

NAMIBIA SINCE GENEVA

André du Pisani

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Introduction

The purpose of this paper is to reflect on diplomatic efforts by the Western powers to reach a negotiated settlement of the Namibian saga. Understandably one can only reflect on the major features of what has become a lengthy diplomatic soap opera with many actors on the stage. With frequent exchanges of transatlantic acrimony between Pretoria, Washington and London, the Western intermediaries pursued the arduous task in 1981 to bring Namibia to internationally recognised independence under joint UN/Western auspices.

Premises of the West

The Western powers, pressured by international opprobrium for siding with colonialism and racism, are seeking a settlement which could at the same time salvage their credibility to the world "proletariat" of the Third World countries and their strategic and economic interests in a strong, pro-Western, capitalist South Africa with its important mineral and energy resources

The West operates on the premise that Pretoria can best be induced by persuasion rather than by ostracism to not only cooperate in diplomatic efforts to bring Namibia to independence, but also to restructure its society toward a more equitable political solution. On Namibia the West recognises the special role of the UN in the decolonisation of this disputed land. Pretoria's presence in Namibia is seen to be violating international law, however the West realises that as the de facto power in Namibia South Africa's assent to and cooperation in a process culminating in a negotiated settlement are needed.

In terms of the perceptions of the Western intermediaries, the problem of Namibia is primarily an African and UN responsibility. Because of this, they believe that a successful resolution of the conflict must involve the cooperation of all the parties to the conflict - South Africa, the UN, SWAPO and the internal parties - while the Frontline States should play their role in prosecuting the negotiation process, in ensuring the successful implementation of an agreement and, most importantly, in ensuring respect for the outcome of the proposed UN supervised elections.

Finally, the recurrent theme that runs through their collective perception of their intermediary role in trying to bring about an internationally acceptable resolution of the Namibian conflict, is that they are acting as "neutral", "impartial" and "uncommitted" brokers in what is essentially an African and UN problem. Throughout the negotiations the Western intermediaries have stressed their non-partisan stand on the issue. Their interest is not primarily in the outcome of the elections - unlike Pretoria and the internal parties, notably the DTA and AKTUR - but solely in ensuring that all Namibians would have an equal opportunity freely and fairly to elect their own government.

This Western insistence on "neutrality" and "impartiality" is, however, not necessarily shared by Pretoria or SWAPO. South African Government attitudes towards the West are largely shaped by the suspicion that Whites are considered expendable. This belief has been strengthened by the Angolan episode of 1975-76 and by Pretoria's experience in international negotiations on the future of Namibia where - to quote a Foreign Affairs official - "rightly or wrongly there had been a strong perception that South Africa had been short changed" by the Western contact group.

For SWAPO, the Western brokers are basically in collusion with white settler regimes in Southern Africa. SWAPO's perception of the Western Five is in line with two underlying assumptions held by the liberation movements of Southern Africa on the nature of their struggle. Firstly, the minority regimes they oppose are colonial settler regimes and, secondly, Western industrial countries led by the United States, the most advanced capitalist country, are allied with the white settler regimes.

Needless to say, these perceptions and the divergent interests of the major contending parties to the Namibian conflict, coupled to the limited leverage of the West over South Africa and the activities of the Soviet Union in this cockpit of conflict, set the limits of Western brokerage in South Africa in general and over Namibia in particular. A further cluster of factors complicated the diplomatic efforts of the West over Namibia. These included : the coming to power of Mr. Robert Mugabe in Zimbabwe, the ethnic elections of November 1980, which underscored the electoral vulnerabilities and policy contradictions of the DTA, and the uncertainties flowing from the coming to power of the Reagan Administration early in the New Year.

Geneva : Backdrop and Contextual Features

Amidst a hardening of attitudes on both sides and the initiative of the Western Contact Group securely bogged down over the issue of alleged UN partiality towards SWAPO, and over other transitional issues, notably Pretoria's concern about the proposed DMZ, and the failure of Pretoria to commit itself to a firm time frame, the notion of a multi-party conference specifically directed at the resolution of these intractable issues gained momentum.

During the concluding phase of the negotiations between representatives of the South African Government and a UN mission led by Mr. Brian Urquhart in mid-October 1980 in Pretoria, in which seven internal parties also participated, the idea of what was then termed a "pre-implementation meeting" was accepted.

With Pretoria's equivocation about such a "pre-implementation multi-party meeting" already well established by the end of August 1980, developments in September and early October 1980 strengthened South Africa's opposition to such a meeting. In September a Solidarity Conference on Namibia held in UNESCO headquarters in Paris strengthened the cooperation between the ANC and SWAPO. Significantly, the pro-government Beeld noted in an editorial that, "... this ANC/SWAPO cooperation finally kills any hope of the South African Government talking to the Frontline States on Namibia".¹⁾

Pugilist Pik Botha was quick to latch on when he charged that the UN was in danger of becoming "a stalking horse for SWAPO" and claimed that

"the ambiguity of the UN position has become the central issue" in the search for a settlement (somewhat ironic in view of Pretoria's own ambiguous position on the issue). Similar sentiments were echoed by Dr. Gerrit Viljoen when he indicated that there was probably a greater possibility of reaching agreement at a Lancaster House-style conference under "the auspices of relevant African governments" than through the diplomatic efforts of the Western Five.²⁾

Apart from these rationalisations and pretexts, the biggest political carnival in the world - the US presidential elections - provided Pretoria with yet another opportunity to stall. With the Middle East in turmoil and the Iranian and Afghan questions preoccupying the West, Pretoria knew that it could avoid undue pressure from the UN and the US at least until January 1981 if not beyond.

Pretoria's behaviour in Namibia reflected this defiant mood. Not only was Viljoen recalled as Pretoria's diplomat-in-residence on 7 October 1980 to be succeeded by a lower-keyed institution-builder, Danie Hough, but Pretoria succumbed to AKTUR's demands to hold ethnic elections for second-tier ethnic representative authorities. Gloom over the successful implementation of UN Security Council Resolution 435 still hung heavily over the diplomatic exchanges of September and late October 1980, when the Prime Minister, P.W. Botha, told an enthusiastic meeting in Vrede:

"To all those seeking a peaceful solution, I want to say:
If it became a choice for me between the stability of
SWA and international recognition I would choose
stability."³⁾

Following a series of meetings between Foreign Minister Pik Botha and his British counterpart, Lord Carrington, in London, the South Africans also held secretive discussions involving the MPLA Government in Luanda on the Cape Verde Islands early in November 1980. In retrospect, Pretoria's somewhat contradictory behaviour on the Namibian issue immediately prior to Geneva seems to suggest two dominant interpretations. Firstly, that Pretoria was ultimately committed to the idea of transferring political power to a white-led multi-racial anti-SWAPO political assembly. Secondly, that Pretoria was attempting to create the structural and military conditions inside Namibia so as to allow the anti-SWAPO coalition to generate a legitimacy of its own in preparation for the day when South Africa will both want and need to stop stalling.

Arguments in support of and in opposition to these two interpretations can be cited, but our concern is the diplomatic process itself.

Amidst an undercurrent of pervasive distrust and suspicion the major parties to the Namibian conflict - Pretoria, the Western intermediaries, SWAPO, the UN, some internal parties⁴⁾ and the Frontline States - met in snow-covered Geneva for what was referred to in diplomatic semantics as a "pre-implementation multi-party meeting". With Pretoria's equivocation about the conference already well established by mid-October 1980,⁵⁾ Geneva provided it with another opportunity to demonstrate the inability of the West to bring pressure to bear on it to relinquish its control over the international territory of Namibia. Moreover, Geneva provided the

"internal parties" (South African diplomatic shorthand for the DTA and AKTUR) with a real opportunity to demonstrate to the world their claims to legitimacy in the political stakes in Namibia. Geneva had to convince the world about two things : first, the autonomy of the "internal parties" from Pretoria's sphere of influence (hence the latter's "observer status" at the conference); and, secondly, that the "internal parties" are integral to any eventual settlement of the Namibian conflict.

Exploiting the uncertainties surrounding the coming to power of the new Reagan Administration, Pretoria skilfully reiterated its long-standing concern for parity between the "internal parties" and SWAPO. However, this issue of alleged United Nations partiality served as a handy pretext to not only bargain for some additional concessions from the Five and the UN but, more important, to turn the attention away from the predicament within which the DTA found itself. Coupled to the South African Government's paralysis on whether or not to risk having a SWAPO régime in power in Windhoek, the quest for legitimacy on the part of the DTA suffered a significant setback in the ethnic elections of November 1980.⁶⁾ This was further compounded by widespread resistance on the part of black Namibians to undergo compulsory national service in the recently established Namibian Territory Force.⁷⁾

South African confidence rested on the perception of its regional military and economic preponderance, its questionable premise that the Frontline States must inevitably concede to South African regional political aims because of their economic dependence on the RSA, and its perception that the Reagan Administration will give some elements of its regional policies a more positive hearing. However, underlying this near-blatant public confidence was the private grisly calculus of having to live with a SWAPO régime in power in Windhoek. Grisly, because this might radicalize South Africa's own blacks and strengthen white reactionary politics at home.

Moreover, a commitment to a ceasefire within the proposed UN time-frame (March-December 1981) was not forthcoming, precisely because South Africa developed second thoughts about the political viability of the "internal parties" against SWAPO in an internationally supervised election. Nonetheless, despite South African equivocation about the conference, Pretoria decided that participation would be justified in terms of its two overriding objectives with Geneva. Ironically, Pretoria had to contend with considerable resistance on the part of the DTA to attend the conference.

After the resolution of procedural and status questions (the DTA demanded a separate status from that of the South African delegation), the DTA launched a bitter verbal attack on the United Nations. Trying to salvage the conference, the UN, the Five Western Powers and the Frontline States, submitted a package of accommodation on 10 January for South African consideration. This package was intended to spur Pretoria into prompt acceptance of a ceasefire date. The salient elements of the package comprised the following:

- i) The United Nations Secretariat agreed to meet South African complaints about Mr. Martti Ahtisaari's dual roles⁸⁾ and the General Assembly's endorsement of SWAPO at the time the transition process began.
- ii) Earlier commitments were reiterated to stop funding SWAPO.

- iii) The Administrator-General would be in control of the electoral mechanics. He would organise the elections. The UN would supervise them - thus a paired-transition.
- iv) The Frontline States hinted broadly at a prospective modus vivendi with Pretoria once Namibian independence was secured regardless of the outcome of the election.
- v) Finally, and most significantly, it was suggested that discussion leading to constitutional protection for minorities could be completed before the election itself.

The Pretoria delegation was taken by surprise at the conciliatory attitude and the nature of these proposals. Unfortunately the South African delegation at Geneva had a very limited mandate (in view of its original objectives) and was thus unable to commit itself fully to the negotiations because it was not empowered to take a stand on many of the issues raised. The intransigence of the DTA to react to these proposals not only caused the South Africans some embarrassment, but signified the loss of a real opportunity by the "internal parties" to enhance their legitimacy by playing a constructive role in the bargaining process.

Interesting also were behind the scenes efforts to interest the Reagan Administration in these proposals - in the hope that it would make it easier for Pretoria to accept them. Amidst hectic diplomatic activity, however, Chester Crocker finally decided not to travel to Geneva.

Mr. Mudge's speech of 13 January 1981 made it apparent that no agreement would be forthcoming. Under the pretext of alleged UN partiality, Mr. Mudge listed seven DTA demands before consent would be given to the implementation of Security Council Resolution 435 (1978). These were :

- i) That UN General Assembly Resolutions 3111 of 1973 and 31/146 of 1976 which declared SWAPO the "sole and authentic representative of the people of Namibia", be rescinded.
- ii) That all financial assistance to SWAPO through the office of the Commissioner for Namibia be immediately stopped.
- iii) That SWAPO's permanent observer status in the General Assembly be terminated.
- iv) That the Namibia Institute in Lusaka be restored to its original purpose of serving all Namibians.
- v) That the Security Council must desist from consulting SWAPO only on matters touching on Namibia.
- vi) That the SWAPO representatives in New York, Mr. Theo-Ben Gurirab, and his cohorts, be removed from direct participation in matters of the office of the Commissioner for Namibia, Mr. Martti Ahtisaari; and
- vii) that aid channelled through the UN's specialised agencies to SWAPO be ceased immediately.

These demands camouflaged the real issue - the electoral vulnerability of the DTA.

Following the abortive Geneva Conference, the perceptions of the major parties to the conflict can be summarised as follows. The UN Under Secretary-General for Special Political Affairs, Brian Urquhart, characterised Geneva as a "pause rather than a period". But the United Nations was generally 9) gloomy about the prospects of South Africa changing its position very soon.

The Five Western Powers were disappointed. In their perception Western diplomacy had suffered yet another setback in Africa, especially because it had failed, despite impeccable behaviour and considerable restraint on the part of the Frontline States, to increase its limited leverage over Pretoria, on the Namibian issue.

In SWAPO's perception, it came out of Geneva with an enhanced international status and with greater confidence. The South African perception coincided with that of the DTA, insofar as both parties regarded the Geneva Conference as a diplomatic success in terms of the limited objective of having the 'internal parties' recognised. Returning from Geneva, the Administrator-General of Namibia, Mr. Danie Hough, who led the "internal parties" at Geneva, called for a "full rethink" of Resolution 435 (1978). He reiterated that it was not possible to talk about the practical proposals for the implementation of the UN transition plan for Namibia before the bona fides of the UN had first been demonstrated. 10)

Internationally there was general support for the view expressed by Waldheim and Urquhart, that South African intransigence caused the breakdown of the Geneva Conference. Meanwhile, the Reagan Administration formally took over in Washington. Southern Africa in general and Namibia in particular presented themselves as immediate foreign policy challenges to the new Administration.

The Reagan initiative - Outlines of a position

The evolving Reagan initiative on Namibia dates back to 20 January 1981 when the new Administration took office in Washington.

The Reagan Administration immediately sent a message to all the parties to the SWA/Namibian conflict confirming that it placed a high priority on an internationally accepted settlement in Namibia and that it would pursue such a settlement seriously. This was a sign to all the parties involved in the long drawn-out dispute that the Reagan Administration regarded Namibia as a serious issue and that a settlement was an integral part of the new Administration's evolving Africa policy.

Diplomatic exchange and action followed relatively quickly :

* In mid-April Dr. Chester Crocker, then the new Administration's Assistant Secretary of State-designate for Africa, conferred in London and in various African capitals including Lagos, Pretoria, Lusaka and Salisbury among others, with the major parties involved in the Namibian conflict - with the exception of SWAPO. He also laid the foundation for a visit to the United States by the South African Foreign Minister, Pik Botha, in May.

- * Following Dr. Chester Crocker's visit to African states, representatives of the Western Five met in Rome to coordinate their initiatives on Namibia and to allow the Americans to clarify their position on the issue.
- * Earlier, on 29 March, President Reagan had indicated in an interview with a senior reporter of the Washington Post, that his Government considered agreement on some constitutional issues prior to the proposed UN supervised elections as necessary in the case of SWA/Namibia. This modified the procedure set out by Security Council Resolution 435 which provided for the transition to internationally accepted independence for Namibia on the basis of UN supervised elections for a constituent assembly which would then work out a constitution.

Rome - A New Equation Emerges

At the meeting of the Five Western Powers involved with Namibia some elements of the Reagan Administration's approach to a resolution of the conflict emerged. These were :

- (1) The maintenance of a constitution for Namibia guaranteed by the Five, the Frontline States and South Africa.
- (2) The future position of Walvis Bay to be left open for negotiation after independence.
- (3) The eventual withdrawal of Cuban forces from Angola, but not as a precondition for a settlement in Namibia.
- (4) Allowing Namibia to become a signatory to international treaties and trade agreements such as the Lomé Convention.
- (5) Foreign investment in the economy of Namibia to be encouraged, and
- (6) A pledge of regional stability in Southern Africa.

This new equation on Namibia underscored the Kissinger legacy in US African policy, because it was strongly reminiscent of earlier proposals submitted to Ian Smith in the former Rhodesia to coax him into accepting a joint Anglo-American peace plan for his country. Essentially there are certain continuities that persisted in the Africa policies of various US Administrations. These are, among others : The emphasis on capitalist expansion and penetration through the multi-national corporations; the safeguarding of US access to raw materials; the export of US constitutional principles and practices to the rest of the world, and an anti-Soviet stance.

May - Pik Botha visits Washington

In May South Africa's Foreign Minister, Mr. Pik Botha, accompanied by other government officials, arrived in Washington for talks with US Secretary of State, General Alexander Haig, and with President Reagan. Mr. Botha was told that the US wanted a settlement in Namibia because the continuation of

the unresolved conflict was damaging to its relations with Pretoria, Africa and its European allies. A Namibian solution was an integral part of the new relationship the Reagan Administration was planning for South Africa.

At the same time, Mr. Botha was asked to clarify the South African Government's approach and to get as close as possible to its bedrock bargaining position on Namibia. The United States also made it clear to the South African Government that if no solution was forthcoming, the US would withdraw from the exercise to concentrate on other more serious matters, such as the Middle East and Latin America.

South Africa's Bedrock Bargaining Position on Namibia

In these discussions with General Alexander Haig, South Africa articulated its bedrock bargaining position on Namibia as non-acceptance of a SWAPO victory which brings Soviet/Cuban forces and influence to Namibia. The US Government accepted the South African Government's premise that Soviet domination is a danger in Southern Africa, but expressed the view that the avoidance of this lay in a resolution of the Namibian issue.

Meanwhile on 25 May 1981, UN Secretary-General Kurt Waldheim, attended a UN Africa Liberation Day in Paris. Representatives of SWAPO, the ANC and the PAC, attended and reaffirmed their view that Resolution 435 offered the only basis for a settlement of the Namibian conflict. The Angolan Government on its part mooted the idea of a joint African/UN constitutional conference on Namibia.

Clark Visit

The next major event was the visit to South Africa and Namibia by Deputy Secretary of State William Clark and Dr. Chester Crocker, US Assistant Secretary for African Affairs. This visit was intended to further clarify the evolving position of the Reagan Administration on Namibia. Following discussions in Cape Town between the US delegation and the South African Government - with the Prime Minister, Mr. P.W. Botha participating - and with some eight parties and the Black churches in Windhoek, the Clark mission returned to Washington to report to President Reagan. Meanwhile, the other members of the Western Contact Group were being informed of what the US was doing. And, while the US consulted with its Western allies, it maintained constant dialogue with South Africa on specific issues involved in the settlement.

Unresolved issues and Preconditions

During the Clark mission of June the internal parties, notably the Democratic Turnhalle Alliance (DTA), presented the American dignitaries with a list of unresolved issues and preconditions that in their opinion had to be resolved before any agreement would be forthcoming.

These included :

- (1) That the proposed UN military forces, provided for by the Security Council Resolution 435, and their supervision of a cease-fire were unacceptable.

- (2) That UN involvement in the transition process would only be acceptable after a drastic demonstration of impartiality from the world body.
- (3) That the holding of free and fair elections in Namibia was of the utmost concern.
- (4) That a democratic process should be guaranteed by the proposed independence constitution.
- (5) That provision must be made for the protection of minority rights and the maintenance of a free enterprise system in Namibia.

Nairobi - OAU Meeting

Amidst renewed diplomatic activity on Namibia the OAU held its annual meeting in Nairobi under the chairmanship of President Arap Moi of Kenya. Re-affirming support for SWAPO, the OAU upheld SWAPO as the "legitimate and sole representative of the people of Namibia". Sam Nujoma, SWAPO's President, reiterated his movement's stance that Resolution 435 constituted the only basis for a negotiated settlement, and claimed that the US was trying to move away from it. Nujoma also ruled out the idea of a Lancaster House-style conference, adding "Namibia is the direct responsibility of the UN". SWAPO will only agree to a constitutional conference on Namibia on condition that SA withdraws from Namibia and hands it over to the UN.

Mudge and Kalangula Visit the US

Following earlier visits in April and June respectively by US Government officials to Southern Africa, Mr. Dirk Mudge, Chairman of the DTA, and Peter Kalangula, President of the party, travelled to the US for consultations with State Department officials and lobbyists. The Administrator-General of Namibia, Mr. Danie Hough, also travelled on a separate visit to the United States. The primary objectives of these visits were to put the case of the internal parties, notably the DTA, to the public and certain influential Senators and Congressmen before the Ottawa Summit of mid-July 1981, and to enhance the image of the DTA in the US.

Upon their return from the US both Mr. Mudge and the Administrator-General expressed their satisfaction with their hearings in the US. In their opinion these visits were constructive and went beyond a mere public relations exercise. However, serious obstacles still remained, while the DYA articulated a new set of demands and preconditions for the holding of internationally supervised elections. These include the following :

- (1) SWAPO bases in Angola must be closed down prior to elections.
- (2) Cuban soldiers in Angola must be sent home.
- (3) The UN must withdraw its financial support for SWAPO.
- (4) The UN General Assembly must withdraw its recognition of SWAPO as "the sole and authentic representative of the people of Namibia".
- (5) The UN must end the permanent observer status of SWAPO at the UN.
- (6) Appropriate constitutional guidelines must be adopted by the elected leaders of Namibia before elections are held.

Ottawa Summit

Then followed the Ottawa Summit of the West's leading industrial powers - the US, Japan, West Germany, Britain, France, Canada and Italy - to discuss differences over trade policies and protectionism. Namibia was also discussed as one of the issues on 21 July.

Ottawa was both interesting and important for Namibia for two reasons. First, because the West Germans headed by Foreign Minister Hans-Dietrich Genscher, tried to reactivate the Western Contact Group. Secondly, because Ottawa highlighted some of the differences in the Western camp over the issue of Namibia, and provided the Americans with an opportunity to legitimize their initiatives with their Western allies. This second reason is of particular importance, since both the French and the West Germans expressed their concern about the practicability to have certain amendments made to Security Council Resolution 435, especially in the light of the Soviet Union veto in the Security Council. On their part the West Germans and the French favoured Resolution 435 as a satisfactory basis for a settlement. Bilateral and multilateral negotiations should be used to clarify transitional issues, rather than trying to amend Resolution 435. However, despite their concern the Americans were given an opportunity to continue with their initiatives on Namibia.

Ottawa concluded the first phase of the American diplomatic action - a phase which began soon after the coming to power of the new Administration in mid-January 1981 - working out an approach that could win the support of the other members of the Contact Group.

Crocker meets SWAPO

After the Ottawa Summit, Assistant Secretary of State for African Affairs, Chester Crocker, met with representatives of SWAPO and briefed them on the initiatives thus far. This was the first meeting of its kind between the new Administration and SWAPO. The meeting was also intended as a signal - both to Africa and South Africa - that SWAPO was specifically included in the negotiating process.

Unconfirmed reports had it that Dr. Crocker had informed SWAPO's representative - Theo Ben Gurirab - that Washington had made it clear in a communication to Luanda that the US was opposed to the presence of Cuban forces in Angola. The Angolans replied in a similar note that the presence of Cuban armed forces was an internal matter. As soon as UN Resolution 435 (1978) was implemented and internationally supervised elections were held in Namibia and "there was no further aggression of South African forces in Angola" the Cubans would leave, the Angolan Government allegedly said. But in the absence of an internationally acceptable settlement in Namibia the Cubans would stay and in future lend support to SWAPO, the Angolans told Washington.

The Contact Group meets in Paris

Against the backdrop of Ottawa and earlier diplomatic exchanges between Washington and Pretoria, the Western Contact Group met in Paris on 30 July. Paris launched the second phase of the Reagan initiative on Namibia : working out some details to form the basis for a diplomatic package the Reagan

Administration will try to sell to both Pretoria and the African participants in the Namibian conflict.

In Paris the Western Contact Group was reported to have formed two committees - a constitutional one and a transitional one - to work out details with the object of strengthening and complementing Resolution 435. Based on previous articulated positions some of the following details were considered :

- (a) Agreement on constitutional outlines before the holding of internationally supervised elections.
- (b) The neutralization of Namibia from external penetration in general, and from Soviet penetration in particular.
- (c) Some changes to the proposed UNTAG military force, i.e. to make it less visible.
- (d) The provision of Western and African guarantees so as to maintain individual human rights, democratic government and a free enterprise economic system after formal independence.

The overriding objective of the Reagan initiative which has nominal support from the other members of the Contact Group is to complement and strengthen Resolution 435. The latter still remains and provides a basis for the transition to independence in Namibia, but not the complete framework.

At the same time Dr. Chester Crocker, US Assistant Secretary of State for African Affairs, made it plain to Congress that the US would pull out of the attempt to find a settlement for Namibia "if we feel the prospects for success are bleak". Dr. Crocker added :

"This Administration has a very full foreign policy agenda. Our approach is realistic. The United States will not permit its energies, time and credibility to be frittered away on a drawn out and fruitless diplomatic charade in Southern Africa."¹¹⁾

While the Western intermediaries were battling to get their diplomatic act together in Paris, it was announced in Windhoek that the Executive powers of the DTA-dominated Council of Ministers were to be enlarged. In mid-July 1981 South African and Namibian security forces struck SWAPO bases deep inside Angola. It was reported that at least 114 SWAPO guerrillas lost their lives in the bloodiest week this year in Namibia's fifteen-year old low intensity bush war.¹²⁾

Another complicating factor was SWAPO's statement issued in London which read that Resolution 435 provides a "complete and adequate programme for proceeding with the UN supervised and controlled election in Namibia". This resolution, the statement added, "enjoys the support of the overwhelming majority of the international community in its present, final and definitive form."¹³⁾

Following the Paris meeting at the end of July, the representatives of the Contact Group met early in August in Washington to coordinate their approach and to compile a new settlement package geared to alleviate South Africa's concerns and objections to the UN plan for Namibia. At the same time when the Western Contact Group was putting their fragile package together in

Washington and preparing to face a hostile African hearing in the UN General Assembly in a special debate on Namibia, South African forces struck deep into Angola against both FAPLA and SWAPO.

Operation Protea

In the biggest South African military strike into Angola - code-named Operation Protea - enemy missile and radar installations were knocked out, while some 1 000 plus SWAPO guerrillas were killed and equipment worth R200 million was brought back to northern Namibia. It was later announced that South African forces managed to capture one Soviet non-Commissioned Officer, Sergeant Major Pestretsov Feodrovich, and shot dead two Russian Lieutenant Colonels.

The British, French and West German Governments condemned the South African raid as "a violation of Angola's sovereignty" and as a danger to the stability of the subcontinent. An immediate withdrawal of South African forces from Angola was demanded, while all three governments expressed the view that the raid was seriously jeopardizing the peace process on Namibia. The United States Government moved quickly to defuse the situation on the Namibian/Angolan border by dissociating itself from the South African military action and trying desperately to keep the settlement talks on the rails.

In Los Angeles, White House Press Secretary, Larry Speakes, said that the US deplored any escalation of violence from any quarter in Southern Africa and that the US would "not look with favour" on more Cuban troops being sent to Angola.

State Department spokesman Dean Fisher said that the South African military action had to be understood in its full context. "SWAPO's cross-border raids on Namibia from Angolan sanctuaries are part of that context. The continued presence of Cuban combat forces in Angola six years after its independence and the provision of Soviet-originated arms for SWAPO are also a part. Similarly South Africa's continued resistance to granting Namibia independence and cross-border raids such as this one are an element of the broader problem our policies seek to address".

Mr. Fisher added, that "this incident underscored the need for urgent movement towards a negotiated Namibian settlement in accordance with United Nations Resolution 435". 14)

International reaction to the South African military incursion into Angola at the UN, significantly also in a special Security Council debate, was generally hostile. The six Third World members of the Security Council pressed for a draft resolution seeking to condemn South Africa for "pre-meditated, unprovoked and persistent" attacks on Angola and asking for reparations and broad sanctions.¹⁵⁾ While the internal cohesiveness of the Western Contact Group appeared to be at breaking point, the US confirmed in a long policy presentation - delivered by the Assistant Secretary of State for African Affairs, Dr. Chester Crocker - that it stood by the UN plan for Namibia. However the US envisaged the package augmented by reassurances and constitutional guarantees - then still unspecified - but without making the withdrawal of Cuban forces from Angola a precondition.

Sharp speeches of condemnation came from West Germany and Canada, both calling the South African Government's policy and actions "totally unacceptable". France had been the harshest of the Five, labelling South Africa's conduct "inadmissible". The French Ambassador, Mr. Jacques Leprette, said South Africa's explanations of the raid had "no validity whatsoever", and he contradicted the US by calling it "mendacious" to blame SWAPO.16)

The United States later vetoed a UN Security Council resolution condemning South Africa's military raid into Angola - revealing a split among Western nations which are trying to find a peace formula for Namibia. Britain abstained in the vote while the third permanent member of the Security Council, France, voted for the resolution. The resolution, which also called for the withdrawal of South African troops and reparations to Angola, was a milder version of one circulated earlier which demanded mandatory sanctions and which would probably have been vetoed by the three Western powers.

Constructive Engagement - Further Clarifications

Amidst an atmosphere of pervasive distrust and hostility, Dr. Chester Crocker, the Assistant Secretary of State for Africa, reaffirmed his government's belief that a settlement in Namibia is "desirable and obtainable at an early date". Further clarifications of the US policy of constructive engagement towards Africa, especially as these relate to Namibia, were offered. The salient points were :

- (1) That the US was of the opinion that a Namibian settlement could set the stage for the withdrawal of Cuban forces from Angola.
- (2) That unless Namibia was resolved, it could bedevil US relations with Black Africa and South Africa, and offer "splendid opportunities" to the Soviets in Africa.
- (3) The US took the view that South Africa held the key to a settlement - and that the Reagan Administration was "uniquely positioned" to explore with Pretoria the conditions under which it would be prepared to cooperate on Namibia.
- (4) A Namibian settlement was seen to be desirable and obtainable "at an early date". To succeed, it must be internationally acceptable, under UN auspices, and in accordance with UN Security Council Resolution 435, "which must form the basis of a settlement".
- (5) That Resolution 435, "can and should be supplemented by additional measures aimed at reassuring all Namibian parties of fair treatment, and at answering certain basic constitutional questions prior to elections that will lead to independence".
- (6) Finally, US diplomacy recognised the intimate relationship between the conflicts in Namibia and Angola.17)

Coinciding with Dr. Crocker's exposition of the US policy on Namibia, US Secretary of State, Alexander Haig, sounded an optimistic note in an

interview with Bernard Gwertzman of the New York Times.¹⁸⁾ General Haig told the interviewer that "the Reagan Administration had made considerable progress toward the independence of Namibia in behind-the-scenes discussions with South Africa". The European members of the Western Contact Group dampened Haig's optimism, stating that it amounted to a rationalisation and legitimisation of the earlier US veto in the Security Council.

Meanwhile in New York representatives of the Western Contact Group met to coordinate strategy for the Special UN General Assembly Debate on Namibia which started on 14 September 1981.

The UN General Assembly called on the Security Council to impose comprehensive sanctions against South Africa for its failure to grant independence to Namibia. The vote was 117 to none, with 25 abstentions. Countries abstaining included the United States, Britain and France, which have the right of veto in the Security Council and killed sanctions resolutions there in April 1981.

With ritualistic regularity both South Africa and the DTA were gagged from the UN General Assembly to state their case. However, South Africa's Minister of Foreign Affairs, Mr. Pik Botha, speaking in committee on his vote in Parliament, indicated that an international solution in Namibia was "not impossible". He added that "... it is correct to say that substantive progress has been made on the basis of mutual confidence".¹⁹⁾

Two days after Mr. Pik Botha's statement in the South African Parliament, a delegation of South African officials, led by the Director-General of Foreign Affairs, Dr. Brand Fourie, met an American delegation led by the Under-Secretary of State for African Affairs, Dr. Chester Crocker. This meeting was a forerunner to a meeting in New York on 24 September of the Five's Foreign Ministers. One South African source closely involved in the negotiations remarked philosophically that the parties were now closer to a settlement than ever before, but added: "We are also closer to a total collapse of the negotiations than ever before. It is an acute stage".²⁰⁾

After the New York meeting of 24 September 1981, Britain's Foreign Secretary, Lord Carrington, sounded a cautiously optimistic note, when he said: "The train was derailed in Geneva in January. Now it is back on the rails, but we have a considerable way to go". Lord Carrington indicated that the new Western initiative on Namibia had met with an encouraging response from the Frontline States and progress had been made in talks between the US and Pretoria to bridge differing views on the independence process.

In their joint statement representatives of the Western Contact Group said that a new round of negotiations would start in October, and that these would centre on "proposed constitutional principles as well as a timetable and an approach to other remaining issues".²¹⁾ The evolving Reagan initiative on Namibia was subsequently also discussed between the US President and Kenyan President Daniel Arap Moi, the present Chairman of the Organization of African Unity. Mr. Peter Mueshange, SWAPO's Secretary for Foreign Affairs, gave the Reagan initiative a cool hearing, but added that his movement would be waiting to see what the Frontline States made of it.

African legitimisation of the Western proposals for Namibian independence came from Angola's Foreign Minister, Mr. Paulo Jorge, when he labelled them "an important step forward". Angola's backing was seen to indicate that the UN and SWAPO will also back the proposals in the near future.²²⁾

The credibility of the Western Diplomatic process was enhanced when the Commonwealth Summit held in Melbourne, Australia, despite a hard-hitting attack on South Africa by Zimbabwe's Premier Robert Mugabe, agreed to allow the West to advance the course of Namibian independence. On the whole,

Commonwealth leaders thus endorsed the Western Contact Group's negotiations with Pretoria for a settlement in Namibia - but demanded that the process must be speeded up. The Summit's Final Communique said that Namibia must reach independence by 1982 - and be in the Commonwealth by the next Summit in 1983.

Confidence-building - The Crocker Bush Safari

Early in October, Dr. Chester Crocker, Assistant Secretary of State for African Affairs, participated in a four-day confidential discussion with the ANC, the PAC and SWAPO in Williamsburg, Virginia. At these meetings the US clarified the latest proposals of the West to these organisations. On 20 October 1981 Dr. Crocker set out from Washington on an African safari to clarify and present the proposed confidence-building constitutional principles to all the parties involved in the Namibian conflict.

At the same time it became known that the Reagan Administration had set a deadline of March 1982 when Pretoria must present a date for implementation of the Namibian settlement process. The Western plan - a three-phased operation - aimed at confidence-building and the implementation of Security Council Resolution 435, was presented to Pretoria, the internal parties in Namibia, SWAPO and various African states.

The salient points covering constitutional issues in the first of three projected phases are as follows :

"A Constituent Assembly

1. The Constituent Assembly should be elected so as to ensure fair representation in that body to different population groups representing the people of Namibia.
2. The Constituent Assembly will formulate the constitution for an independent Namibia in accordance with the principles in part B below and will adopt the constitution as a whole by a two-thirds majority of all its members.

B Principles for a Constitution for an Independent Namibi

1. Namibia will be a unitary, sovereign and democratic state.
2. The constitution will be the supreme law of the state. It may be amended only by a designated process of either the legislative or the votes cast in a popular referendum.
3. The constitution will provide for a system of government with three branches; an elected executive branch; a legislative branch to be elected by universal and equal suffrage which will be responsible for the passage of all laws; and an independent judicial branch which will be responsible for the interpretation of the constitution and for ensuring its supremacy and the authority of law. The executive and legislative branches will be constituted by periodic and genuine elections which will be held by secret vote.

4. The electoral system will ensure fair representation in the legislative to different political groups representing the people of Namibia, for example, by proportional representation or by appropriate determination of constituencies or by a combination of both.
5. There will be a declaration of fundamental rights, which will include the rights to life, personal liberty and freedom of movement; to freedom of conscience; to freedom of expression, including freedom of speech and a free press; to freedom of assembly and association, including political parties and trade unions; to due process and equality before the law; to protection from arbitrary deprivation of private property or private property without prompt and just compensation; and to freedom from racial, ethnic, religious or sexual discrimination. The declaration of rights will be consistent with the provisions of the Universal Declaration of Human Rights. The declaration of rights will be enforceable by the courts, at the instance of an aggrieved individual.
6. It will be forbidden to create criminal offences with retrospective effect or to provide for increased penalties with retrospective effect.
7. Provision will be made to secure equal access by all to recruitment to the public service, the police service and the defence services. The fair administration of personnel policy in relation to these services will be assured by appropriate independent bodies.
8. Private, cultural, social, health and educational institutions will be open to all without discrimination.
9. Provision will be made for the establishment of elected councils for local and regional administrative and fiscal purposes."²³⁾

Response to these constitutional principles varied from acceptance to objections, "further clarifications" and outright rejection. Concern as to the enforcement of these principles after independence was expressed by both the DTA and AKTUR. Mr. Mudge articulated the view that the "lack of in-built guarantees" into the constitutional proposals was particularly disappointing.²⁴⁾

Although limited progress seems to have been made with reference to constitutional issues, some concerns clearly remain. The second phase which will deal with several long-standing and intractable transition issues, such as the DMZ, UNTAG and Pretoria's security concerns, will be even more problematic and complex than the first one. The greater involvement of the Soviet Union in Botswana may well serve as yet another pretext for not agreeing to the detail or implementation of phases two and three.

Prospects

In conclusion, what are the prospects of the UN plan for Namibia ever to be implemented? Frankly, this is a difficult question to answer, especially

in the light of various unpredictable developments and outcomes in African politics in general, and Southern African politics in particular. The "consistent inconsistency" of African politics largely defies prediction. One line of reasoning which has considerable behavioural evidence in its favour goes that Pretoria plainly fears that implementation of the UN plan would let in a SWAPO government, which is something it is not prepared to risk at any price.

In fact, Pretoria's bottom line on Namibia had been articulated as recently as April 1981 in discussions with Dr. Chester Crocker as follows :

"... no Moscow flag in Windhoek. If US disagrees, let sanctions go on, and get out of situation. South Africa can survive sanctions ... South Africa does not want to let Namibia go the wrong way. That's why South Africa is willing to pay the price of war."²⁵⁾

In a lengthy interview in March in Die Burger under the headline "Why must South Africa's sons die for South West Africa?", Pik Botha and Magnus Malan stated that the South African military presence in Namibia was not only to the advantage of the territory but also "serves South Africa's security and national interests. The struggle in SWA is a revolutionary one which is an integral part of the onslaught against South Africa". They added that "giving up" Namibia would :

- Lead to a loss of credibility for the South African Government.
- Have a tremendous impact on the morale of the peoples of South Africa, contributing to the revolutionary climate and filling conservatives with a spirit of defeatism.
- Considerably shrink the time scale for large scale hostile action against South Africa, since the ANC and the Pan African Congress (PAC) could be expected immediately to be granted bases in the territory, leading to an increase in South Africa's "internal terrorist struggle".
- Possibly lead to the giving up of South Africa's military enclave at Walvis Bay and the establishment there of a Russian naval base.

A corollary to the above argument is that Pretoria is well equipped to pursue the war over Namibia for an extended period. In financial terms its cost is relatively small - some R320 million per annum - the army and airforce have as much sophisticated modern equipment as they need. And there is little resistance to it among either the white youngsters conscripted to fight it or their parents.²⁶⁾

Another line of reasoning that goes against an international settlement in Namibia goes that Angola can be pivotal to the success of the Southern African Development Coordination Conference (SADCC) which aims at making South Africa's neighbours independent of her dominant role in the sub-continent. A stable Angola would be able to provide the other countries in SADCC like Zimbabwe, Botswana and Namibia with oil, iron ore, and foreign exchange.

The transport links of Angola and Mozambique could be used together to free the countries that are landlocked from reliance on South African railways and ports, and Angola could well become a model for South Africa's Black Homelands in their efforts to decrease their dependency on South Africa.

A third view that has been articulated lately by the Afrikaans press, notably Beeld, is that renewed Soviet interest and involvement in Botswana could turn that country into "Africa's Cuba".²⁷⁾ The implications of such a development are clear enough for a UN supervised settlement in Namibia.

A further argument that may be used by one or more of the malicious actors on the Namibian stage to sabotage an international settlement, is to refer to present Zimbabwean developments, where both Mr. Mugabe and Dr. Eddison Zvobgo hinted at the establishment of a one-party state.²⁸⁾ If such a fusion between party and state were to come about, the notion of minority rights and other constitutional niceties proposed for Namibia could conceivably become largely irrelevant.

Finally, it has been argued that both Pretoria and SWAPO operate essentially in zero-sum terms; both regard winning and losing as fundamentally irreconcilable. The perception seems to be that if SWAPO were to win, then Pretoria and the local Namibian Whites would lose totally. From SWAPO's perception the converse holds true. Both SWAPO and Pretoria have up till now operated on "worst case scenario's".

The other side of the equation is also worth mentioning. Several factors seem to suggest that the pendulum may eventually swing towards an international settlement. A combination of the following factors can be cited in support of such a view :

- (a) The medium and longer-term political risks of an internal settlement in Namibia can conceivably outweigh those associated with an international settlement.
- (b) The internal position of the anti-SWAPO parties may well weaken, because they will find it virtually impossible to generate a legitimacy of their own, especially in view of South Africa's growing military and economic involvement in Namibia.
- (c) South Africa's continued presence in Namibia may aggravate its relations with the West and with Black Africa.
- (d) Arguably a frustration of the will of the people of Namibia to exercise their right to independence and self-determination over any length of time may not only increase Pretoria's diplomatic costs externally, but paradoxically also radicalise South African Blacks within the system.
- (e) As long as Namibia remains unresolved, the Soviet and Cuban presence in Southern Africa is not only legitimized, but may well expand.
- (f) Finally, South Africa's domestic policy considerations may become dominant overall, more dominant and precarious than foreign policy considerations.

In sum, I agree with John de St. Jorre's conclusion that "without a Namibia settlement, the US policy toward South Africa seems likely to create

more liabilities than assets for the United States in any competition with the Soviet Union in that part of the world. Unless South Africa agrees to play the "pragmatic" reformist role that has been envisioned for it, the US game is over. All of which will leave this country with a policy neither "constructive" nor "engaged" - and with significantly diminished leverage in the continent of Africa. 29)

NOTES :

1. See Beeld, 18 September 1980
2. See Die Republikein, 1 October 1980
3. See The Star, 24 October 1980
4. The Namibia National Front (NNF), SWAPO-D and the Namibia Independence Party (NIP) did not attend the Conference because they refused to go as part of a delegation led by the Administrator-General
5. See Letter to the Secretary General of the United Nations, the Hon. Kurt Waldheim, from the Minister of Foreign Affairs, the Hon. R.F. Botha 30 August 1980
6. For an analysis of the results of these ethnic elections see du Pisani, André "SWA/Namibia : 1980 Review", Africa Insight, Vol.II, No.1, 1981 pp. 25-32
7. A considerable number of Namibians have left the country to avoid conscription
8. Mr. Martti Ahtisaari is both the personal representative of the Secretary-General in Namibia, and the Chairman of the Namibian Institute
9. See Mr. Urquhart's letter to the New York Times, 8 February 1981
10. See Suidwester (Windhoek), 20 January 1981
11. See Rand Daily Mail, 18 June 1981
12. See Sunday Times, 12 July 1981
13. See The Star, 24 July 1981
14. See The Star, 27 August 198 , p.1
15. Reparations were subsequently granted to the Angolan Government.
16. See the Rand Daily Mail, 31 August 1981, p.1
17. See The Star, 1 September 1981
18. See New York Times, 5 September 1981, p.1
19. See Rand Daily Mail, 18 September 1981, p.4
20. See the Sunday Times, 20 September 1981, p.1
21. See The Star, 25 September 1981, p.3
22. See The Star, 29 September 1981, p.1
23. Principles concerning the Constituent Assembly and the Constitution for an Independent Namibia
24. See The Star, 27 October 1981
25. See leaked document to the Press on the April meeting between Botha, Malan and Crocker

26. See Berman, John-Kane, Walker, Steve and C.Foy "The Spectre of a free Namibia", New Statesman, 4 September 1981, pp. 6-8
27. See Editorial in Beeld, 26 October 1981
28. See Interview with Robin Drew in The Star, 2 November 1981, p.23
29. See John de St. Jorre "South Africa: Is Change Coming?", Foreign Affairs, Vol. 60, No.1, Fall 1981, pp. 106-122