

# Principles and principals of Namibia's foreign relations

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## Introduction

Countries formulate and adopt policies that govern their relations with other states and/or within multilateral institutions. Policies are adopted through a process of consultations, debates and consensus. Addressing the Constituent Assembly that drafted the Namibian Constitution, the then Minister-Designate of Foreign Affairs, Theo-Ben Gurirab, made the following statement:<sup>1</sup>

I would expect the formulation of the foreign policy of our country to be the product of a process that will involve the executive and the legislature, indeed the public out there, all branches of the government and the public.

The process of foreign policy formulation needs to be driven, in most cases, by the custodians of the given policies to be pursued, such as the chief foreign policymaker, who is a head of state and/or government, and the minister(s) responsible for foreign relations. Foreign policies, by their very nature, are motivated by trends, both national and international, and seek to maximise the interests of their respective countries. Foreign policies are not static – they respond to issues in the global political system. Nevertheless, it is important that there should be ground rules on which a foreign policy of a country on a given issue will be conceived.

Namibia's foreign relations are governed primarily by the principles enshrined in Article 96 of the Constitution. These serve as guiding values and an operational framework not only for those who are tasked with the formulation of the country's foreign policy, but also diplomats, who are tasked with implementing such policy. This chapter looks at Namibia's foreign relations in the context of its policies and their underlying fundamentals. The chapter will further discuss the principals who are catalysts of Namibia's foreign policy.

## The historiography of foreign policy formulation in Namibia: An international perspective

The founding of a Namibian state has a long history of international solidarity for the struggle of the Namibian people. Following the partitioning of African countries among the European powers at the Berlin Conference of 1884, Namibia was given to Germany

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<sup>1</sup> Republic of Namibia (1990a:315).

and became known as *German South West Africa*. Following the outbreak of the First World War (WWI), Germany was defeated by the Allied Powers and subsequently lost her colonies which she obtained from the Berlin Conference. German South West Africa became *South West Africa* and was given to His Britannic Majesty to be administered as a “C” Mandate territory of the newly formed League of Nations. Britain entrusted the administration of the territory to South Africa, which violated the terms of the mandate by introducing discriminatory and oppressive laws in the territory.<sup>2</sup>

The League of Nations was founded to prevent future war and maintain world peace. This follows a presentation by the United States (US) President, Woodrow Wilson, to the Conference of Versailles in 1919 calling for disarmament and an end to secretive diplomacy. President Wilson advocated a community of nations based on the values of democracy and cooperation in order to preserve peace within the international community.<sup>3</sup> Thus, the League of Nations, which he helped to found, anchored its aims and objectives in liberalism as a theory of international relations. This theory developed after WWI, advocating that human nature is not inherently war-inclined, but that –<sup>4</sup>

... people and the countries that represent them are capable of finding mutual interests and cooperating to achieve them, at least in part by working through international organizations and according to international law.

Almost 100 years after the formation of the League of Nations, its values and liberalist perspectives in general would be fundamental to the foreign policy of an independent Namibia, as will be discussed later in this Chapter.

The outbreak of the Second World War (WWII) in 1939 led to the collapse of the League of Nations. It was succeeded by a new organisation, the United Nations (UN), founded in 1945, to –<sup>5</sup>

... maintain international peace and security ... [and to] settle international disputes by peaceful means.

The UN assumed the responsibility of the League of Nations and, hence, the administration of South West Africa fell under the UN’s Trusteeship Council. South Africa informed the UN that she had been administering the territory of South West Africa on behalf of the League of Nations, which had collapsed, and that, therefore, South Africa would not recognise the UN’s authority over South West Africa.<sup>6</sup> The South West Africa People’s

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2 Geingob (2004:33–35); Mbuende (1986:69–72).

3 Rourke (2008:23).

4 (ibid.:22).

5 Charter of the United Nations, 1945, p 3. Available at <http://treaties.un.org/doc/Publication/CTC/uncharter.pdf>; last accessed 15 November 2013.

6 Geingob (2004:41).

Organisation (SWAPO) was formed in 1960,<sup>7</sup> and from that date on, its leaders petitioned the UN on the question of South West Africa's – later, Namibia's – independence. In 1966, the UN General Assembly passed Resolution 2145, terminating South Africa's mandate over the territory.<sup>8</sup> In 1973, the UN General Assembly passed Resolution 3111, stating *inter alia* that it –<sup>9</sup>

[r]ecognizes that the national liberation movement of Namibia, the South West Africa People's Organization, is the authentic representative of the Namibian people, and supports the efforts of the movement to strengthen national unity; ... .

In 1976 by way of Resolution 31/152, the UN General Assembly reiterated the recognition of SWAPO as the authentic representative of the Namibian people, and granted SWAPO Observer status in the UN General Assembly.<sup>10</sup>

Thus, the struggle for Namibia's liberation has been a matter of international solidarity and support. Accordingly, the UN's aims and objectives cited earlier in this Chapter have had, and continue to have, an impact on the formulation of Namibia's foreign policy. The disjuncture between the UN objectives stated in the UN Charter and Namibia's foreign policy principles embodied in Article 96 of the Namibian Constitution are illustrated by the values of striving for international peace and security.<sup>11</sup>

The UN's preoccupation with Namibia's independence resulted in the adoption of Resolution 385 of 1976 condemning South Africa's illegal occupation of Namibia. The next years witnessed UN-led talks and negotiations culminating in the implementation of the UN Security Council's Resolution 435 of 1978,<sup>12</sup> which provided a peaceful transition to Namibia's independence through free and fair elections supervised by the UN.<sup>13</sup> Thus, when the Namibian Constitution was drafted, the foreign policy principles were largely influenced by the values and principles of the UN as embodied in its Charter.

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7 Its precursor, the Ovamboland People's Congress (OPC), was formed in 1957, and renamed the Ovamboland People's Organisation (OPO) in 1959.

8 Text available at <http://www.un.org/Depts/dhl/resguide/gares1.htm>; last accessed 7 February 2011.

9 UN General Assembly Resolution 3111 (XXVIII) of 12 December 1973. Available at <http://www.un.org/documents/ga/res/28/ares28.htm>; last accessed 15 November 2013

10 UN General Assembly Resolution A/RES/31/152 of 20 December 1976. Available at <http://www.un.org/documents/ga/res/28/ares28.htm>; last accessed 15 November 2013.

11 UN Charter, 1945, p 3 (available at <http://treaties.un.org/doc/Publication/CTC/uncharter.pdf>; last accessed 15 November 2013); Republic of Namibia (1990b:52–53).

12 Available at [http://www.un.org/Docs/sc/unsc\\_resolutions.html](http://www.un.org/Docs/sc/unsc_resolutions.html); last accessed 15 November 2013.

13 Available at [http://www.un.org/Docs/sc/unsc\\_resolutions.html](http://www.un.org/Docs/sc/unsc_resolutions.html); last accessed 15 November 2013. See also Resolution 385 of 1976 (available at [http://www.un.org/Docs/sc/unsc\\_resolutions.html](http://www.un.org/Docs/sc/unsc_resolutions.html); last accessed 7 February 2011).

In 1963, in the formative years of Namibia's liberation struggle, independent African states founded the Organisation of African Unity (OAU). Its principles are, among others,<sup>14</sup> to promote –

- the peaceful settlement of disputes by negotiation, mediation, conciliation or arbitration, and
- the affirmation of a policy of non-alignment with regard to all blocs.

The OAU's aims included the eradication of colonialism in Africa and the fostering of economic cooperation.<sup>15</sup> SWAPO had attended OAU Summits before Namibia's Independence; indeed, it was at an OAU Heads of State Summit that the resolution was taken in 1972 to recognise SWAPO as the sole and authentic representative of the Namibian people.<sup>16</sup> This paved the way for the UN's similar recognition, as stated earlier. At Namibia's independence, the OAU's principles and purposes cited above would become evident in the foreign policy principles embodied in the Namibian Constitution, as will be discussed in the next sections.

In 1961, the Non-Aligned Movement (NAM) was founded in Belgrade, Yugoslavia. SWAPO was admitted as one of its members in 1978. NAM was formed to guard against the polarisation of the international political system, namely the Eastern Bloc led by the Union of Soviet Socialist Republics v the Western Bloc led by the US. In the history of world politics, this polarisation came to be known as the *Cold War*. Therefore, the preparatory meeting held in Egypt at the beginning of 1961, which preceded the formation of NAM, adopted the following shared values:<sup>17</sup>

- Commitment to the coexistence of states with different political or social systems
- Support for movements fighting for independence
- Non-membership of the multilateral military alliance concluded under the framework of conflicts between the Great Powers
- In the event of bilateral military agreements and regional defence pacts, such agreements should not be for the purposes of conflicts between the Great Powers, and
- No conceding of military bases to a foreign power for the purpose of advancing conflicts between the Great Powers.

Regional organisations such as the Southern African Development Coordination

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14 OAU Charter, 1963, p 4. Available at [http://www.africa-union.org/root/au/Documents/Treaties/text/OAU\\_Charter\\_1963.pdf](http://www.africa-union.org/root/au/Documents/Treaties/text/OAU_Charter_1963.pdf); last accessed 7 February 2011.

15 (ibid.:3).

16 The available resolutions for the OAU Summit in 1972 show nothing on the recognition of SWAPO, but Resolution 433 of 1975 “reaffirms that SWAPO is the sole representative of the people of Namibia”. The word *reaffirms* points out that there was an earlier decision to that effect. Furthermore, former SWAPO Secretary for Foreign Affairs, Theo-Ben Gurirab, recounts that the 1972 Summit in Rabat, Morocco, resolved to recognise SWAPO (Mushelenga 2008:52).

17 Republic of South Africa (2001).

Conference (SADCC) – later the Southern African Development Community (SADC) – have also played a role in Namibia's independence, e.g. through the Frontline States. In 1977, five Western countries who were members of the UN Security Council initiated negotiations for Namibia's independence. When President Ronald Reagan assumed power in 1981, he resolved to discuss the Namibian question with states and not liberation movements such as SWAPO. As a result, SWAPO entrusted the Frontline States and Nigeria with the negotiations for Namibia's independence with the Western Contact Group.<sup>18</sup> Furthermore, since SADCC's formation in 1980, SWAPO had been invited to its Heads of State Summits and other conferences as an Observer.<sup>19</sup>

## Foreign policy principles

### Overview of the principles

Namibia's foreign policy principles, as embodied in Article 96 of the Namibian Constitution, are that the country should strive to –

- adopt and maintain a policy of non-alignment
- promote international cooperation, peace and security
- create and maintain just and mutually beneficial relations among nations
- foster respect for international law and treaty obligations, and
- encourage the settlement of international disputes by peaceful means.

During the drafting of the Namibian Constitution, members of the Constituent Assembly debated the non-alignment principle at length. In fact, it was the only foreign policy principle that was a subject of discussion. The essence of the principle was that Namibia should stand above conflict and intense disagreement among states within the international political system. Such differences mostly come as a result of political competition and ideological differences and, in some instances, can escalate to a level of war.

Namibia's upholding of the principle of maintaining international peace is manifested in her contribution to peacekeeping operations and missions. This started with her contribution to the UN peacekeeping mission in Cambodia in 1993. The principle is aimed to ensure that peace prevails in the region – as argued by liberalism as a theory of international relations when it states that countries' foreign policy should be formulated to embody the values of cooperation.<sup>20</sup>

Namibia's efforts to contribute to peace in the southern African region are commendable. Former President Sam Nujoma took it upon himself to campaign for a peaceful

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18 Mushelenga (2008:52).

19 Republic of Namibia (1999a:3).

20 Rourke (2008:24).

and democratic South Africa and made this issue a trademark of his speeches at all international fora that he attended as well as during his bilateral engagements with foreign dignitaries.<sup>21</sup> Namibia further campaigned for peace to come to Angola. In 1993, Namibia's Foreign Minister Theo-Ben Gurirab joined his Angolan and Zimbabwean counterparts and addressed the UN Security Council on the question of Angola, urging the UN to continue playing a meaningful role in respect of re-establishing peace in Angola. In 2001, Namibia's Deputy Head of Mission to the UN, Gerhard Theron, expressed concern over countries that assisted the União Nacional para a Independência Total de Angola (UNITA, National Union for the Total Independence of Angola) during the Security Council discussions on the sanctions against the rebel movement.<sup>22</sup> The Namibian Government further extended an invitation to the UNITA leader, Jonas Savimbi, to visit Namibia for discussions aimed at promoting a peaceful settlement to the Angolan conflict.<sup>23</sup>

The maintenance of mutual beneficial relations is required so that both Namibia and her friends and allies benefit gainfully from their respective relations. For example, if Namibia has a commodity which another country does not have, then the two countries could exchange resources and skills. Namibia does not want her resources to be exploited for nothing in return. Similarly, she does not want to be dependent on other states. Thus, during the luncheon hosted by the Spanish Prime Minister, Jose Maria Azar, in 1996, the then Namibian President, Sam Nujoma, stated that Namibia could not depend on aid over the long term. He further stressed the importance of using Namibian resources to generate the required number of jobs by processing more fish onshore as opposed to on board factory ships.<sup>24</sup>

The foreign policy principle of fostering respect for international law and treaty obligations is boosted by Article 144 of the Namibian Constitution, which makes international law and agreements binding on Namibia and part of Namibian law. Namibia is the only country in SADC to have such a provision in its Constitution. As a country that has codified international laws, it is appropriate that Namibia should make the respect of such laws a policy principle engraved in the country's Supreme Law.

It is common for neighbouring countries, for example, to have disputes over territory or the use of resources found at their borders. Stansfield,<sup>25</sup> for example, writes that President Nasser of Egypt nationalised the Suez Canal, leading to conflicts with Israel, France and the US in 1956. If the four countries involved in the Suez Canal crisis had subscribed to the principle of settling disputes by peaceful means, the situation would

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21 Mushelenga (2008:178).

22 UN (2001).

23 Ministry of Foreign Affairs (1994).

24 Republic of Namibia (1999b:141).

25 Stansfield (2008:288).

not have been exacerbated to the level of conflict that it has reached. The principle of peaceful settlement of international disputes therefore safeguards Namibia against war with other countries.

There are reasons why Namibia adopted the afore-mentioned foreign policy principles. The first principle, for example, should be understood in the context of both historical and contemporary trends in world politics that were unfolding at the time of SWAPO, which was the majority party in the Constituent Assembly, had been a member of the Non-aligned Movement (NAM).

The founding fathers and mothers of the Namibian Constitution wanted their country to stand above the global conflicts, because they need to interact with all states and institutions in the world. Thus, the principles in the Constitution are meant to ensure that Namibia does not provoke anyone in the international community, so that she does not endure any consequences of global conflicts. Thus, there were even proposals to add to the principle the words “permanent neutrality and peaceful co-existence”.<sup>26</sup>

Furthermore, the non-alignment principle is also a principle espoused by the OAU. The SWAPO Party of Namibia, as it became known at Independence, was the majority party in the Constituent Assembly, which drafted and adopted the Namibian Constitution. The Party had participated in OAU meetings and summits since the formation of the continental body, and was conversant with the latter’s principles – which it had also come to appreciate over the years. Also, the new Namibian state needed to win new friends in addition to its old ones. This is conceivably attainable when a state remains above ideological divisions within the international political system.

Namibia has a moral obligation to promote international peace and security, particularly since her own independence was brought about through international peace efforts. By adopting the policy of promoting international cooperation, peace and security, Namibia wanted to consolidate her own peace and ensure her security. She further wanted to cooperate with other states in ensuring that peace came to areas where there were conflicts, just as other states had strived for independence and peace to come to Namibia.

The principle of mutually beneficial relations was formulated to serve the pursuance of economic diplomacy. This was stated by the first Deputy Minister of Foreign Affairs, who told Parliament in 1993 that –<sup>27</sup>

[s]ince its inception, the Ministry of Foreign Affairs has committed itself to practise economic diplomacy, and therefore the principle of preoccupation of our diplomacy is to increase mutually beneficial cooperation with the international community[,] especially in the fields of investment, trade, tourism and development co-operation.

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26 Republic of Namibia (1990a:314).

27 Republic of Namibia (1992:33).

The period of foreign policy formulation coincided with a turning point in world history, namely the end of the Cold War, and this boosted the issue of economic diplomacy as the driver of the principle on mutually beneficial relations. Since —<sup>28</sup>

Namibia's foreign policy was conceived in an environment where the bipolarity of the international political structure ceased to exist[,] ...

it became imperative for the country to reach out to both old and new friends in an effort to augment its economic development. Namibia's first Minister of Foreign Affairs, Theo-Ben Gurirab, stated that Namibia's foreign policy should target smart partnerships and business deals that yielded benefits to both Namibia and the outside world.<sup>29</sup>

Also according to the Minister, Namibia's foreign policy was inspired by, *inter alia*, a North–South partnership.<sup>30</sup> Countries of the South such as Namibia realised that the North had skills and exploited the South's resources for its exclusive benefit. The South had subsequently insisted that the partnership be mutually beneficial. Thus, Namibia wanted its resources to be traded by way of joint ventures and technology transfer. This was aimed at boosting value addition and would change the country from being an exporter of raw materials to an exporter of added value, and would create employment at home and in other countries.

Namibia adopted a policy that advocates respect of international law and treaty obligations because she is a small state. Theories regarding small states suggest that such states have a high level of the international legal system.<sup>31</sup> It should further be noted that the domestic principle of Namibia, embodied in the Constitution, advocates respect for the rule of law, since that is also the foundation of the Namibian state.<sup>32</sup> Small states tend to benefit more from multilateralism. The then Minister of Education, Nahas Angula, told Parliament in 1990 that Namibia stands to benefit from membership of multilateral organisations such as the United Nations Education and Scientific Organisation (UNESCO), the Commonwealth Secretariat, and the Commonwealth of Learning. He cautioned that, if Namibia were to isolate itself, it would not profit from the benefits that could be yielded from the international community.<sup>33</sup> It follows logic that, when small states embrace international institutions, they should simultaneously embrace treaties and laws that govern such institutions.

The principle of settling international disputes by peaceful means is inspired by the Preamble to the Namibian Constitution, which declares the “unity and integrity of a

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28 Mushelenga (2008:34).

29 Gurirab (1998:2).

30 (*ibid.*:4).

31 McCraw (1994:7–8).

32 Constitution of the Republic of Namibia, 1990.

33 Republic of Namibia (1990b:224).

nation in association with other nations of the world". There can be no unity with other nations if the Namibian nation is not inclined to resolving disputes with others through peaceful means. Secondly, the principle is also inspired by the OAU. Article III therein states that the organisation will be committed to the principle of peaceful settlement of disputes. This will be done through mediation, conciliation, arbitration and negotiation.<sup>34</sup> SWAPO's ties with the OAU before independence, as discussed earlier, led to the principles of the latter inspiring the movement's orientation and, ultimately, those of the Namibian Constitution, in whose drafting SWAPO played a major part.

### **Impacts of the principles on formulating foreign policy**

The principle of non-alignment impacted on Namibia's formulation of her foreign policy in respect of South-South cooperation. South-South cooperation is one the major themes of Namibia's foreign policy.<sup>35</sup> The White Paper on Foreign Policy and Diplomacy Management,<sup>36</sup> too, places a special emphasis on the South-South cooperation issue. Accordingly, Namibia forges strong ties with the countries of Latin America and Asia, particularly Brazil, China, Cuba and India. This is significant because countries like India have been actively involved in NAM. Developing countries unite through NAM and support each other on the positions that they take in international organisations. Namibia benefits from this solidarity as well as from technology transfer.

The impact of the principle of promoting peace, cooperation and security is evident from Namibia's participation in a number of peacekeeping missions. Within two decades of her independence, Namibia's contingent has served in eight UN peacekeeping and/or observer missions in the following countries: Angola, Burundi, Cambodia, the Democratic Republic of the Congo (DRC), Eritrea, Ivory Coast, Liberia, and Sudan (two missions). Furthermore, Namibia served in one AU peacekeeping mission in Sudan (Darfur). This is arguably quite an achievement for a small and young state.<sup>37</sup>

The principle of mutually beneficial relations has an impact on Namibia's negotiations in the Economic Partnership Agreements (EPAs) with the European Union (EU). Namibia does not want her products to be traded in the international market without any meaningful benefit to the country. She wants the origin of such products to be clearly marked so that buyers will know that they are buying Namibian products. She also wants her products to be processed at home, as the value addition will create jobs among unemployed Namibians. Furthermore, Namibia wants to trade with each of her partners independently, without pegging any customer to the trade packages of others.<sup>38</sup>

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34 OAU Charter, 1963, p 4. Available at [http://www.africa-union.org/root/au/Documents/Treaties/text/OAU\\_Charter\\_1963.pdf](http://www.africa-union.org/root/au/Documents/Treaties/text/OAU_Charter_1963.pdf); last accessed 7 February 2011.

35 Mushelenga (2008:86-87).

36 Ministry of Foreign Affairs (2004:72,78,81).

37 Mushelenga (2008:220).

38 Ministry of Trade and Industry (2009).

Evidence of how the principle of respecting international law and treaty obligations impacts the formulation of foreign policy in Namibia is apparent in the manner in which the country complies with such obligations. A case in point was when the UN Security Council passed Resolution 1929 of 2010 prohibiting other states from, among other things, enabling Iran to acquire commercial interests in uranium mining or from buying nuclear materials or technology. Iran has interests in the Namibian mine, Rössing Uranium Limited. Namibia reported to the UN that she had complied with the provisions of the Resolution, namely that Iran would not acquire further shares.<sup>39</sup> The transparent manner in which Namibia has dealt with and continues to deal with the UN in this case, such as seeking clarification on the Resolution in order to comply rigorously with it, attests to the fact that the country upholds the foreign policy principles provided in her Constitution.

The principle of peaceful settlement of international disputes was realised during the disputes between Namibia and Botswana over Kasikili Island (called *Sedudu Island* in Botswana). Each of the two countries claimed ownership of the island and resolved to place the matter before the International Court of Justice (ICJ) for adjudication. The ICJ ruled in favour of Botswana, and Namibia abided by this decision. In a similar scenario, Nigeria and Cameroon had a dispute over ownership of the Bakasi Peninsula. In 1994, the Cameroonian Government filed a case at the ICJ in this regard.<sup>40</sup> In 2002, the ICJ ruled in favour of Cameroon. Nigeria did not easily accept the verdict and the UN had to convene Summits in 2002 and 2004 with the Presidents of Nigeria and Cameroon to underline the significance of the ICJ's decision. It was only in 2006 that Nigeria started withdrawing her troops from the Peninsula.<sup>41</sup>

## Principals

### Individuals

There is a universal consensus that the chief formulator of foreign policy in any given country is the head of state, and in the case of ceremonial heads of state, the chief formulator of such policy is the head of government. Hill<sup>42</sup> states that, in many instances, the level of interest that a particular head of state and/or government has as regards

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39 Republic of Namibia (2010).

40 *Application instituting proceedings, land and maritime boundary between Cameroon and Nigeria (Cameroon v Nigeria)* (available at <http://www.icj-cij.org/docket/files/94/7201.pdf>; last accessed 7 February 2011); *Case concerning land and maritime boundary between Cameroon and Nigeria (Cameroon v Nigeria: Equatorial Guinea intervening)* (available at <http://www.icj-cij.org/docket/files/94/7453.pdf>; last accessed 7 February 2011).

41 ICJ (1994,2002); Mushelenga (2008:116,164).

42 Hill (2003:53).

foreign policy issues determines his/her role in formulating foreign policy. Barston<sup>43</sup> states that, when a head of state is stronger on foreign policy, his/her influence can easily be observed. Some heads of state become more involved by adopting what is called *personal diplomacy*, i.e. making use of personal emissaries in the conduct of diplomacy.

Namibia's first President, Sam Nujoma, was a key formulator of foreign policy as SWAPO's President prior to the country's independence. He represented the organisation at numerous international meetings of multilateral institutions such as NAM, SADC, the OAU and the UN. After Independence, President Nujoma continued to be the chief formulator of foreign policy. He and the then Minister of Foreign Affairs, Theo-Ben Gurirab enjoyed mutual respect of and confidence in each other. The Minister was naturally mindful of the fact that the Head of State simultaneously served as the chief of foreign relations. He, therefore, consulted the President and kept him abreast of important international issues. At the same time, the President had recognised his Minister's skills and abilities, and allowed him ample latitude in handling foreign affairs.<sup>44</sup> In the following statement, Minister Gurirab highlighted the prime importance of the President in making foreign policy:<sup>45</sup>

[I]t is the head of state, the President of the Republic of Namibia, who is empowered to negotiate and sign international agreements and to delegate such power, and in this instance, to the Foreign Minister. The President ... is also the one who welcomes foreign envoys and receives their letters of credence.

The roles of the President and Foreign Minister in formulating foreign policy are illustrated in the White Paper on Foreign Policy and Diplomacy Management. The White Paper states that President Nujoma set Namibia's foreign policy objectives in 1990, namely the preservation of the national security interest and the promotion of social and economic progress. The Foreign Minister, Theo-Ben Gurirab, echoed these sentiments, affirming the linkage between foreign policy and domestic policy and, thus, the realisation of the aspirations of national priorities, which are, among others, national and security interests.<sup>46</sup>

Discussing the agency/structure debate, Carlsnaes states that there are structures that impact decisively on the actors in the foreign policy decision-making process.<sup>47</sup> In the case of President Nujoma, however, he was an agent who influenced institutions, rather than the other way around. He is a persistent maker of foreign policy who is decisive in his actions, providing leadership during predicaments. For example, it was his decision to deploy the Namibian Defence Force (NDF) to the DRC. He was subsequently criticised

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43 Barston (2006:9,17).

44 Mushelenga (2008:174).

45 Republic of Namibia (1990b:202).

46 Ministry of Foreign Affairs (2004:44–45).

47 Carlsnaes (2008:86).

by the opposition and media for taking a unilateral decision. President Nujoma defended his decision that emergency situations need decisive actions and he accordingly took one.<sup>48</sup> He did not shy away from responsibility, but firmly stated his case to guide the public and its structures.

President Nujoma also took the lead in shaping Namibia's foreign policy on pan-Africanism. In 1998, at a public meeting, he issued a directive that the OAU anthem would be sung together with the Namibian national anthem, and that the OAU flag would be hoisted alongside Namibia's. These two practices have become an entrenched culture of pan-Africanism in the country ever since, and President Nujoma also adopted this doctrine in his foreign policy.<sup>49</sup>

President Nujoma's successor, Hifikepunye Pohamba, has a different approach to formulating foreign policy. Arguably, President Pohamba's foreign policy trademark is reservation and hesitation.<sup>50</sup> In the agency/structure debate, President Pohamba would be an actor whose actions are guided by the relevant structures. For example, he would consult the Ministry of Foreign Affairs for advice on issues related to international relations, and usually prefers Cabinet consensus before government takes a position on a major foreign policy issue. Thus, President Pohamba matches the description of a *single group* policymaker when it comes to Namibia's foreign relations.<sup>51</sup> *Single group* refers to a scenario where there is no single leader capable of exclusively taking a decision on a particular foreign issue. Leaders will be reluctant to take positions, unless all those who matter agree. This state of affairs sometimes presents a predicament for officers in the foreign service, especially in times when the government needs to pronounce itself expediently on a given issue.

The foreign policy principles enshrined in Article 96 of the Namibian Constitution and the White Paper on Foreign Policy and Diplomacy Management are major guidelines to the formulation of foreign policy. Thus, there should not be too much of a time lapse before the government pronounces itself on the events unfolding in the international political system. While the government took positions on issues with clarity and guidance in its formative years by way of the adopted foreign policy principles, in later years it has been criticised for waiting in the wings while other countries or regional and continental organisations take positions for it to follow.

Ministers of foreign affairs are generally second only to heads of state in the formulation of foreign policy. They are also the custodians of foreign policy: they, more than any other government leader, argue, articulate and defend the country's foreign policy both at home

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48 Republic of Namibia (1999b:416).

49 Mushelenga (2008:176–177).

50 (ibid.:209).

51 Hermann et al. (1991:313–318).

and abroad. The Foreign Minister advises the head of state and the entire government on the position that a country should take on given regional and international issues. These Ministers coordinate with other ministries, often taking the lead in pursuing given policies that have an impact on international relations.<sup>52</sup>

Foreign Minister Theo-Ben Gurirab was at the helm of Namibia's foreign relations, driving the country's foreign policy with a sterling stewardship. Minister Gurirab is a respected guru of international relations who spent more than two decades walking the corridors of the UN headquarters and articulating the Namibian cause in its boardrooms. He served as Associate Representative and Petitioner to the UN from 1964 to 1972, and as Chief Representative from 1972 to 1986, when he became SWAPO Secretary for Foreign Affairs. It was during Gurirab's tenure at the UN and as a result of his diplomatic efforts that the OAU recognised SWAPO in 1972 as the sole and authentic representative of the Namibian people. The UN took a similar position in 1976, after which Gurirab became Permanent Observer to the UN, as SWAPO had Observer status in the UN General Assembly.<sup>53</sup>

Gurirab's successor as Foreign Minister, Hidipo Hamutenya, too, was in charge of the Foreign Ministry. He tabled the White Paper on Foreign Policy and Diplomacy Management in Parliament, underscoring the importance of economic diplomacy. The concept was first introduced by the first Deputy Minister of Foreign Affairs, Netumbo Nandi-Ndaitwah,<sup>54</sup> and articulated by Minister Gurirab when he addressed the Instituto Superior de Relações Internacionais (ISRI, Higher Institute for International Relations).<sup>55</sup>

Namibia's third Minister of Foreign Affairs was Marco Hausiku. He took a reserved approach to foreign policy. Like President Pohamba, he did not publicly pronounce himself on some foreign relations issues, leading to criticism from different quarters about the dormancy of Namibian foreign policy. Hausiku defended this state of affairs, arguing that his personality was such that he operated quietly and did not like generating publicity about his government work.<sup>56</sup>

Minister Hausiku's successor, Utoni Nujoma, endeavoured to stamp his authority on foreign policy formulation within the first year of his tenure. He undertook a number of bilateral visits to Asia, Europe, and countries in the SADC region. He also addressed

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52 This information can be vouched for by the author, who has served both as an official and as Deputy Minister in the Ministry of Foreign Affairs. It should be noted that the incumbent Foreign Minister, Netumbo Nandi-Ndaitwah (2012 to date), is not included in the discussion since her appointment occurred after the content of the text had been finalised for the editing and publishing process.

53 Mushelenga (2008:52).

54 Republic of Namibia (1992:33).

55 Gurirab (1998).

56 Mushelenga (2008:205).

Parliament to state the government's position on topical issues such as the post-elections impasse in the Ivory Coast and the popular uprisings in the Middle East. Minister Nujoma recognises the authority of the President on foreign policy, and regularly consults him before making pronouncements on issues pertaining to foreign and international relations.

The President and Foreign Minister are assisted by the government bureaucracy in shaping and implementing Namibia's foreign policy. Officials that are mostly involved in foreign policy formulation at the Ministry of Foreign Affairs headquarters are those in the Departments of Bilateral and Multilateral Affairs headed by their respective Under-Secretaries. Having worked in the Ministry of Foreign Affairs both as a Foreign Relations Officer (also referred to as *Desk Officer*) and Deputy Minister, the researcher of this chapter recounts that Desk Officers receive information, analyse it and draft a write-up on it for the Minister and Deputy Minister's consumption. Write-ups are delivered through the Permanent Secretary, who is the accounting officer of the Ministry and is responsible for the deployment of its staff. Desk Officers channel their work to the Permanent Secretary through their supervisors in the following ascending order: Deputy Director, Director, Under-Secretary and Deputy Permanent Secretary.

In diplomatic missions abroad, the duties of gathering and analysing information rest with the First Secretaries. They channel their work to the Head of Mission, who is the Ambassador or High Commissioner through their supervisors, namely the Counsellor and Minister-Counsellor. The full structure is usually only found in Namibia's diplomatic mission to the UN in New York. In other missions, where there are no Counsellors or Minister-Counsellors, the First Secretary reports directly to the Head of Mission. This is because the positions of Minister-Counsellors are customary filled by Directors. Thus, when persons below that rank are posted to missions, they occupy the positions of Counsellor or First Secretary. The Head of Mission reports to the Windhoek headquarters through the Permanent Secretary. When there are urgent and sensitive matters, they sometimes call the Minister or Deputy Minister, or even the Head of State directly, following up with the written communication later.

The personality and style of foreign policy agents have an impact on the foreign policy formulation process in the country. Where there are consultations, there is some form of domestic consensus on foreign policy. Domestic disagreement on foreign policy arises when the key policymakers do not accommodate public participation. Such a trend of hesitations may create a vacuum that many other stakeholders would try to fill. For example, during the xenophobic attacks in South Africa and in the absence of the Namibian Government's comment the youth wing of the ruling party made comments leading to a diplomatic fracas with a South African diplomat in Windhoek.<sup>57</sup>

The first Minister of Foreign Affairs, Theo-Ben Gurirab, states the country's position on foreign policy when there is delay from the Namibian Government in commenting.

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57 Maletsky (2008).

For example, in the case of the mass protests in Libya, he stated that Namibia would maintain relations with Libya, irrespective of the Libyan Government's response to the protesters in the form of the use of force.

## **Institutions**

There are other actors that are involved in the process of making foreign policy. Hill<sup>58</sup> states that foreign ministers face encroachment from other government ministers in their line of duty. The essence and relevance of such 'encroachment' is recognised by many policymakers. Immediately after Namibia's independence in 1990, Foreign Minister Gurirab addressed Parliament during the Budget Debate regarding the actors involved in the process of making foreign policy, saying that –<sup>59</sup>

[t]he formulation, interpretation, analysis, co-ordination and implementation of the foreign policy of the Republic of Namibia is the responsibility of the Presidency and the Foreign Ministry, but I recognize also – according to the Constitution again – that Article 63 of the Constitution empowers the Parliament with watchdog and oversee [sic] functions.

Later, Foreign Minister Hamutenya shared the view that the formulation of foreign policy was a process that involved a number of stakeholders. In his foreword to the White Paper on Foreign Policy and Diplomacy Management, he states that the exchange of ideas in the form of questions and debates on important issues in the Legislature is crucial to the making of foreign policy: it underscores the importance of Parliament in that process.<sup>60</sup>

More recently, in a contribution to the 2010 Budget Debate in Parliament as Deputy Minister of Foreign Affairs, the author made the following statement:<sup>61</sup>

Yours truly does not subscribe to the trend of going solo in foreign relations and diplomatic undertakings ... The world is moving away from the traditional diplomacy of Ministries of Foreign Affairs being the exclusive domains of foreign policy-making. Many entities within states, both state and non-state actors alike, have something to offer to bilateral interactions, with a view to achieving economic rewards and other profitable harvests. There should, therefore, be a synergy of cooperation among stakeholders ... .

The three positions expressed above correspond to pluralism as a perspective of International Relations studies, which asserts that public interest groups bring about decision-making in foreign policy.<sup>62</sup> However, with regard to the issue of choices, the process of formulating foreign policy in Namibia departs from the one that is advocated by liberalism, namely that states have choices. Whilst other actors have a role to play, the ultimate decision and advice at the end of the act rests with the Foreign Ministry.

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58 Hill (2003:53).

59 Republic of Namibia (1990b:202).

60 Ministry of Foreign Affairs (2004:iii).

61 Mushelenga (2010).

62 Mingst (2008:127–128).

Webber and Smith<sup>63</sup> also opine that, although the political leadership of a ministry of foreign affairs and its attendant bureaucracy constitute the machinery of foreign policy, this machinery does not dominate the domain exclusively: it is merely continuously involved in the formulation of foreign policy, whereas other stakeholders are involved ad hoc. In Namibia, for example, the Ministry of Trade and Industry plays an important role in such policymaking, as it is the focal point for Namibia's relations with and membership of major multilateral institutions such as SADC and the EU. Furthermore, the latter Ministry also plays a role in bilateral relations, especially in the area of economic diplomacy. Thus, whenever the President undertakes official visits abroad, or when he hosts other heads of state on official visits, the Minister or Deputy Minister of Trade and Industry is always part of the delegation. This is because political and economic diplomacy need to be coordinated together. Indeed, it would be inconceivable for Namibia to engage in bilateral relations with other countries if it excluded trade issues.

Other ministries, too, are involved on devising foreign policy, but on a more need-based, ad hoc basis. The Ministry of Defence, for instance, needs to be consulted on peacekeeping and security issues, as the Ministry of Environment and Tourism would be on issues related to climate change or the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). A number of institutions comprise the Namibian Government delegations that attend meetings of various Joint Commissions of Cooperation between Namibia and other countries. The author of this Chapter has led such delegations from time to time as the Deputy Minister of Foreign Affairs.

Similarly, Parliament is a stakeholder in shaping foreign policy, especially through its Standing Committee on Foreign Affairs, Defence and Security, on which the author of this Chapter served from 2005 to 2010. However, the role of Parliament is somewhat limited to the inspection of diplomatic missions and ratifying treaties. To date, Parliament has not made any major impacts on the process of devising foreign policy. Parliament has also not influenced the Namibian Government in terms of taking a stance on a given foreign policy issue, or in following a given voting trend at international forums. In this regard, there is perhaps a lack of interest or, rather, understanding by Members of Parliament on foreign policy issues, as only a few participate in the debates on foreign relations motions or policy documents such as the White Paper on Foreign Policy and Diplomacy Management.<sup>64</sup> Motions that were introduced by the opposition in Parliament on foreign policy issues were never taken into consideration as they were voted down by the ruling party. This is usually the only time when the opposition parties air their views on foreign affairs. Comparative analysis reveals that, in some other countries, parliaments do not play an effective role in making foreign policy. For example, Parliaments in China, India

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63 Webber & Smith (2002:39).

64 Mushelenga (2008:119).

and Singapore play a minimal role and do not stamp their authority on their countries' foreign policy formulation process. It is only in countries like Japan where Parliament has a major impact on this process, as the legislative scrutiny is intensive.<sup>65</sup>

Other agents in terms of shaping foreign policy generally comprise opposition parties, the media and civic organisations. These agents have been vocal on some foreign policy issues, such as the deployment of NDF personnel in the DRC war that began in 1998, and Namibia's 'quiet diplomacy' towards Zimbabwe in the face of reports of human rights abuses in that country. These opposing views had no effect, however, because the Namibian Government kept its defence personnel stationed in the DRC. It maintained its position that the DRC had been invaded by aggressors, and that its government had sought help from its neighbours.<sup>66</sup> The author recalls that, in 2007, on one of many occasions that the opposition parties voiced their concern on Zimbabwe, the ruling party opposed the motion put forward by opposition Member of Parliament, Ben Ulenga, before it was even motivated, arguing that, by allowing him to motivate the motion, it would pollute the minds of the listeners. The complaints and criticism of the opposition parties on Namibia's foreign policy are rendered irrelevant by the fact that foreign policy issues do not count in local politics, and do not impact on elections.

## Conclusion

Namibia's foreign policy is anchored on the Constitution, the Supreme Law of the land. The White Paper on Foreign Policy and Diplomacy Management is another major policy document serving the formulation of foreign policy. Other documents that are relevant to this policymaking process include statements by government leaders. Such statements, too, are often based on the foreign policy principles laid down in the Namibian Constitution. Furthermore, the provision in the Constitution of the principles of state policy as regards foreign relations has a bearing on their adherence. Namibia has, over the years, lived up to the expectations of such policies and their objectives.

The makers of foreign policy in Namibia comprise the political leadership and bureaucracy. Government leaders exert much influence on this policymaking process. The style and approach of various agents in Namibia differs. The first President, Sam Nujoma, decisively pursued particular policies, taking a leading role and providing guidance to institutions and other government leaders. This corresponds to one scholarly view in the agency/structure debate in International Relations studies, which argues that actors are "the prime cause of policy actions".<sup>67</sup> President Nujoma's successor, President Hifikepunye Pohamba, adopted a different approach. For him, institutions prominently drive the process of foreign policy formulation. This is compatible with the opposing

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65 Rana (2007:200).

66 Republic of Namibia (1999:245).

67 Carlsnaes (2008:96).

view in the agency/structure debate, namely that structures are the main cause for policy actions.<sup>68</sup>

The Ministry of Foreign Affairs is responsible for coordinating the formulation of foreign policy in the country, but this is not its exclusive domain. Other government institutions, the opposition, the media and civic organisations play their parts as well. The role of the Legislature in this process has not been fully explored, and there is a need for this branch of government to play a greater part. The opposition and other groups outside the government structure have no significant impact on Namibia's foreign policy formulation.

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68 (ibid.:96).

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