to effectively perform their oversight functions over the military, thus causing uneasiness among the armed forces. Also they may be viewed by citizens, including the military, as not representing their interests but that of their parties. This may create unnecessary tension, thus undermining peace and stability in the country.

A democratic culture also appears to be rooted in Namibia. In the 1999 regional government elections, SWAPO and the DTA tied by winning three seats each in one constituency. As a result it was difficult to elect the Governor of the Hardap Region. Nevertheless, the two political parties settled the impasse by sharing the position of Governor. The DTA Governor was allowed to occupy the office for six months and the remaining half of the year was held by the SWAPO Governor. This proves the existence of accommodation, a strong culture of tolerance, and a culture of inclusivity that exists in Namibia. Similarly, during the announcement of the last presidential and parliamentary election results, leaders of different opposition political parties accepted the people's will and conceded victory to the winner. This is indeed a refreshing change in Africa, where the

losing candidate often refuses to accept the results of the election and violence follows. This is an area where most African countries continue to fail.

In Namibia, according to Geingob (2006:234), the electoral commission is strong and is seen and accepted by citizens as transparent, thus making it easier for losing parties to accept the results of the elections. Indeed, electoral systems have an important role to play in democratic countries as well as in civil control of the military because they affect political processes and outcomes. Therefore, the electoral system needs to be seen to be fair, transparent and accountable in its operations. This in turn creates the system's legitimacy in the eyes of the electorate, thus avoiding unnecessary military interference in the political processes in the country.

Namibia's members of the National Council are elected directly by the constituencies in their regions. Therefore it gives them more political legitimacy than to members of the National Assembly. The National Council derives its political legitimacy first and foremost from the constituencies and the 13 political regions of the country whose members represent in Parliament. For that reason, the National Council has the potential to be more accountable to the electorates.

Even though Namibia has successfully held free and fair elections, the government continues to seek ways to strengthen electoral democracy in the country. For example, as discussed in Chapter 9, all the political parties in the Parliament are being funded by the state proportional to their representation in Parliament. In addition, some people feel the ruling SWAPO Party has an advantage over opposition parties because it has state machinery at its disposal. To change this situation it is up to political parties to work hard to create a tremendous mount of support from the grassroots level. By creating such support they may get more Members of Parliament after the next election. This would increase the financial amount that opposition parties get from Government. People will support the party that they think can do something for them or for the country.

The proportional representation system being practiced in Namibia is significant because it increases the representation of smaller parties in the Parliament. These parties are likely to be left out in a winner-takes-all system. Therefore the proportional representation system ensures that there will always be an opposition political party in parliament. For example in the 1989 elections

ten parties contested and seven gained representation in Parliament. In 1999 only four parties were represented in the National Assembly.

Inadequacies in democratic governance

The weakening of the opposition political parties in Namibia since the 1989 independence election could be characterised as one of the significant inadequacies in the country's democratic governance. This is also a concern to democratic civil-military relations, because it weakens the system of checks and balances. It might also lead to disgruntlement in the military bearing in mind the country's pre-independence history that was typified by fear and mistrust. The ruling SWAPO Party has weakened the opposition by co-opting most opposition personalities into senior government positions where they become functionaries of the ruling party. A notable example of co-option was that of Mr. Vekui Rukoro, who was appointed as Attorney General. Mr. Rukoro was a leader in the South West Africa National Union (SWANU). Additionally, opposition political parties lack history, legitimacy, integrity, membership and influence to provide a strong opposition to the ruling SWAPO Party (Diescho, 1996: 19). As a result, there is total absence of an effective political opposition party in Namibia to ensure checks and balance on the ruling SWAPO Party. This has a wide implication for governance as well as on the civil-military relations in the country. The existence of different political parties in Parliament is necessary as they make it possible to have oversight function on the Executive and the military as an institution of state.

Namibia has a dominant party system which can be attributed mainly to the fact that the ruling SWAPO Party is principally viewed as the party that brought about the country's political independence. There is no effective political opposition in Namibia. Henk Mudge claimed that, "The opposition in Namibia has failed completely. We do not really have checks and balances on Government. They ruling SWAPO Party do not listen to the opposition (Interview, October 16, 2007)

Among the reasons for weak opposition political parties are that they are fragmented because of the previous colonial regime's strategy of divide and rule, as well as the tag they continue to carry of being associated to the colonial South African Regime (Diescho, 1996: 11). Therefore, the

opposition political parties cannot put up a strong opposition against the ruling SWAPO Party. Consequently, political parties, especially those in opposition in Parliament, play less of an advocacy role in bringing military and other related issues to the fore, because they are often over-ruled by the ruling party, which is in the majority.

It is interesting to note that the ordinary citizen is also not well informed about the importance of opposition political parties in a democracy and their role in democratic control of the military. This scenario has resulted in the majority of citizens viewing opposition parties as 'sell-outs' or agents of imperialism. In addition, the President of the Official Opposition, the Congress of Democrats (CoD) and Member of Parliament, Ben Ulenga, argued that Namibian citizens do not necessarily understand the role of the military in a democracy, and they are not well grounded in the principles of democracy and therefore fail to hold their parties accountable. As a result, the ordinary people do not drive the agendas of political parties in Namibia (Interview, April 18, 2006). This is a serious concern and challenge to the sustenance of the country's democratic system as well as to the opposition's role of checks and balances over the military. Healthy civil-military relations need vibrant opposition parties to ensure checks and balances, especially when debating in Parliament issues related to the military.

Furthermore, different political parties ensure accountability in the military as a form of political control. The role of the opposition is useful in Parliament to sensitise the public to the role of the NDF and also to drive home the point that the military is accountable to Parliament. The Executive seems to be unmindful of this fact. It seems to regard the need for public account especially when it has to do with the military as unpatriotic. Ben Ulenga recounted:

> We do not perform our duties as expected. For example the people who are in charge of the military do not feel obliged enough to be accountable to Parliament. There is too much secrecy in the operations of the military. It is often felt by the Executive that ordinary politicians in the country should not know or question certain things such as the purchase of military helicopters or why the country is spending too much on the military. Those who question government actions on the military and other political programmes are often labelled as unpatriotic (Interview, August 14, 2006).

Lack of public transparency and awareness of certain activities undertaken by government or Parliament are issues of serious concern. Professor William Lindeke explained that public treasury money was used to send soldiers to the DRC. He elaborated:

> It was also reported that a reward of a diamond mine concession was given to Namibia for participating in the war in the DRC, but the money accrued from this deal did not come back to the country's treasury. The activities of the mine were undertaken by August 26 Holding Company, which is mainly run by the Ministry of Defence. However, the financial credit books of this company are audited privately and secretly (Interview, April 21, 2006).

The lack of transparency on activities of the August 26 Holding Company raises some serious questions.

However, it is vital to note that political parties and civil society are permitted to engage in defence and security issues affecting the country although the level of permission might not be to their satisfaction. The participation of civil society serves as a barometer of the country's maturity for civil-military relations. The political parties and civil society actors are also committed to the democratic constitutional system, both its formal acceptance and in the observation of rules.

Namibia has good policies in place, but one of the weaknesses is the implementation thereof because of human capacity. This argument is in line with what the UN Namibia Common Country Assessment (2004) reported, that the country has a very positive policy environment and strong legislation, but the weakness is the country's lack of personnel with the knowledge and skill necessary to implement, monitor and evaluate government supported programmes (United Nations Namibia Common Country Assessment 2004, www.undp.un.na/2004%20CCA%20%20print.pdf).
This view is further supported by Du Pisani who argued that one of the deficiencies of security sector governance in discharging their duties in a professional manner is limited human resource capacity (Du Pisani, 2003:31). Additionally, William Lindeke claimed that Namibia was also among the top five countries in Africa in terms of policies on human rights, economic, trade and micro-economic organisation, stability, transparency and accountability, according to an Afrobarometer survey (Interview, April 21, 2006). Afro barometer is an independent, non-partisan research project that measures the social, economic, political and other aspects of development in selected African

countries. It is further argued by William Lindeke that international agencies such as the Economic Commission for Africa, World Economic Forum, World Bank, UNDP and African Development Bank have recognised the country's performance. Insofar as policy development is concerned, Namibia is at the top with countries such as South Africa, Botswana, Mauritius, Tunisia etc. (Interview, April 21, 2006). Perhaps we could say the deficiency as a result of limited human resources is the legacy of the political and historical factors that characterised pre-independent Namibia. The country perhaps could have had such strengths in human resources capacity if it has been independent for many years, but there is a lot of room for improvement in these areas.

The responsibility of civil society in civil control of the military

NGOs and other civil society actors play a significant role in ensuring effective civil control of the military. Nevertheless it is vital for a country to have vibrant NGOs with interest in the activities of the military for them to successfully perform that function. It is held that civil society performs less well in the early stages of democratic consolidation than they do during transition. The reason for this, as agued by Bratton and Van de Walle (1997), is that when a pro-democracy movement wins an election, as happened in Namibia, civic leaders are co-opted in government and party hierarchy, thereby weakening them. As a result, they fail to perform their responsibilities of holding the executive accountable because of the rule of collective responsibility and the economic enticement of the office they hold. For civil society to carry out its role of checks and balances over the military more effectively, it is vital that its institutions have autonomy from the state in their functions and operations.

Namibia does not have a big interface of societal institutions, besides state institutions to promote transparency and accountability within the NDF. This is a concern to all stakeholders in the defence and security sector in the country. The societal dimension of civil-military relations rather than institutional state control is significant in modern democratic civil-military relations. This view is supported by Morris Janowitz (1960) who argues that the civil society actors, through the media and think-tank institutions such as university, research institutes and non-governmental organisations, should be involved on a regular basis to provide independent analysis and alternative military agendas. They may also promote the implementation of defence and security

programmes. The media, for instance, could play a crucial role on issues of fraud, mismanagement and corruption when these are identified in the military. It is unfortunate that most research-oriented, non-governmental organisations such as the Institute of Public Policy (IPPR) and the Namibia Institute for Democracy (NID) have limited capacity to play an active role in defence and security issues. Think-tank institutions could check particular areas of concern such as force modernisation programmes, defence policy, recruitment policy etc. Reports compiled by these institutions could have a major impact on decision makers and societal attitudes towards the military, thus contributing to the usefulness of the democratic civil control of the Armed Forces.

The ability of Namibian civil society to raise funds locally is restricted because the majority of the people are poor. For that reason, they turn to government for support or to foreign donors, a move that often compromises their plans. As such, most of the initiatives of civil society will continue to be funded by foreign donors, who in many instances have strings attached to their funding. This type of assistance is often viewed with suspicion by the authorities. Disappointingly, in recent years there has been a severe cutback in donor funding to NGOs in Namibia. The explanation given for the reduction in donor funding for Namibian NGOs is that "Donors generally view the country to have successfully mastered the political transition and is stable" (Hohn, 2007:1). But what the donors fail to understand is that the country still needs support in the form of funding to sustain what has been achieved so far (although one would not advocate for a donor-dependency syndrome). Lack of funding for NGOs, especially those involved in military issues, means they can not play the vital role of providing both Government and the public the necessary analysis of military issues.

Namibians need to be aware of their constitutional rights to free speech and freedom of the media and use them to contribute to nation-building. At the same time, there is a need to respect and tolerate the rights of others to exercise their freedom of speech and expression. As such the civil society and other stakeholders should be conversant with security doctrine of the country and be able to speak out on defence and security issues of public importance. As argued by Forman and Welch (1998) democratisation can only by achieved by educating civil society about the roles of the military. It is also argued that when democracy fails to take root, it can lead to military intervention as happened in Nigeria, Ghana etc. (Cawthra and Luckham 2003:10).

The media serve as the primary connection linking state institutions and civil society as well as the wide variety of organisations and institutions dealing with defence and security issues. It plays a vital role of checks and balances. C. Daniels argued that the media was largely seen as a 'fourth state' (Daniels, 2005:42). This is because of its considerable influence over public opinion, which in turn affects the outcome of elections. The media is also sometimes referred to as the 'Fourth Estate', a term of historical French origin, which is not related to the modern three-branch system of government. Even though within the framework of good governance the media is a necessary constituent effecting transformation, it has not been easy for the local media to perform its oversight functions on defence and security in Namibia. Government seems to be oversensitive when it comes to issues of defence and security. As discussed in Chapter 8 of this study, freedom of expression is protected in Namibia's Constitution and the country has a convincing standing within Africa with regard to press freedom. However, there are infrequent lapses, particularly in regard to the nervous relationship that exists between the government and the English language daily newspaper, The Namibian, known for its independent, critical standpoint. This deficiency could be attributed to lack of access of information law in the country that would oblige Government to be more transparent insofar as dissemination of information on the military is concerned. This argument is supported by the principles of democratic civil-military relations as advanced by the USIS, that democracy fosters an inexhaustible struggle between two rights, that is, the government's responsibility to defend national security, and the people's right to know, based on journalists' capacity to access information. Government sometimes needs to restrict access to information considered too sensitive for general distribution. Nevertheless journalists in democracies are fully justified in pursuing such information (USIS, *Principles of Democracy Civil Military Relation*, http://usinfo.state.gov/products/pubs/principles/civil.htm).

The media helps the public and their representatives to come to grips with military issues and also to ensure accountability in the operations of the Defence Force. In many instances, the media are described as 'irresponsible' in their reporting especially when it comes to military issues. However, the media play a significant role in democratic control of the military. Obviously the relationship between the military and the media is not that good, but the two need each other. It is worrying that the media are expected to practice self-censorship when reporting on military matters. There

should be a harmonising relationship between the media and the military. The military relies on the media to keep a finger on the pulse of public opinion. Equally, the media needs the military to provide a sanctuary to thrive.

Restructuring of the society

Considering the degree to which the country was ethically, racially, culturally and linguistically divided at the time of independence in 1990, the SWAPO government has generally succeeded in restructuring the Namibian society. The ruling party was able to depoliticise ethnicity and promote a non-ethnic national identity. It is therefore important to note that, in spite of almost a century of colonialism that separated and isolated people according to ethnic origins, fifteen years after independence people identify themselves as Namibians rather than by their ethnic origins. Moreover, since independence Namibia has had democratic rule based upon a progressive Constitution, free and fair elections and the rule of law. For that reason, argues Arnold Tjihuiko, civil and political rights are fulfilled for most Namibians (Interview, April 20, 2006). This is indeed an achievement that is unique on the African continent, which is mostly characterised by ethnic and civil strife. As a result, the achievement of civil and political rights has also contributed to successful democratic civil control of the military.

Perceptions on the level of protection against external threat

Most significant is the assessment of perceptions regarding the security needs of ordinary citizens, whether they feel protected from external threats or not. This assessment gave some ideas on the relative importance of external versus internal threats. In this regard, most people who were interviewed generally felt safe and protected from both internal and external threats. There is a sense of satisfaction with the role being performed by the Defence Force in the country. It is generally felt that there is peace and tranquillity in Namibia. This could be credited to the founding fathers of the nation who created the reconciliation process. There is no tension any more compared to the pre-independence period. Nonetheless, as earlier discussed in Chapter 5, there was a short-lived disturbance in the Caprivi Region in 1998 which lasted for a few hours, as well as the UNITA banditry activities that terrorised the local population in the Kavango and Caprivi regions

in 1998/9. According to William Lindeke, "This was not an internal Namibian issue but an external one. Beyond that, the country had been very peaceful, at least in terms of external forces induced disturbances. By and large the majority of Namibian citizens feel safe and protected from external threats" (Interview, April 21, 2006).

Namibia continues to live peacefully with its neighbours, although the country was involved in several minor international disputes that included a border dispute with Botswana along the Caprivi Strip over the Kasikili Island and the Situngu Marshland along the Linyanti River, for which a bilateral border commission was set up to seek a peaceful resolution (Government of Namibia, *Namibia's Foreign Policy Initiatives*, http://www.mfa.gov.na/foreign_policy_initiatives.htm). There was also some shooting between the Botswana border guards and the NDF in 1998. William Lindeke commented, "This was localised and not felt by the Namibian population at large" (Interview, April 21, 2006). The others were protests from Botswana residents against Namibia's planned construction of the Kavango Hydroelectric Dam at the Popa Falls in Namibia; a managed dispute with South Africa over the location of the boundary in the Orange River; a dormant dispute over where the boundaries of Botswana, Namibia, Zambia and Zimbabwe converge; and Angolan rebels and refugees who still reside in Namibia (Government of Namibia, *Namibia's Foreign Policy Initiatives*, http://www.mfa.gov.na/foreign_policy_initiatives.htm). These were clear, tangible threats that were faced by the country at that time. Currently, there are no immediate and clear external threats, except for transitional crimes.

Of course the threat of international terrorism is there, but this is an international threat. To an extent the proliferation of terrorist organisations is very minimal. Therefore there are very few external threats to Namibia. Phanuel Kaapama claimed that there are countries that are living under greater threats such as Iraq, Afghanistan, European countries and USA. "A country like Namibia advocates for non-alignment and there is very limited Western military interest in the country" (Interview, April 5, 2006).

However, there are some concerns about the level of protection against internal threat. There is primarily domestic violence and street crimes, although not collective violence. There are also incidences of house breaking and car theft, but not car hijackings. Most people in Namibia live in

fear of crimes such as murder, rape and house breaking. It is common in Windhoek to see fortified and electric fences around houses. All these are signs of insecurity. There are a number of factors that are responsible for internal insecurity. These include the level of poverty, which is often seen as responsible for incidences of crime. Crime, on the other hand, leads to lack of confidence in the security forces and presumed inefficiencies of institutions such as the police, who are entrusted with the responsibilities of internal security. William Lindeke claimed that "Every now and then there are media reports that 'The police have insufficient infrastructure', and 'There is no fuel for police vehicles because they have depleted their budget. As a result they could not go to a crime scene and do investigations' etc. Undoubtedly, this contributes to insecurity" (Interview, April 21, 2006). Lack of transport cripples police operations as it contributes to delays in the handling of police investigations. Coupled with this is the inability of the investigating officers to complete dockets ranging from armed robbery and house breaking to assault. This is indeed unfortunate, as it undermines professionalism of the force and the justice system of the country as well. Correspondingly, Phanuel Kaapama argues that "Those who are well-off see many unemployed people on the corner of major streets waiting for jobs, and this also leads to imaginary perceptions of internal threats" (Interview, April 5, 2006). All these perceptions are being generated by a number of the above mentioned factors.

There is also concern about incidences of theft of protected resources, fraud and drug trafficking. However, since law and order are essential for ensuring peace, democracy, economic development and good governance, Government has put necessary measures in place to strengthen law and order institutions. To this end, there is a Criminal Procedure Act, although not yet put into effect to apply as law, that provides for life imprisonment for serious crimes such as treason, murder, armed robbery and rape. It also provides for stiffer minimum sentences and stringent conditions before bail is granted. Besides, a number of laws have been passed by Parliament aimed at addressing the crime situation in Namibia. Significant among them are: the Anti-Corruption Act (Act N0 8 of 2003), the Combating of Rape Act (Act No 8 of 2000); and the Combating of Domestic Violence Act (Act No 4 of 2003) (Parliament of Namibia, *Acts of Parliament*, www.parliament.gov.na). Although there has been a significant decrease in crime incidences over the years, according to Arnold Tjihuiko, Government should consolidate this achievement by adequately equipping the Namibian Police and ensuring professionalism and

discipline in the force, in order for it to effectively fight crime in the country. Additionally, the Police should combine pro-active crime prevention and reactive methods of policing, with special emphasis on the involvement of the community. In this regard, government, together with the local authorities, should enhance community policing programmes to further ensure law and order for security in Namibia (Interview, April 20, 2006).

Nevertheless, Namibia is an oasis of peace and stability on a turbulent continent. The country is ranked number 64 on the Global Peace Index. In Africa, Namibia ranks in eighth place (Maletsky, 2007:3). The Index, compiled by the Economist Intelligence Unit, ranks 121 countries from Algeria to Zimbabwe according to their peacefulness. According to the report, Namibia received a top ranking as a result of the low number of deaths from organised internal conflict. The main determinants of internal peace were identified as income, extent of schooling and the level of regional integration. On the other hand, there was no single common factor which made countries score poorly on external peace. All the same, it is believed that there is a link between the peacefulness and the wealth of nations, and therefore business is seen to play a major role in peace. In this regard, the prevailing peace in Namibia has attracted large business interests from local and multinational companies. Business growth in turn should support the country's socio-economic wealth as well as improve living conditions of citizens, thus enhancing civil-military relations.

There have been recurring droughts and floods in the country, and government is expected to have mechanisms for dealing with some of these issues. William Lindeke explained that "It is, however, reassuring that many of the internal problems have been well managed. Namibia has laws, personnel, structures and institutions to manage these problems reasonably well" (Interview, April 21, 2006).

Strengths of civil-military relations in Namibia

Most citizens interviewed by this researcher during this exploration study believe, among other things, that what has worked well in civil-military relations in Namibia is the fact that the country came from a situation that was characterised by mistrust and brutal armed forces during the

colonial period. It took a long time for people to accept the military as part of them. Arnold Tjihuiko, an opposition politician and Member of Parliament, claimed that after independence there were incidences where the new Defence Force proved to be brutal. “They for instance, harassed people, but now the situation has completely changed to the better. People have confidence in the military and regard them as their protectors. For this reason, the relationship between civilians and the military is healthy” (Interview, April 20, 2006). Furthermore, Tjihuiko claimed that what has mainly contributed to this positive image of the Defence Force in an independent Namibia is the better training received by the military now compared to the training in the past. “The NDF is friendly to the citizens and communication is somehow good” (interview, April 20, 2006).

However, it is felt by some local observers such as Ben Ulenga that the military is not open enough. It is argued that soldiers are mostly not open in their activities. As such, sometimes civilians are not comfortable with the way the military do certain things. It is suggested that civilians may get more satisfaction if they know what is exactly taking place within the boundaries of the military establishment (Interview, April 18, 2006).

What has been crucial to the success of the model of civil-military relations in Namibia is the military acceptance of being under civil control. The Permanent Secretary of the MoD, P. Shivute, revealed that the military has found it necessary to be under civil control in Namibia because they have seen numerous incidences of coup d’états in Africa where the military was not under effective civil control. When soldiers are not accountable to civil authorities, many things are likely to go wrong. “It is felt that, for that reason, it is important that soldiers should not be involved in politics. Inasmuch as soldiers uphold the Constitution and have the right to join political parties of their choice, they should not actively get involved in political activities” (Interview, March 19, 2006).

Namibia is able to have successful civil control of the military because of its liberal Constitution, which has various oversight mechanisms. This view is also expressed by Du Pisani who suggests that Namibia meets the criteria broadly associated with democratic security sector governance. Among these are:

> A robust legal and policy framework for the different security sector actors; political oversight of the security sector, particularly at the executive level of government; relatively clear systems and processes for political direction, policy setting, planning and budgeting; security sector organizations are accountable to elected civil authorities, however, accountability is stronger towards the executive than the legislature; there are other established oversight agencies such as the Office of the Ombudsman, the Auditor-General and the Judiciary; security organizations operate in accordance with international law and domestic constitutional law; by and large there is a clear division of roles and responsibilities between the defence and security forces and defence and security force personnel are regularly trained to discharge their duties in a professional manner (Du Pisani, 2003:31-32).

It is felt by some observers such as Chris Jacobie that since Namibia came from three decades of war, the consequences of war are still fresh in people's minds. It is also argued that the independence election results of 1989, when the losers accepted the results, were crucial for the prevailing peace and stability in Namibia. SWAPO, the ruling party, won 57%, while the opposition political parties won 43%. "The margin was not too wide and therefore the losers easily accepted the results thus avoiding conflict" (Interview, April 21, 2006). Equally important is the fact that the ruling SWAPO Party and those in opposition continue to work together in the interest of the nation despite their political differences. Additionally, the majority of voters in the 1989 elections were those who sought the independence of the country. Basically, they are also the writers and custodians of the Namibian Constitution.

Namibians, including the military, have so far respected the Constitution of the country. A researcher from IPPR, Professor W. Lindeke, argues that "Some of the constitutions that were created way back in 1990/92, by countries that were in democratic transition, changed by 50-100%" (Interview, April 21, 2006), whereas Namibia has great respect and has treated its Constitution like a sacred document. The Namibian Constitution was constructed to last a long time and take the country through the risks and uncertainties that have characterised its neighbours in the region. For example, in Angola there was civil war and in South Africa there was uncertainty as the country was in transition to majority rule. In the meantime the Namibian Constitution has laid a strong foundation for the country to move forward. As Kaapama confirmed, "the Constitution makes

the future continue to look bright for all citizens, and therefore for the military to continue to accept the status quo because of the prevailing political stability" (Interview, April 5, 2006).

The strengths of Namibia's security governance could also be attributed to the 'special' manner in which Namibia attained independence. Resolution 435, which laid the foundation for security sector reforms, and the UN supervised elections, were all 'special', and the country continues to receive special attention from the international community sixteen years after independence. This situation is also evidenced by the presence of a significant number of foreign embassies in the country, assisting the transition phase towards strengthening democracy.

Notwithstanding the above argument, inadequacies may be found when it comes to the appointment of senior military officers. There is no constitutional provision for the appointment of senior military officers such as Commanders of the Army, Navy and Air Force respectively. These are critical posts that require proper scrutiny by both the Executive and Legislature to ensure transparency and accountability in the military.

As expounded in the literature review on civil-military relations in this study, civil control of the military is a characteristic that illustrates a country's freedom from military intervention. In this regard, Namibia has many such characteristics that facilitate civil control of the military. The country is supported by effective institutions such as Constitutional constraints, party controls, and defined spheres of military responsibility etc. which have obviously assisted to facilitate civil control of the military. The Constitution provides for the structures and principles necessary for stable, civil-military relations. It clearly outlines the separation of responsibilities between civilians and the military in the country. Sharing this view, Simon Lunn, cited by Pantev (2005), said that such legal and constitutional systems, that present separation of responsibilities between civilians and the military and simplify the bond between the head of state, the government, parliament, and the military in terms of the separation of authority, command, and subordination in both peacetime and the transition to war, are some of the prerequisites necessary for effective democratic control over the military. But this alone does not guarantee healthy civil-military relations in the country. Stable civil-military relations depend, mostly, on the extent to which military professionalism is being enhanced. It is desirable that political, ethical and organisational features concerning military

professionalism are strictly observed. Some of these include: the Armed Forces act consistent with democracy and adherence to the country's Constitution, national legislation and international law agreements; respect by the military of civilian rule; respect for the democratic political process and the country's cultural diversity; non-partisanship in relation to party politics; availability of resources enabling the military to effectively discharge its functions; and the operation of the Defence Force according to established policies, procedures and rules in times of war and peace (South African White Paper on Defence,1996:9-10).

Deficiencies in civil control of the military

While recognising the democratic achievements of post-independent Namibia in the defence and security sector, there are further deficiencies in civil control of the military in Namibia identified in an analysis of security sector governance in the country. These include:

> Weaker legislative oversight compared to that of the executive; considerable presidential patronage in the appointment of key personnel; information about security sector planning and budgeting is often not widely available, this makes it difficult for civil society and Parliament to determine whether a comprehensive and disciplined approach to the management of security sector resources has been followed in every case; a relatively limited capacity of civil society actors to effectively monitor the security forces and to provide constructive input into the political and policy process; a somewhat limited human resource capacity in some security sector organizations, especially in the domains of planning and budgeting and political control that is pre-eminently exercised from the centre (Du Pisani, 2003: 32).

Nevertheless, mindful of these challenges and the importance of strengthening civil-military relations in Namibia, the Government, through the MoD, has embarked on education and training programmes for members of the military and civilians working in the ministry. Additionally, the NDF has prioritised training in the following areas: respect for human rights; the rule of law; international law on armed conflicts; non-partisanship; civil supremacy over the armed forces; key elements of the political process in democracy; the significance of the Constitution as supreme law and principles of democratic civil-military relations. One could say that the above scenario is indicative of the culture of stable civil-military relations in Namibia.

Strengthening civil control of the security sector

It is evident that since independence in 1990 the SWAPO government has been continuing to consolidate its grip over its core political support base as well as the state security apparatus. This has been done by directly employing ex-combatants, mainly with ex-PLAN background, in the public service, largely in the uniformed services. As a result, this has not only ensured civil control over the defence and security forces, but also strengthened the status quo. However, this raises a serious concern as militarism seems to be seeping into the institutional life of the society with dangerous, short term and long term implications. Militarism is a danger to national security. This development may lead to militarisation of the state which invariably also leads to the strengthening of authoritarian rule and the erosion of democratic practices. The leader of the opposition in Parliament, Ben Ulenga claims that:

> Also it has an effect on the entire society because they could become permeated by violence imagery, as is clearly evident in the language used by some politicians against opponents, such 'traitors', 'sell-outs', 'imperialists'; as well as the idea that it is inconceivable to solve any conflict without resorting to the force of arms. Institutions of society becoming saturated with violence and ideas of battle, heroes, traitors etc. become a part of everyday life, even in civilian matters (Interview, April 18, 2006).

Unfortunately, these signs are slowly creeping into the society. Yet there has been little outcry from the public or media, and this relative silence encourages those controlling the levers of power to continue this development of militarising the society. This is an area that needs serious public debate.

The above observation has been supported by scholars such as Bratton and Van de Walle (1997) cited in Chapter 3 who argued that the ability of civilian institutions to keep the armed forces under control also determines whether the military will interfere in the political governance of a democratic country. It has also been argued by researchers, such as Decalo (1991) as cited in Chapter 3, that successful subordinating of the military to political authority may be influenced by various factors, among them the force of personality of the founding father of the nation.

Deficiencies in management of military facilities

Notwithstanding all the various international agreements signed by Namibia as outlined in the earlier chapter, there are no guarantees of sustaining the current civil-military relations. The Report of the National Council's Standing Committee revealed serious deficiencies in the management of military facilities. Poor conditions of work and other, related issues are very serious, as they may eventually lead to disgruntlement within the military and cause some problems in the future for civilian authorities. An ill-equipped, poorly trained and unmotivated military will not guarantee public defence and security.

Equally important is a military that is well equipped to execute its mandate of guaranteeing territorial integrity and guarding against external attacks. Unfortunately, according to the report of the National Assembly's Standing Committee on Foreign Affairs, Defence and Security (2005) the equipment and weaponry of the NDF are very old. The equipment is more than 16 years old and inherited from PLAN. There is a need therefore to buy new weapons and adequately equip the military for it to meet its constitutional obligations.

It is important to challenge the theoretical argument advanced by some researchers such as Pantev (2005) and others who hold that the presence of democratic institutions in the country ensures democratic civil control of the military. This view has not been empirically confirmed because it is premised on institutional determinism. The presence of democratic institutions is not the only determining factor that ensures democratic, civil control of the military, but there are various other factors such as the age and robustness of the democracy, the nature of the transition to democracy, a vibrant political culture, existence of deliberative citizens who are able to raise, articulate and engage in important public issues, and political tolerance of diverse views. The level of civic education in Namibia leaves much to be desired. Most Namibians are not educated on issues of civil-military relations. In order for a civil military relations framework to work, it needs an informed citizenry. When the citizens are informed, politicians have to be careful in whatever they do, but when citizens are not informed, politicians might get away with doing certain things. This is one area where Namibia needs to concentrate on educating members of the public on the role of

the military; how the military is different from, say the police; what the military officer can or cannot do. These are essential issues that need the attention of the political elites.

In the final analysis, we argue that the existence of a healthy, democratic, civil-military in the country is part of the broader political system that includes the following characteristics: (1) a government based on the separation of powers and principle of checks and balances – are a strong mechanism for guarding against abuse of power; (2) a politically unbiased civilian-dominated MoD; (3) an apolitical defence force; (4) a strong and independent civil society and mass media; and (5) relatively strong and vibrant opposition political parties. Additionally, the party-control system in the armed forces is practiced to ensure stable civil-military relations in Namibia. There is also a tradition of legislative apparatus in Namibia as well as a strong executive culture that relies broadly on the authority of civil servants, Ministry of Finance and presidential control to ensure the subordination of the military to democratic civil control. Other than that, the above issues hold the key to civil-military relations in democratic transitions. Moreover, transition literature as discussed in Chapter 3 has often underlined that the military plays a central part in the process of democratisation, as they can either obstruct or reverse political changes in a country.

The preceding chapter has analysed the findings of the main research question, what is the nature of civil-military relations in Namibia. Since the process of civil-military relations takes place in a unique setting, the following chapter gives some conclusion to the nature of Namibia's civil-military relations and practices for improving the implementation of civil-military relations in Namibia.

CHAPTER 11
CONCLUSION

Conclusion

The thesis has examined the nature of civil-military relations in Namibia and how civil control of the armed forces has contributed to peace and stability since the country's independence in 1990. The study was a response to the following research problem: in a continent that has experienced military coups, attempted coups or military interference in politics, Namibia has been stable and peaceful. The contributing factors to this stability in terms of the civil-military relations are strong control mechanisms such as the Constitution and democratic institutional arrangement relating to civil control of the military. The significance of this research is that it has provided background information to improve the understanding of the nature of the civil-military relations in Namibia that have ensured civil control of the military and contributed to prevailing peace and stability. The study presents the argument that historical factors such as colonialism, the armed liberation conflict, conflict termination accords and subsequent, conceptual, institutional, political and socio-economic frameworks determined the nature of civil-military relations in Namibia. The subordination of the military to civilian authorities and how the subordination of the Armed Forces contributed to security and stability, featured strongly in this research.

In the light of the theoretical framework and the specific research findings, a number of exploratory conclusions may be drawn regarding the nature of civil-military relations in Namibia. External international factors had a significant impact on the model of civil-military relations in Namibia. Similarly, civil-military relations in the country evolved over a long time and were largely shaped by Western military influence and the liberation struggle experience, which was characterised by a system of political, party-control. Civil-military relations started from the Imperial German colonial time, through apartheid South Africa's occupation of the country, and into the liberation struggle periods. SWAPO, like other liberation movements such as the ANC, ZANU, ZAPU, FRELIMO and PAC, benefited from countries where they operated. Most of the SWAPO exiles were trained in countries like China, Soviet Union and other former East European countries which have a strong tradition of civilian control of the armed forces through the political, party system. Also the military

in these countries were powerful political actors. These countries had clear and continuing subordination of the military to civilian tradition.

The tradition also continued through PLAN during the liberation struggle that was led by SWAPO. Consequently when SWAPO won the independence elections, it formed a government in 1990, along with the military values, traditions and cultures that ensure civil control over the military and that have continued after independence. International trends also created opportunities for democratic civilian control of the military and their disengagement from politics as an international model. The contribution of this research is the finding that the nature of civil-military relations in Namibia is a hybrid of both Western and Socialist systems.

Finally, Namibia's civil-military relations have the following elements: the existence of proper constitutional and legislative structures with clearly defined responsibilities for the Executive and Legislature and a parliamentary system of checks and balances; a civilian dominated MoD and a military which is ultimately accountable to the democratically elected authorities. However, although Namibia is formally a western model, in reality political party controls remain strong to guarantee civil control of the military.

This thesis is by no means an exhaustive exploration of the nature of civil-military relations in Namibia. Nevertheless, the contributions of this research to empirical understanding and the best application of civil-military relations in Namibia include the following suggested general principles and practices:

- Tracking and detailing historical factors that influence civil-militaryrelations. This helped to explain the pattern of civil-military relations in Namibia, that is, a hybrid of both the western and Socialist system that had ensured civil control of the military.

- Transparency in the defence budget should be emphasised to guarantee effective civil control of the armed forces. There should be transparency in the defence budget-making process, especially in the pre-budget phase. The public, civil society and other stakeholders should be given the opportunity to make proposals before the final Defence

Budget is tabled in Parliament. The Defence Budget could be more transparent, especially if people could for instance know how much the country is to spend on rearmament and what type of weapons are to be purchased. The Legislature should have the capacity to review and amend Defence Budgets rather than serving as a 'rubber-stamp' institution. Public hearings on the budget and other mechanisms of economic and social policy-making and programming should give adequate transparency to compel government to make accountability a noticeable certainty.

- Professionalism of the NDF needs to be re-emphasised. In this regard, joint military exercises with other military forces in the Southern Africa Region should be stepped-up. This view is shared by Pantev who contends that to promote a professional culture within the military there is a need to create systems within the armed forces that raise understanding of and respect for democratic values and institutions as well as human rights ethics (2005:109). These systems are essential to harmonise parliamentary, government and civil control over the military. The same view is also supported by Du Pisani (2003) who asserts that security forces and other related agencies should be adequately trained and resourced to carry out their activities professionally and in a manner consistent with democratic norms and human rights.

- The legislature plays a pivotal role with respect to civil-military relations when issues of democratic control are considered. Therefore, legislative oversight is entrenched in the provision that the Legislature is the principal forum for deliberating, debating, and passing laws (including defence legislation); reviewing defence policy; approving annual defence plans, programmes and budget, and expenditure. Nonetheless, there are no mechanisms in place to monitor the implementation of the above activities. It is therefore strongly recommended that such measures are put in place to strengthen the oversight and the implementation process of the above responsibilities. Moreover, the dominance of the SWAPO Party in both Houses of Parliament has stifled opposition voices, thus making them feeble. This undermines the effective oversight functions of the Legislature on defence and security in Namibia. National interest is served when cross-party consensus is achieved on defence and security issues.

- There is also a need for a more robust committee system in Parliament for checks and balances. This will ensure that parliamentary committee members become proactive and don't wait for bills on defence and security to be tabled. It is not enough for the Parliamentary Standing Committee on Foreign Affairs, Defence and Security to go around the country looking at military infrastructures, whilst there are more important things to be investigated. There are many complaints from the public and the military that are not investigated, such as the issue of recruitment, promotions etc.

  Details of defence issues require much specialised knowledge; therefore, parliamentary committee members who perform such a complex task as overseeing the defence and security sector should possess certain military skills to perform their mandate effectively. There is a need for a substantive parliamentary oversight involving Members of Parliament trained with the skills and responsibilities of holding the military authority accountable. Committees on Foreign Affairs, Defence and Security should perform the following additional functions: examine and report on any major policy initiative announced by the MoD; keep under scrutiny the MoD's compliance with freedom of information legislation, and the quality of its provision of information to parliament; examine petitions and complaints from military personnel and civilians with regard to the military; examine and report on the main estimates and annual expenditure of the MoD; report periodically on the impact of efficiency savings on the running costs of the MoD; consider, and where necessary gather evidence and report on, each major appointment of military commanders or top civil servants in the MoD made by the Executive. Additionally, Committees on Foreign Affairs, Defence and Security should be empowered to publish their reports, as this could contribute to the development of a culture of accountability and transparency.

  It is also essential that Parliament wield oversight of the military by applying effective control of the Defence Budget. In addition, the roles of the Legislature in deploying the military during emergency and war must be clearly spelt out. There should be a clear separation of responsibilities between the military, politicians and citizens. There is a need to enhance the existing legislative structure with clearly defined responsibilities for the

Executive and Legislative Branches. This will in turn improve the system of checks and balances.

- There should be a pool of staff with considerable knowledge in the field of defence and security in Parliament to keep the members fully informed on key military issues and related information. Improving civilian control of the military civilian training programme on military related issues should be pursued. This is supported by researchers such as Stepan (1988) who argues for the strengthening of civil-military expertise and strong parliamentary committees with oversight responsibilities and sufficient staff to execute them. Therefore, there should be opportunities for staff training and development to enhance the capacity of legislative staff and members to draft legislation and independently analyse issues related to defence and security in Namibia.

  The level of expertise available to a committee is significant to determine whether it can perform its mandate effectively. In this regard, the number, capacity level and stability of the staff servicing these committees (for example the research capacity and its nature – whether it is specialised or general, separate or part of the broader parliamentary research unit, and has access to data and relevant support documentation with the capacity to obtain and copy it, has the capacity to call on experts and the capacity to hold hearings and to carry out inquiries) should be enhanced and sustained.

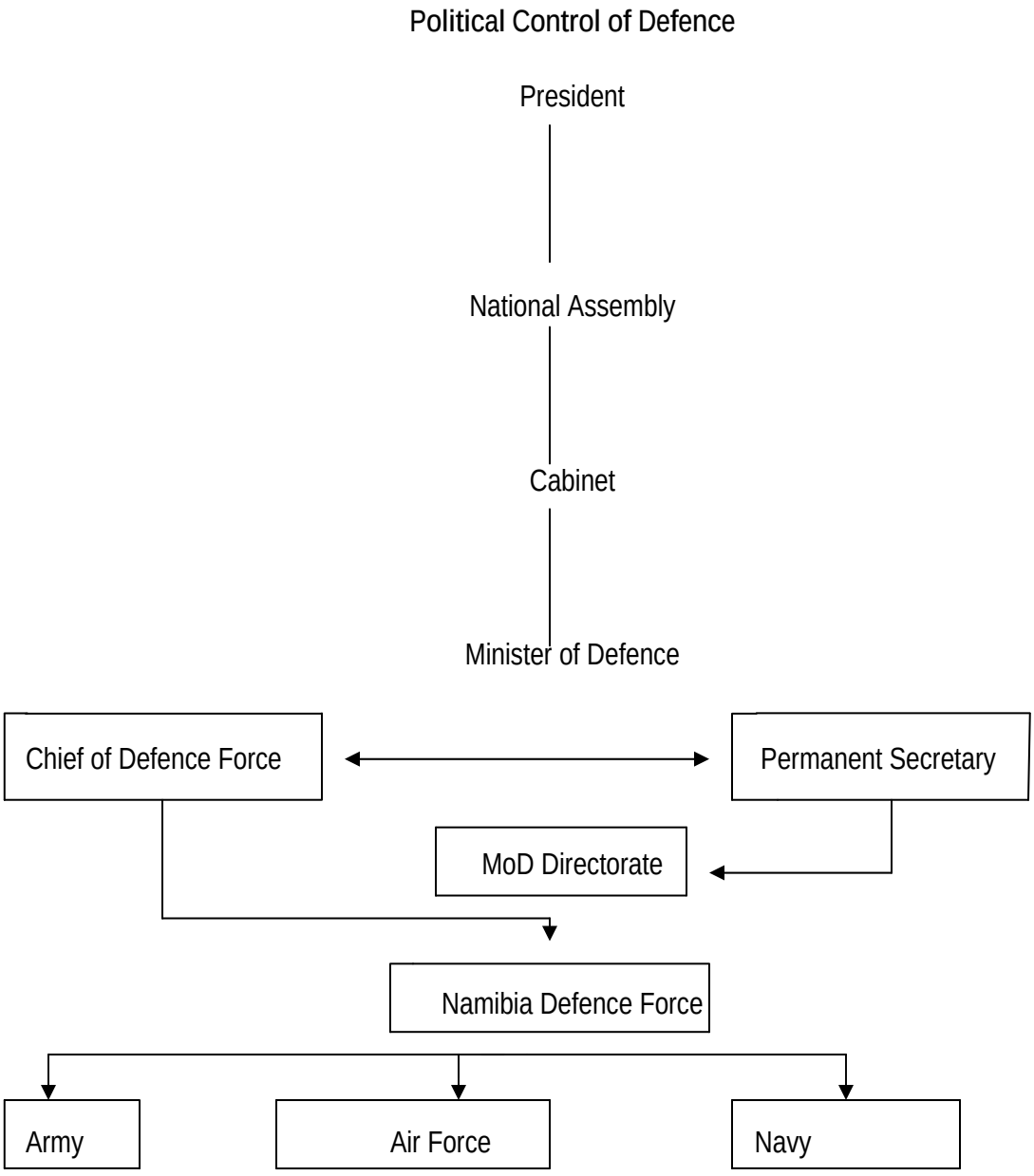
The theoretical framework and research findings suggest a number of potential research agendas. There are several themes that emerged from this study and that could be considered for further research. Those themes include:

- Civil-military relations and parliamentary oversight over the military. This is a complex subject and requires the understanding of various realities that characterise the country.
- The political economy of Namibia and how it establishes the boundaries within which civil-military relations take place and how to manage it.

- The manipulation of ethnic and political influence in the NDF being used in the appointment and promotion of senior officers, to ensure effective civil control of the military.
- Managing the military budget process and the institutional procedures that permit or impede them from carrying out their watchdog role.

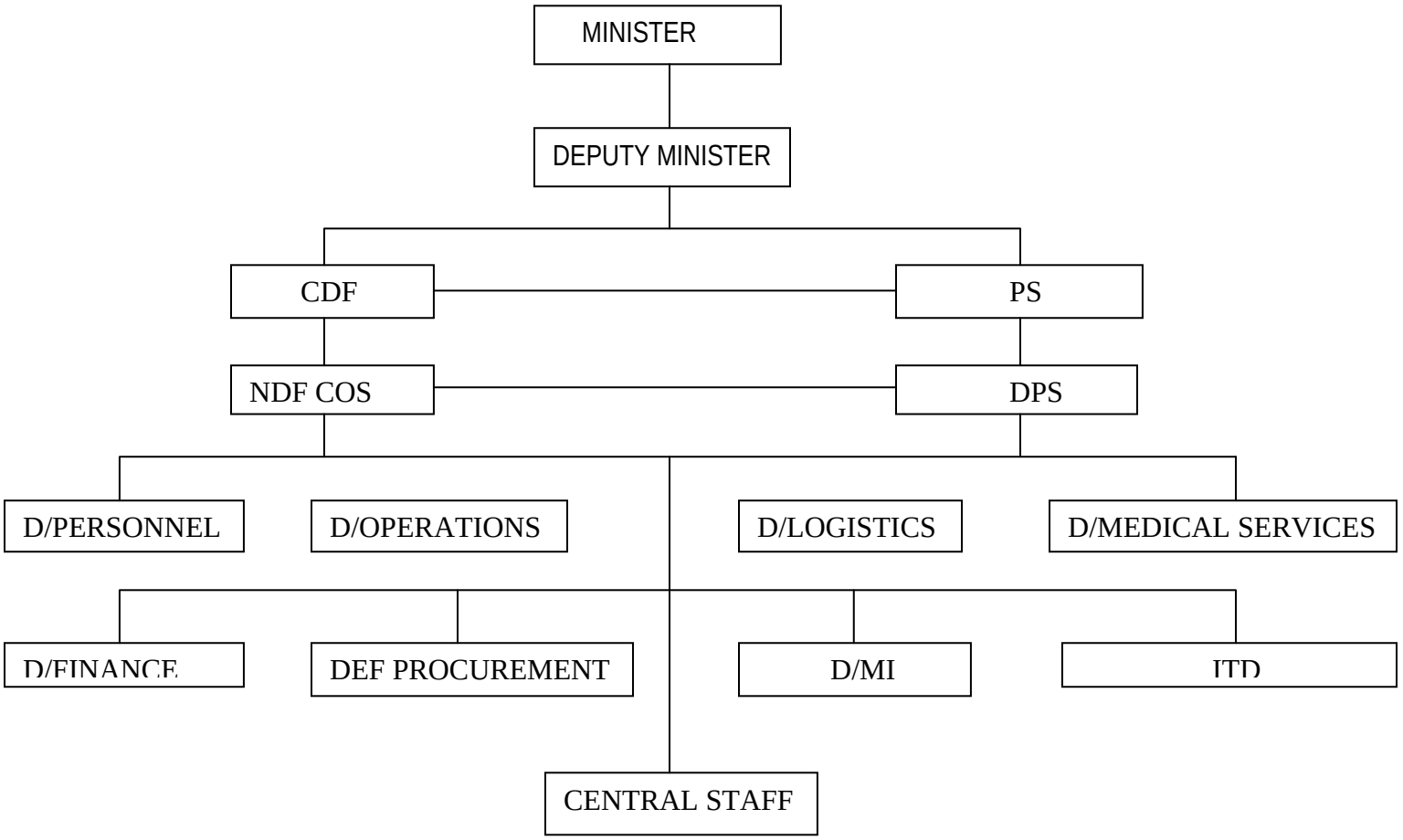
The above themes could provide policy makers with further understanding of different factors that influence democratic civil-military relations in the country.

Appendix 1: Political Control of the NDF



Source: Statement on Defence Policy, 1993.

Appendix 2: Structure of the Ministry of Defence

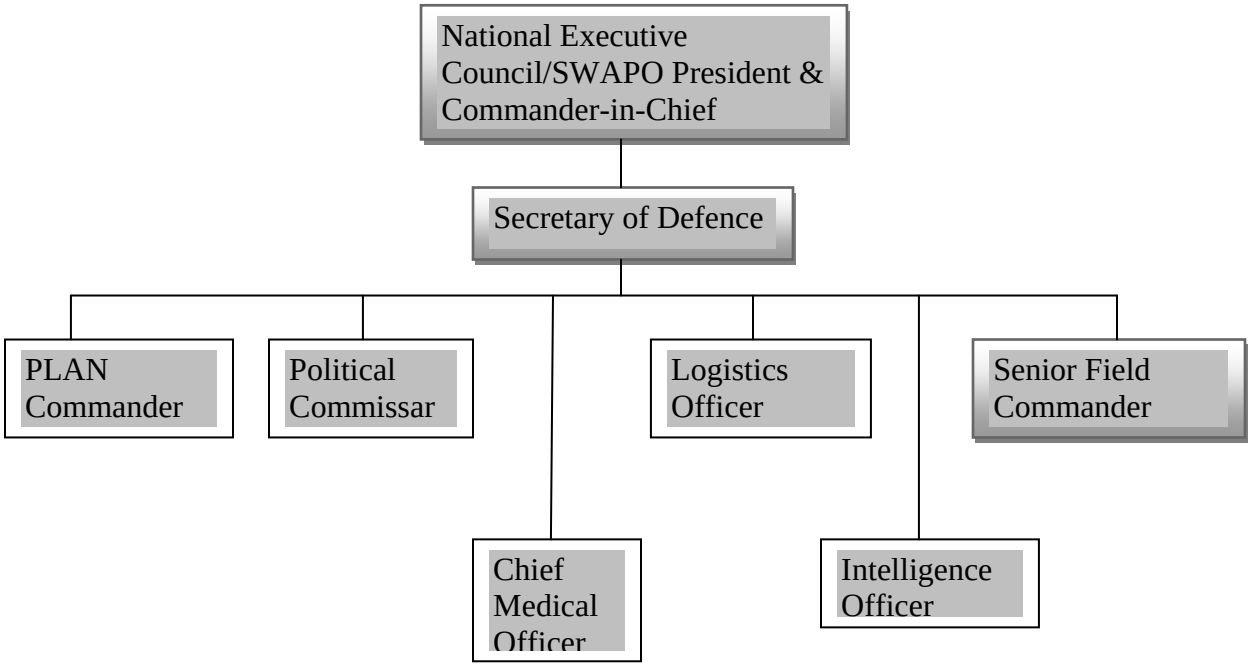


Key:

CDF	Chief of Defence Force
PS	Permanent Secretary
DPS	Deputy Permanent Secretary
NDF COS	Namibian Defence Force Chief of Staff
D/PERSONNEL	Directorate of Personnel
D/OPERATIONS	Directorate of Operations
D/LOGISTICS	Directorate of Logistics
D/MEDICAL SERVICES	Directorate of Medical Services
D/FINANCE	Directorate of Finance
DEF PROCUREMENT	Defence Procurement

D/MI	Directorate of Military Intelligence
ITD	Information Technology Division

Appendix 3: SWAPO-PLAN Military Structure



Source: G. Dzinesa and M. Rupiya, Promoting national reconciliation and regional integration: The Namibian Defence Force from 1990-2005

Appendix 4: Interview Guide

Civil-Military Relations in Namibia: 1990 - 2005

Interview Guide (face-to-face) Questions to Senior Government Officials/Parliamentarians

Legislature: (*Parliament provides a critical check on the dictates, authority, and roles of military establishments and structures.*)

1. Are there specific legislative committees that address defence matters, with appropriate staffing to support their functions?

2. Is the legislative environment conducive to public hearings on defence issues, including budget, training and procurement matters?

Executive: (*The nature of the relationship between the Executive Branch and the military can help determine the prospects for the role of the military not impinging upon the transition towards democracy).*

3. Does a civilian leader exist with commander-in-chief authority over the Armed Forces, rather than a parallel authority?

4. To what extent are state functions for civilians managed by executive agencies rather than the defence sector (e.g. health programmes in rural areas handled by health ministry, road-building performed by Ministry of Works, Transport and Communication etc.)?

Oversight process: (*The question of oversight of Defence budgets is one of the most revealing about the nature of civil-military relations*).

5. Are Defence Budgets transparent and subject to national debate by civilian institutions such as the Legislature?

Constitutional and legal provisions: (*Civil-military relations assessments should gauge the extent to which civilian institutions have authority over potential excesses by the Armed Forces)*.

6. Are members of the military who are arrested for criminal activities outside the scope of their duty, or who perpetrate crimes on civilians, subject to the jurisdiction of civilian courts?

7. Are the police functions separate from the armed forces?

8. How are civil-military relations institutionalised in Namibia?

9. What are the key political institutions in Namibia necessary for the obedience and compliance of the military to civil authorities?

10. What are the functions of each of the political institutions identified?

11. How do these political institutions facilitate the implementation of civil control over the military?

12. In which way do the identified political institutions each or collectively facilitate and or impede the realisation of civil control over the military?

13. Are there any differences between the Defence Policy as formulated and what gets eventually implemented? If so, what are these?

14. What are the strengths in the governance of civil-military relations in Namibia?

15. What are the weaknesses, if any?

16. What are the things that have worked well in civil-military relations in Namibia?

17. What are the things that did not work so well, and why?

18. What is the role of the Ministry of Defence?

19. What is the role of the Permanent Secretary?

20. What is the role of the Chief of Defence Force?

21. Who controls the spending level of the NDF?

22. Is the Minister of Defence supported by civilian employees with education and expertise on defence matters? (*Establish the role of civilians in security issues*)

23. What can be done to improve civil-military relations?

24. How can civilians exercise better control over the military?

Interview Guide (face-to-face) Questions to senior NDF officers

Questions regarding the defence establishment and procedures would focus on the role of civilians in security issues.

1. Is the operative authority structure a civilian defence minister reporting to a civilian cabinet?

2. Is the Minister of Defence supported by civilian employees with education and expertise on defence matters?

3. How do you define civil-military relations?

4. Why was it necessary to introduce the British model of civil-military relations in Namibia?

5. Is the concept of democracy cherished by the Armed Forces?

6. Is it necessary for the military to be under civil control?

7. How do Senior NDF Officers feel in this transformation in terms of losing privileges?

8. Are the Armed Forces aware of their shared obligations to the civil authorities?

9. Does the NDF's doctrine reflect the convincing vision of the role of the Armed Forces within the state?

10. Are there any differences between the Defence Policy as formulated and what gets eventually implemented? If so, what are these?

11. Who controls the spending level of the NDF?

12. Does the NDF respect and accept accountability?

13. Who is accountable for the funds allocated to the Armed Forces?

14. What can be done to improve civil-military relations?

15. How can civilians exercise better control over the military?

Civil-Military Relations in Namibia: 1990 - 2005

Interview Guide (face-to-face) Questions to the civil society actors

To establish the extent to which civil society is permitted or wants to engage in defence or security-related issues. This can be a barometer of the country's maturity in civil-military relations.

1. Are there non-governmental organisations run by civilians that address defence and security issues?

2. Are security studies a subject of inquiry at University of Namibia (UNAM)?

3. Are you permitted to engage in defence and security related issues?

4. How conversant are you with defence and security matters?

5. Are defence budgets transparent and subject to national debate in Parliament?

6. Do you feel safe and protected from external threats? (*Assess perceptions regarding security needs/shed light on the relative importance of external versus internal threats*)

7. Are members of the military, who are arrested for criminal activities outside the scope of their duty, or who perpetrate crimes on civilians, subject to the jurisdiction of civilian courts?

8. Do you have confidence in the level of protection against internal threat?

9. How do political institutions facilitate the implementation of civil control over the military?

10. What are the strengths in the governance of civil-military relations in Namibia?

11. What are the weaknesses, if any?

12. What are the things that have worked well in civil-military relations in Namibia?

13. What are the things that did not work so well, and why?

14. What can be done to improve civil-military relations?

15. How can civilians exercise better control over the military?

Interview Guide (face-to-face) Questions to SWAPO Party Officials

1. Were civil military relations practiced in the People's Liberation Army of Namibia (PLAN)? If yes, what mechanisms were in place to ensure obedience of PLAN to civil control?

2. What does the PLAN military code say?

3. Who was responsible for the military policy of PLAN?

4. How was PLAN organised and controlled?

5. Did SWAPO have a strategy for the disarmament, demobilisation and reintegration of former PLAN combatants?

6. What are the strengths in the governance of civil-military relations in Namibia?

7. What are the weaknesses, if any?

9. What are the things that have worked well in civil-military relations in Namibia?

10. What are the things that did not work so well, and why?

11. What can be done to improve civil-military relations?

12. How can civilians exercise better control over the military?

Interview Guide (face-to-face) Questions to officials of other political parties

1. Are defence budgets transparent and subject to national debate in Parliament?

2. Are there specific legislative committees that address defence matters, with appropriate staffing to support their functions?

3. Is the legislative environment conducive to public hearings on defence issues, including budget, training and procurement matters?

4. Are members of the military arrested for criminal activities outside the scope of their duties, or who perpetrate crimes on civilians, subject to the jurisdiction of civilian courts? (*To assess the extent to which civilian institutions have authority over potential excesses by the Armed Forces*)

5. Does a civilian leader exist with commander-in-chief authority over the NDF, rather than a parallel authority?

6. To what extent are state functions for civilians managed by executive agencies rather than the defence sector (e.g. health programmes in rural areas handled by health ministry, road-building performed by Ministry of Works, Transport and Communication etc.)?

7. Are members of the military who are arrested for criminal activities outside the scope of their duty, or who perpetrate crimes on civilians, subject to the jurisdiction of civilian courts?

8. Are the police functions separate from the function of the Armed Forces?

9. What are the strengths in the governance of civil-military relations in Namibia?

10. What are the weaknesses, if any?

11. What are the things that have worked well in civil-military relations in Namibia?

12. What are the things that did not work so well, and why?

13. What can be done to improve civil-military relations?

14. How can civilians exercise better control over the military?

Appendix 5: Interviews list

Angula, N. (Rt. Honourable Prime Minister of Namibia), Member of Parliament, October 4, 2007, Windhoek.

Bock, L. Chief Accountant, Parliament: National Council, September 03, 2007, Windhoek.

Chaka, B. Principal Legal Counsel, Parliament: National Council, February 19, 2007, Windhoek.

De Klerk, D. National Coordinator of Namibia Non-Governmental Forum, April 4, 2006, Windhoek.

Geingob, H. Honourable Dr. (Member of Parliament), Chief Whip of SWAPO: National Assembly and First Prime Minister of Namibia, October 4, 2007, Windhoek.

Ex-PLAN Informant, April 18, 2006, Windhoek.

Hauanga, E., Senior Civil Training Officer in the Ministry of Defence, March 3, 2006, Windhoek.

Hencok, T. Legal Assistance Centre, April 25, 2006, Windhoek.

Iyambo, T., (Lieutenant Colonel), Senior Personnel Officer, Ministry of Defence, May 07, 2007, Windhoek.

Jacobie, C. Executive Editor: Republikein, Allgemeine Zeitung Newspapers and Democratic Media Holdings (PTY) Ltd, April 21, 2006, Windhoek.

Kaapama, P. Lecturer of Political Science, University of Namibia, April 5, 2006, Windhoek.

Kandjeke, J. Director of Finance, Ministry of Defence, July12, 2004, Windhoek.

Kapere, A. Honourable (Member of Parliament) Chairman of National Council, October 3, 2007, Windhoek.

Kellner, D. Project Manager: Namibia Institute for Democracy (NID), April 24, 2006, Windhoek.

Lindeke, W. A. (Professor) Senior Research Associate: Democracy and Governance, IPPR, April 21, 2006, Windhoek.

MoD Informant, May 20, 2006.

Motinga, D. Director: Institute for Public Policy Research (IPPR), April, 24, 2006, Windhoek.

Mudge, H. Honourable (Member of Parliament), President of the Republican Party (RP), October 16, 2007, Windhoek.

NDF Informant, April 11, 2006, Windhoek.

NDF Senior Legal Officer, May 4, 2006, Windhoek.

Namoloh, C.N. Honourable Major General (Retired), (Member of Parliament), Minister of Defence and former PLAN Chief of Staff, March 15, 2006, Windhoek.

Niikondo, A. (Dr.), Head of Public Management, Polytechnic of Namibia and an ex-PLAN combatant, April 6, 2006, Windhoek.

Ndjoba, K. C. (Colonel), Senior Staff Officer Training, Ministry of Defence, June 28, 2006, Windhoek.

Siluzungila, F. (Colonel), Senior Officer: Policy and Operations, Ministry of Defence, November 19, 2007, Windhoek.

Smith, H. Chief Editor: Windhoek Observer, July 24, 2006, Windhoek.

Simunja, V. Honourable (Member of Parliament), Deputy Minister of Defence and former PLAN Combatant, January 16, 2006.

Shivute, P. Lieutenant Colonel (Retired), Permanent Secretary of the Ministry of Defence, March 19, 2006, Windhoek.

Tjihuiko, A. Honourable (Member of Parliament), Chief Whip and Secretary of Economic Affairs, National Democratic Organisation (NUDO), April 20, 2006, Windhoek.

Ulenga, B. Honourable (Member of Parliament), President of the Congress of Democrats (COD), April 18, 2006.

ya Nangolo, P. Executive Director of the National Society for Human Rights, March 1, 2006, Windhoek.

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