

The Kavango Legislative Council 1970-1979: A Critical Analysis

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Declaration

I declare that *The Kavango Legislative Council 1970-1979: A Critical Analysis*, is my own work, that it has not been submitted for any degree or examination in any university, and that all the sources I have used or quoted have been indicated and acknowledged by complete reference.

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Date: 23 November 2007

Signed.....



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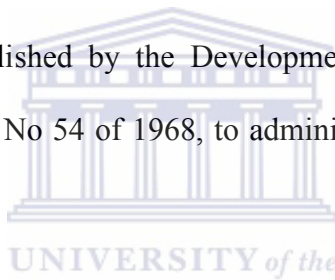
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INTRODUCTION

Namibia was under South African rule until March 1990. On 11 September 1962, the Odendaal Commission was set up by the State President of South Africa to enquire into the welfare and progress of all the inhabitants of South West Africa, particularly the African people. The Commission was required to make recommendations for the development of the various African people inside and outside their designated areas. The outcome of the Commission was the division of South West Africa into ten designated areas for the various 'native nations'.¹ These areas later became the homelands for the Africans in South West Africa. After 1970, three northern homelands were granted self-government.² The Kavango Legislative Council was one of the Legislative Councils established by the Development of Self-Government for Native Nations of South West Africa Act No 54 of 1968, to administer one of the 'native nations', the Kavango.

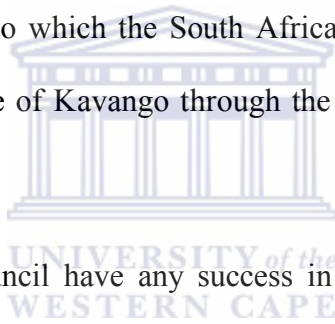


This thesis is concerned with examining the Kavango Legislative Council, its constitution, its powers, the role of the traditional authorities within the body, and the legislation passed by the Council. It focuses on the period 1970 to 1979, covering the first and the second Kavango Legislative Councils. This study ends in 1979 when the status of all councils was reduced to second tier administration units. It is concerned with answering the question: who had the real authority to administer Kavango and the meaning of self-government?

¹ The Act set the following areas for the exclusive occupations of the different native nations, Damaraland (Damaras), Hereroland (Hereros), Kaokoland (Himbas), Kavangoland (Kavango) Eastern Caprivi (Caprivians), Owamboland(Owambo) and any other area reserved and set apart for the exclusive use of and occupation by natives as recognized by the South African State President, See the National Library of Namibia, Windhoek, the Development of Self-Government for Native Nations of South West Africa Act No 54 of 1968,pp 831-832.

² Owamboland, Kavangoland and Eastern Caprivi.

In a research study like this it is important to look at the composition of the Kavango Legislative Council and to document its history since such a history is lacking. The thesis was driven however, by not only a desire to chart out an unexplored political narrative but to seek answers to several questions. This study poses the central question: was the Kavango Legislative Council simply a colonial tool or a real attempt by South Africa to provide for self-governance for the Kavango? It attempts to answer this question not just by a descriptive account of the proceedings of the Kavango Legislative Council, but by focusing on selected key issues discussed by the Council: Kavango independence, Kavango identity, the contract labour system, Kavango Education Act and the Turnhalle Conference. By selecting specific debates and motions the study helps to look at the extent to which the South African government imposed its colonial administration or not to the people of Kavango through the council and how the Council dealt with these issues.



Did the Kavango Legislative Council have any success in using the chamber as a means to challenge or oppose the South African colonial administration of South West Africa at that time? What was the real nature of power allocated to the Kavango Legislative Council by the Republic of South Africa? Was this chamber a forum or a focus for opposition to the South African occupation of Namibia? What was SWAPO's position on the Legislative Councils? And did the Kavango Legislative Council have any popular legitimacy? Only a detailed analysis of the Kavango Legislative Council can provide a nuanced answer to such questions. The establishment of the Kavango Legislative Council further raises the question about the role of the traditional authorities. How did the Kavango Legislative Council modify these old established traditional structures?

While there are several studies on Bantustans in South Africa, Barbara Rogers³ provides a useful introductory overview of Bantustan, as do Platzky and Walker.⁴ Frank Molteno, in particular, focuses on why the Nationalist government moved to a Bantustan policy and whether it was different from the reserves policy that preceded it.⁵ There is few detailed studies of an independent Bantustan, Roger Southall's study of the Transkei is significant for it analysis what independence in a Bantustan really meant and what its challenges were.⁶ The work of Les Switzer on the Ciskei is also helpful, as it helps with an understanding of the role of political parties, traditional authority and mass media in the politics of a homeland.⁷ In contrast, there are hardly any substantial studies of Bantustans in Namibia.

The thesis by Diescho on the Odendaal's specific reference to the Commission's findings, recommendations and implementation in respect of Kavango is helpful.⁸ He focuses on the political role played by the people of Kavango in the politics of Namibia and specifically during the implementation of the recommendations by the Odendaal Commission. The master critically places under the search light the Kavango ethnic group as a political actor in the politics of Namibia at that time.

An article by Kossler provides a history on local identity in the southern part of Namibia, it specifically looks into the various factors that led to the failure to turn former reserves into

³ B. Rogers, Divide and Rule (London: 1980)

⁴ L.Platzky and C. Walker, The Surplus People: Forced Removals in South Africa (Johannesburg: 1985)

⁵ F. Molteno 'The Historical Significance of the Bantustan Strategy', Social Dynamics, 3,2 (1997)

⁶ R. Southall, South Africa's Transkei (London:1982)

⁷ L. Switzer, Politics and Communication in the Ciskei, an African 'Homeland' in South Africa (Grahamstown: 1979)

⁸ J.B Diescho, 'A Critical Evaluation of the (Odendaal) Commission of Enquiry into South West Africa Affairs 1962-1963', with Specific reference to its Findings, Recommendations and Implentation in Respect of Kavango, a Juridico-Socio-Political Analysis (MA Dissertation, University of Fort Hare, 1983).

homelands in that part of the country.⁹ The study by Werner partially looks at the land question in Namibia, and how homeland allocation to the various ethnic groups came as a result of the reduction of the number of reserves, resulting in an increment to the overall sizes of the proposed homelands. Wolfgang argues that although this seemed to mean more land to the occupants of the homelands, these homelands inside the Police Zone were mostly deserts, semi-desert, making these homelands unsuitable for agricultural production.¹⁰

While there are a number of articles on the Bantustans in South West Africa, some of these are inaccessible due to unavailability or language barrier.¹¹ The South African state documentation on Kavango in Windhoek and Pretoria was also inaccessible.

Likuwa's mini-thesis on forced relocations in Kavango slightly deals with the Kavango Legislative Council and specifically point to how the South African colonial administration used the setting up of the Council to carry out its forced relocation plans of Sarusungu and Mangaranganda areas in the early 1970s. Likuwa argued that although the members of the Council rejected plans to relocate the people, the colonial administration still went ahead and carried out these forced relocations of the people.¹²

Totemeyer's book focuses on the implication of the introduction of the various Legislative Councils and the question of granting of power to the various ethnic groups, the role played by

⁹ R. Kossler, 'From Reserve to Homeland: Local Identities and Identities and South African Policy in Southern Africa', Journal of Southern African Studies, Volume 26, Number 3, September 2000, pp 448-462

¹⁰ W. Wolfgang, 'A brief history of Land Dispossession in Namibia', Journal of Southern African Studies, March 1993, Volume 19, Issue 1, pp.7-8.

¹¹ R.F. Rhode, 'Afternoons in Damaraland: Common land and common sense in one of Namibia's former homelands', (University of Edinburgh, Centre of African Studies), A. Gorodnov, 'Namibia: A hundred years of colonialism, a hundred years of fighting for freedom', Asia and Africa Today, (6 November-December 1983), pp.12,13,16, M. Vesper, 'Die Homelands in Namibia: Zur Funktion von Uberleben production', (Bielefeld University, 1982) and 'Bantustan 'homeland' in Namibia- a new servitude', ICJ Review, no.11, (Geneva, 1973) pp. 3-6,

¹² K.M. Likuwa, 'Rundu, Kavango: A Case Study of Forced Relocations in Namibia 1954 to 1972', (MA mini-thesis, University of the Western Cape, 2005)

the white man as the 'initiator' and the 'guardian'. He also looks further at the inclusion of the various traditional leaders in these Councils specifically in Owamboland. He argues that South Africa modified their roles reducing them to mere chief executive officers in the administration.

¹³ Although the book does not deal directly with the Kavango Legislative Council, it is interesting to note the position taken by the Owambo Traditional Authority led by Chief Uushona Shiimi in requesting the Republic of South Africa to grant them independence. In addition to this they requested that the United Nations stop interfering in their proposal for self rule.

D'Amato's article on the Bantustan Proposals for South-West Africa argued against the introduction of Bantustans for the black people on the basis of unfair method of consultation. The article posed the question that, if blacks in Namibia had a free choice to choose their land, would they have chosen the land that the Odendaal Commission set apart as homelands for the respective ethnic groups? He further argued that due to less awareness amongst the black people, the people failed to realize that they were being robbed of their land.¹⁴

This research study thus hopes to contribute to the small body of literature on Bantustans in Namibia. It draws on archival material, oral interviews and secondary sources. In terms of the archival materials, research was undertaken in the National Archives of Namibia, Windhoek and the National Archives of South Africa in Pretoria. In particular the proceedings of the Kavango Legislative Council were important. These revealed some of the crucial debates that council members engaged in between 1970 and 1979. While I accessed several sessions of the two

¹³ G. Totemeyer, *Namibia: Old and New*, (London: 1978)

¹⁴ A.A. D'Amato, 'The Bantustan Proposals for South-West Africa', *Journal of Modern African Studies*, Volume 4 (2) 1966, 177-93.

Kavango Legislative Councils,¹⁵ It was not possible to get a full record of the proceedings in particular the proceedings of the first, second, third and fifth session of the first Kavango Legislative Council and the fifth and seventh session of the second Kavango Legislative Council could not be located.

The South African Acts that governed the Bantustans in Namibia that set up and governed the different Legislative Councils in Namibia were consulted. In addition to these, the proclamations that facilitated and controlled the work of the Kavango Legislative Council were also consulted.¹⁶

Apart from the archival materials and the legislation listed above, this thesis drew on other official published documents. In this regard the Commission of Enquiry into South West Africa Affairs (South Africa, 1962-1963) report was very useful, as it served as the blue print that led to the establishment of the various homelands.¹⁷ This report was an important source as it gave an overview of the Bantustans in Namibia and specifically on Kavango homeland and the various traditional authorities.

¹⁵ See the following proceedings in the National Archives of Namibia, Windhoek, the proceedings of the fourth session of the first Kavango Legislative Council (February-March 1972), Proceedings of the Special session of the first Kavango Legislative Council (27-30 October 1972), Proceedings of the first session (31 October- 9 May 1973), second session (26 April-21 May 1974), third session(18 April-2 May 1975), fourth session (23 April- 13 May 1976), the extra session (27 January 1978), sixth session (21 April – 3 May 1978) and the eighth session (21-30 April 1980) of the second Kavango Legislative Council

¹⁶The Development of Self-Government for Native Nations in South West Africa, Act No. 54 of 1968, the Development of Self-government for the Native Nations in South West-Africa Amendment Act No. 20 of 1973, the Bantu Homelands Constitution Act No 21 of 1971, Proclamation No.196 of 1970: 'Kavango Legislative Council', Proclamation No. 197 of 1970: 'Rules of Procedures of the Kavango Legislative Council', Proclamation No. 198 of 1970: 'Kavango Legislative Council: Salaries and allowances of Members', (14 August 1970, Volume 62, No.2270), the Kavango Declaration of Self-governing area and Constitution of Legislative Council Proclamation No.115 of 1973, the National Library of Namibia, Windhoek.

¹⁷REF/E/8 'Report of the Commission of Enquiry into South West Africa Affairs, 1962-1963', (Pretoria, 1964), National Archives of Namibia, Windhoek.

Selected years of the local newspapers i.e. Kavangudi,¹⁸ Die Suidwester¹⁹ and the Namibia Today²⁰ were also consulted for this period. These print media provided an understanding of what issues of the Kavango Legislative Council were reported on and how these were perceived.

This thesis also drew on interviews with the former members of the Kavango Legislative Council, a secretary of the council, senior traditional leaders of the five tribal units of Kavango and a senior community member: Mutero Edward Sikerete, Senior Sambyu traditional leader, spokesperson of the Sambyu traditional authority and former administrative staff of the Kavango Legislative Council, Lorenz Kalipa Haupindi, Senior Mbunza traditional leader and the chairperson of the Kavango Legislative Council from 1975 to 1989, Rudolf Ngondo, Senior Kwangali traditional leader and former Kavango Legislative Council minister of Agriculture, Nathanael Sironko, former vice-chairman of the Kavango Legislative Council, and representative of uKwangali and the Lutheran church in the Kavango Legislative Council, Alfeus Hakusembe, former Councilor of the Kavango Legislative Council and member of the Mbunza royal family, Eliakim Munango, former secretary of the Kavango Legislative Council and Nestor Mufenda, a senior community member. Seven interviews were conducted in Nkarapamwe Black Township, Rundu, Safari Black Township, Mpungu, Kayengona and Katji-na-Katji. This research is qualitative. The interviews were conducted in the month of April 2007.

There were certain limitations towards the collection of information due to specific reasons, especially during the interviews in Kavango. One major challenge was lack of sufficient funds to allow extensive travelling to all parts of Kavango and conduct interview with all members of the

¹⁸ JX/0006, Kavangudi, No.5 December 1973, No.6 November 1974, No.1 January 1975, Special Edition April 1976, January-February 1979, March 1979, November 1982, National Archives of Namibia, Windhoek

¹⁹ K0001, Die Suidwester, 3 April-29 June 1973, National Library of Namibia, Windhoek

²⁰ TXX/1080, Namibia-Today, vol.2. No. 22-23, November-December 1968, National Library of Namibia, Windhoek.

former Kavango Legislative Council and the former traditional authorities who are still alive. Of those interviewed a very few were reluctant to engage critically with the question of the council being a colonial tool. The former Chief Minister Alfons Mayavero could not be interviewed as he was not feeling well at the time. One former council member and a member of one of the royal families could also not be interviewed as he was not present at his residence.

Three of the local chiefs agreed to grant an interview through the senior councillors or a tribal spokesperson. The three chiefs of the vaSambyu, vaMbunza and the vaKwangali delegated senior councillors or spokespersons as these senior councillors served on Kavango Legislative Council in the 1970 and as spokespersons of the tribe it was their task to grant interviews. The Mbukushu and Gciriku Tribal chiefs could not be interviewed due to the language barrier and the lack of sufficient funds made hiring a translator conversant in these two languages (thiMbukushu and ruGciriku) impossible. Although limited these interviews proved to be fruitful as they managed to give an insight on life outside the council for the councillor, especially in their roles as traditional law makers. In addition the interviews managed to shed light on the question of traditional authority and local governance before 1970. The fact that all the people interviewed were active participants in the Council helps this study to use their knowledge and compare their stories with the proceedings of the council, especially on issues that the council was silent on. Personal interaction with former law makers helped to provide another 'side of the story' on a more close and personal level.

This mini-thesis (apart from the introduction and the conclusion) is divided into four chapters, the first chapter is on the Kavango Traditional Structures. This chapter aims to explore the local traditional structure of decision making and authority of the people which the Kavango Legislative Council later replaced and modernised. This chapter looks at traditional authority in

Kavango before the arrival of the South African colonial administration. In doing so it helps to contribute towards an understanding of the differences and similarities between the traditional authorities and the Kavango Legislative Council. This chapter looks at the different roles of the chiefs in Kavango and how they governed the people.

The second chapter is Homelands in South Africa and South West Africa. The chapter looks at and documents the roots of South Africa's Homeland policy and how it was implemented in South West Africa.

The third chapter looks specifically at the Kavango Legislative Council and provides a brief background on the various Councils that were established in South West Africa and then moves specifically to the Kavango Legislative Council. The chapter looks at how the body was constituted dealing specifically with questions such as were members elected or appointed, were members from the traditional authorities or the new educated elite, and were there any women representation. The chapter also deals with the relationship between members of the Council and the five traditional authorities.

The fourth chapter is on selected debates and policies of the Kavango Legislative Council. The chapter starts off with a general overview of the motions passed in the Council and then specifically looks at the following topics (Kavango independence, Contract labour and Kavango identity) as discussed in the Council and what came out of these discussions. The chapter explores topics that the Council was silent about and aims to answer why these silences occurred. The chapter further investigates the extent to which parliamentarians used the chamber as a forum to challenge and oppose the South African colonial administration.

A concluding chapter looks at the issues picked up in the research study. It also considers the question of power, authority and legitimacy of the Kavango Legislative Council and the impact left by the council on the Kavango.

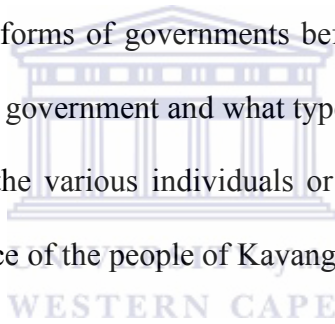


CHAPTER ONE

KAVANGO TRADITIONAL STRUCTURE BEFORE 1970

Introduction

In 1970, Kavango was declared a home-ruling territory as per stipulation in the Act 54 of 1968.¹ This was the first step towards the territory's self governance in 1973. This chapter looks at the form of government in Kavango before 1970 and that is before the introduction of the Kavango Legislative Council, which was tasked with the overall governing of the Kavango territory as from 1970. In doing so it helps to lay the foundation that leads to an understanding of the differences and similarities in the forms of governments before and after 1970. It looks at the organisation of political power and government and what type of leadership was exercised in the area. The chapter sheds light on the various individuals or groups that were put in place (or entitled) to foresee tribal governance of the people of Kavango.



South Africa's creation of the homogenous administrative areas for non whites in South West Africa after 1970s, including the Kavango, changed the local peoples' form of tribal governments. Provision was made in Proclamation No. R.196 of 1970, for the establishment of a Legislative Council for Kavango. This changed the existing five forms of tribal authorities significantly and the definition of local authority in South West Africa and especially in Kavango. The creation of a central political and administrative structure had a direct impact on tribal allegiance in Kavango.

¹ In 1962, The South African government appointed the Odendaal Commission to investigate the welfare of the South West African inhabitants. The Development of Self-Government for Native Nations in South West Africa Act No.54 of 1968 was based on the Commission's Recommendations and it set up the various Bantustans for the different 'native peoples' in South West Africa. The homelands were administered by Legislative Councils and all enactments and Acts passed by these Legislative Councils required the approval of the State President of South Africa.

This chapter gives a brief outline of Kavango's pre-colonial history and specifically how the five tribes known today as the Kavango tribes migrated to settle along the Kavango River. By looking at the local form of government before 1970, the chapter looks at the role played by tradition. Tradition is used to contextually refer to 'a set of practices and beliefs in society on which the traditional authority structure was based.'² This meaning relies heavily on the definition provided by Kabwete who defines tradition as 'the aggregate of customs, beliefs and practices that give continuity to a culture, civilisation or a social group which in turn shapes its views.'³

In this chapter I show that royal lineage was not enough to guarantee the assumption of chiefly power. It was mandatory for a chief to legitimise such power by demonstrating a sense of maturity, and the ability to be a provider of fertility and well being to his tribe. One way in doing this was by portraying himself as having power over rain. The process of appointment of chiefs was revealed through traditional guidelines transferred through oral history and if one failed to abide by these, he or she could be de-throned.

The Kavango people

Edward Sikerete, a senior Sambyu traditional leader and tribal spokesperson explains:

The Kavango were those that came firstly from Mashi and Makuzu of Muntenda in Zambia. It was those that ran away and migrated because of war or famine, they came here in Kavango and found the San speaking people and chased them away from their land, mainly because of the San's inability to defend their territory, so the Kavango took the land for themselves. It was the first five tribes that came to settle in this area first, known as Kavango.⁴

² M.C Kabwete, 'The Dynamic aspects of some traditional institutions in pre-colonial Rwanda', (MA, University of the Western Cape, 2002), p.14

³ Ibid.

⁴ Interview by Aaron Nambadi with M.E Sikerete M.E, Kayengona, Sambyu Tribal Office, Kavango, 3 April 2007

\vaKavango vantu ava vahovere kutunda koMashi noko Makuzu gaMuntenda mwina mo Zambia. Ava vatundire mwina morwa yita ndi nzara, va wize vaya gwane vaduni omu. Ano morwa kupira nonkondo kovaduni, yiyo vaya vagusire sirongo sikare sawo. Ano woowo marudi gatano ogo gahovere kuwiza, omu mo Kavango.\

According to oral sources the Kavango people were pastoralists who migrated from Mashi or Kwandu River a western tributary of Zambezi in Zambia. This, many sources, mainly attributed to the close association of the five Kavango tribes to the Lozi, Subiya and Shanjo tribes (currently living in the south western part of Zambia and the Caprivi region in the north eastern part of Namibia. Oral sources tell stories of hunters and great fishermen that left the far away lands of Makuzu, as Lorenz Haupindi a senior Mbunza traditional leader and member of the Kavango Legislative Council from 1973 to 1989 illustrates:

The vaMbunza are part of the vaKwangali. Long time ago the Queens separated, but they were all from Makuzu of Muntenda. They separated after leaving Makuzu it was there at that point that they started separating. In fact Queen Kapango and Queen Mate were siblings, the children of Muntenda...after a while queen Mate's children became great fishermen, but they did not share their catch with queen Kapango's followers. Later during the migration, queen Kapango's followers stumbled upon herds of cattle. Realising this queen Mate's followers asked 'please give us some of your cattle?' but the request was rejected. Quarrels and disagreements followed which led to the separation of the two queens and their followers. Queen Mate's followers settled east whilst queen Kapango's followers settling in the west. This is how they migrated until they all crossed the Kavango River.⁵

\vaMbunza vene-vene vaKwangali. Nare-nare kwali gaunukire ohompa ano navenye kwa kere ko Makuzu ga Muntenda. Ano apa vatunda ko koMakuzu, kooko yiko vali gaunaukira. Kapango na Mate kwa kere vantu na mukurwendi navenenye vana va Muntenda...ano konyima vana va Mate ngava dipaga unene nomfi ano eyi ngava dipaga ngoso nomfi awo kapi ngava peko vakwawo. Ano konyima vezimo lya Kapango ka Mukuve tava tora nongombe. Makura ovena vana va Mate asi 'tupeni ko nongombe' ano vena yipo va nyokere nawo. Nomutangu yipo da varekere, makura asi 'hasa tuli gaunuke' ano yipo nye vali gaunukire. Vezimo lya Mate yiyo ya wogere upumezuvha, ano vezimo lya Kapango yiyo va wogere utokero. Yimo nye vagenda dogoro tava ya rutu mukuro gwa Kavango.\

⁵ Interview by Aaron Nambadi with L.K.T Haupindi, Safari, Rundu, 4 April 2007.

Kavango societies were created through the merging of distinct migratory Bantu speaking groups with local populations over a long span of time. According to Sikerete, the aggregation of members of different clans into a common society took place through mixing among people occupying a certain area along the river. Gradually, too, linguistic cohesion developed, distinguishing one group from another and forming the five tribes. He argued that the people were all the same it was just disagreements in the way of life that brought about the division and therefore leading to the establishment of the tribal units, the vaMbunza and vaKwangali. These disagreements had direct consequences in the position of the tribes along the Kavango River and their exact location in northern part of South West Africa. The vaMbunza are now positioned between the vaSambyu and the vaKwangali and the vaKwangali occupy the western part of the Kavango Region.

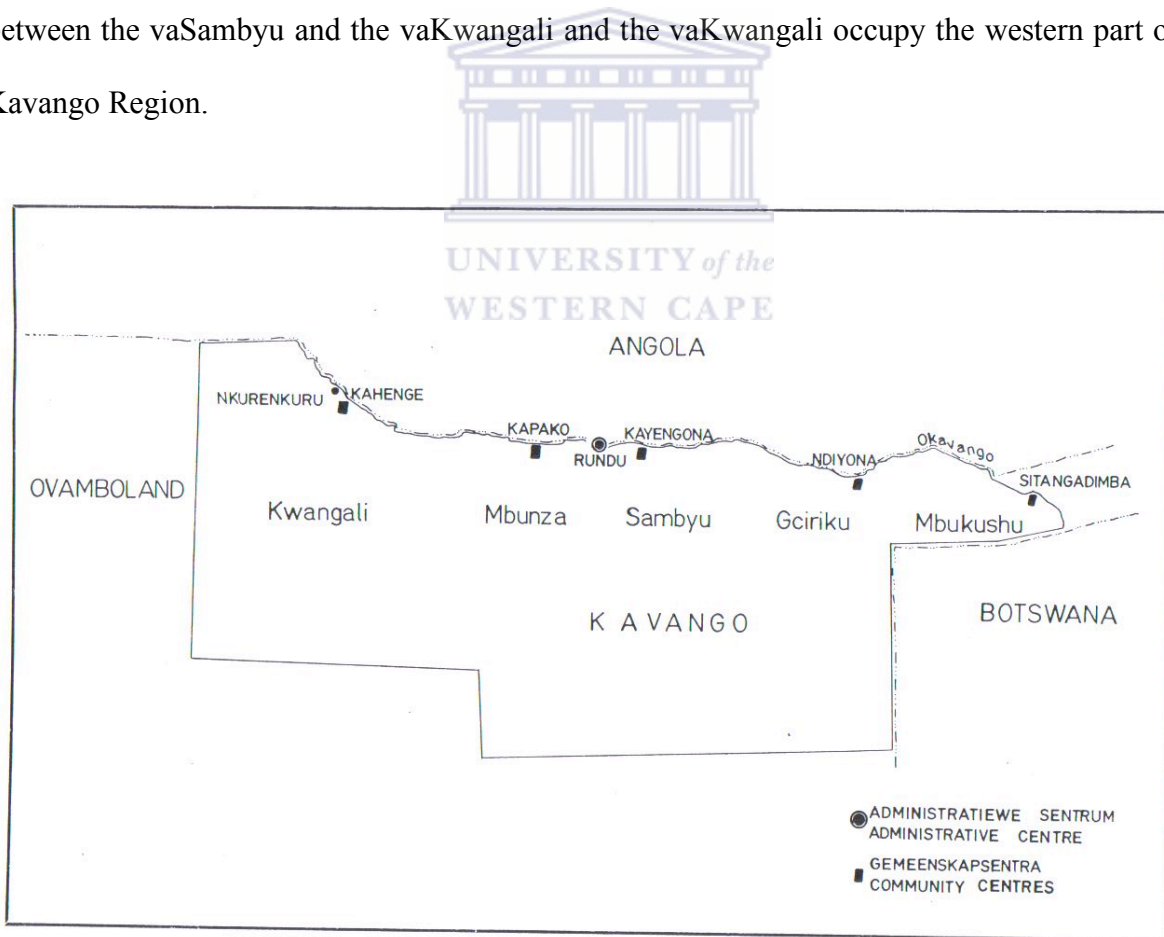


Figure 1: The Map of Kavango (Source: D. Page, n Raamwerk vir Ontwikkeling van Kavango, vol.2, Atlas, University of Stellenbosch, 1980),p.26

The Kavango people comprised of five tribes: The vaKwangali, vaMbunza, vaSambyu (aka haShambyu), vaGciriku and vaMbukuhu (aka haMbukushu).⁶ They lived along side the Kavango River, a River that stretches for about five hundred kilometres from west to east.⁷ The borders between the tribal units were sanctified and marked by diviners, but some times, with the increasing population they expanded. Gordon indicates that there are four dialects in Kavango: ruSambyu, ruGciriku (collectively referred to as ruManyo), ruKwangali, and thiMbukushu.⁸ The fifth dialect *ruMbunza* (which was closely associated with ruKwangali) is distinct. Some of the Kavango dialects are closely related whilst others differ slightly, for example the Gciriku and Kwangali languages are not so much mutually comprehensible and thiMbukushu is different from the other three, though it has some words in common with the former three.⁹

Kavango is also the name of the river on which these five tribes draw their livelihood by fishing.

The river was a source of food for many years as Likuwa explains:¹⁰

To be a Kavango is to be a riverside people. Kavango is the name, which means ‘small place’ which was given by the local people to the place in which the river was found and from which the river came to acquire its name. The people in turn came to identify themselves with the land within which the river was found but with the river itself. They became to be known as vaKavango, meaning those who belong to Kavango, the river.

⁶ As from the late sixties and early seventies, the regional population started to increase tremendously mainly because of the arrival of refugees from neighbouring Angola. The war between the National Union for the Total Independence of Angola (UNITA), the Popular Movement for the Liberation of Angola (MPLA) and the National Front for the Liberation of Angola had a direct influence on the population composition of the region.

⁷ The section of the river that is dealt here is the one which extends from about 17° 18’S, 18° 21’E upstream to about 18° 51’S, 22°17’E downstream, see D. G, Gordon, et al, *The Kavango Peoples* (Franz Steiner Verlag, Wiesbaden, 1981) p. 22

⁸ Ibid, p.18

⁹ Ibid

¹⁰ Likuwa, ‘Rundu, Kavango: A Case Study of Forced Relocation in Namibia’,p.50

The river provided the Kavango people with food which they used to supplement with the diet that they got from a combination of horticulture, animal husbandry and the collection of wild fruits.

European mapmakers divided the territory into two during the Berlin conference in 1884-5. The community of Kavango who initially lived on both sides of the river got separated into two units by both the Portuguese administering Angola and German administration in South West Africa, making those that stayed on the northern side of the Kavango river non-Namibians, and those on the southern side of the Kavango River, German South West Africans. The issue of the boundaries of German South West Africa and Portuguese Angola were then formalised cutting across existing patterns of settlement.¹¹ The German land policy demarcated German South West Africa into the native reserves with the aim to acquire land and to fragment indigenous opposition to colonial rule. After 1903, most of the land was divided among main traditional communities Herero, Bethanie Hottentonts, Veldschoendragers, Zwartboois, Bondelswarts and many others. This was mainly in the central and southern part of the country. Although Kavango was part of the protectorate which Germany had occupied since 1884, there was hardly any direct administrative control over the territory. Eckl argued that Kavangoland was inaccessible mainly due to two reasons:

Kavango region was quite a remote area. A journey to Kavango was difficult and dangerous (at that time). A particular problem was the crossing of the *Durststreke* (literary, the stretch of thirst), a section about 160 kilometres of mostly deep sand with no permanent water-holes. During the rainy season the sodden terrain became impassable and the depredations of the malaria carrying anopheles mosquito were an additional risk. The dry

¹¹ Namibia the Facts, (International Defence and Aid Fund for Southern Africa: London,1989),p.10 for another example of how a Namibian community was affected by the Berlin conference and subsequently divided by the Portuguese and German boundary see N. Shiweda, 'Mandume ya Ndemufayo's Memorials in Namibia and Angola' (MA thesis, University of the Western Cape, 2005), pp.18-32

season confronted travellers with an even greater problem, the absence of water. Second, there were relatively few natives living along the Kavango banks.¹²

German colonial administration was only channelled later through the missionaries who managed to set up missionaries in the region.¹³ German colonial activities in the Kavango was very much limited and this was demonstrated by the fact that they only managed to establish one police post at Nkurenkuru in the early 1900s. Whether this was due to lack of interest by the German administration, a way of avoiding military conflicts with the Portuguese colonial administration (who were on the northern side of the Kavango River), bad weather, bad routes or a low population is debatable, but in the end the German colonial administration did not interfere with the Kavango traditional authorities which allowed the old tribal authorities to remain unimpaired.

Kavango traditional authority structure



Colonial intervention in the hereditary principles of appointment of traditional leader such as chiefs and the dynamic nature of tradition raises two questions: who were traditional leaders and how traditional were they? In answering this question two approaches are embarked upon, one: the basis of the traditional leaders' authority, meaning the authority given to these said leaders and two: their functions in the society, Keulder explains:¹⁴

Traditional leaders/rulers or tribal leaders are individuals occupying communal political leadership sanctified by cultural morals and values, and enjoying the legitimacy of particular communities to direct their affairs ...their basis of legitimacy is, therefore, tradition, which includes the whole range of inherited culture and way of life; a people's history, moral and social values and the traditional institutions which survive those

¹² A. Eckl, 'Confrontation and co-operation in the Kavango region from 1891 to 1921' (PhD Thesis , Institut fur Afrikanistik, KOLN) p.15

¹³ The first two Roman Catholic missions were established in 1910 and 1913 at Nyangana and Andara respectively. On the activities of the Roman Catholic Missionaries in Kavango see Eckl, 'Confrontation and co-operation in the Kavango', pp.9-41

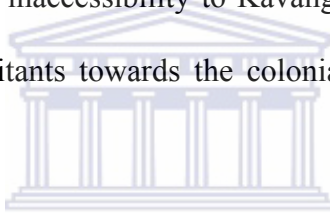
¹⁴ C. Keulder, Traditional leaders and Local Government in Africa: Lessons for Southern Africa (HSRC, Pretoria, 1998), pp 21-22.

values. Traditional ruler can also refer to a person who by virtue of his ancestry occupies the throne or stool of an area and/or who has been appointed to it in accordance with the customs and tradition of the area and has traditional authority over the people of that area or any other person appointed by the instrument and order of the government to exercise traditional authority over an area or a tribe in the State recognised as such by the government of a State.

Chiefs in Kavango were never government appointees before or even after the colonial occupation of Kavango (both during German and South African occupation). Instead the occupation of a throne by an individual was based on traditional customs and tradition of their individual tribes.

During the German colonial administration of South West Africa, Kavango traditional authorities were not altered due to inaccessibility to Kavango caused by bad road, thick forest, and hostile relations by the inhabitants towards the colonial administration and lack of time.

Budack points out:



Between the end of May and the beginning of July 1902, Oberleutnant Volkmann undertook a reconnaissance expedition to the Kavango. This expedition led from Grootfontein via Tsintsabis and the upper courses of the Lion and Ombungu Omiramba to the kraal of the Kwangali chief Himarua, who was then living on the opposite bank of the river. A path to the Kavango had to be cut through the dense bush with aid of some Bushman. Oberleutnant Volkmann succeeded in establishing friendly relations with the chiefs Himarua and Hausiko... Apart from the establishment of friendly relations, the most important result of this expedition was an official report including detailed geographical and ethnological information.¹⁵

According to both Budack and Eckl, the German colonial authority only managed to reach Kavango towards the beginning of 1900s and by the time they started to establish themselves in the area, the German colonial era came to an end and South Africa took over the administration of the territory. Inaccessibility to Kavango and specifically to the Kavango chiefs, some who were based on the opposite, Portuguese, bank of the Kavango River was

¹⁵ Budack, 'The Kavango', p.32

also another hindering factor¹⁶ Budack argued that ‘the discovery of the Kavango area by Europeans took place quite late. One of the reasons for this was the extensive stretch of waterless country, isolating the Kavango from the rest of South West Africa’¹⁷ and therefore ‘a journey to Kavango was difficult and dangerous’¹⁸

Before South Africa’s colonial administration, authority in Kavango mainly rested with the five hereditary chiefs of the five tribal units. It can be deduced that the issue of chieftainship was left to tradition, custom, oral history and those mandated by tradition for the maintenance and continuation of that particular tribal unit’s tradition. Tradition ensured the traditional preservation of traditional identity. According to Sikerete, during the pre-colonial times, the five tribes relied on tradition to continue and facilitate continuity at the same time paving way for change. This has now (after independence) changed, as each tribal unit is required by government to write up its traditional laws.¹⁹ Tradition was therefore aimed to facilitate the understanding that these traditional leadership structures were set up under the guidance of the accumulated beliefs, customs and practices of the tribal units that collectively moulded the Kavango identity. It gave authority to those entrusted to lead their people to exercise morale and social political authority and the ‘maintenance of civic order and social order’ and to those being led, a mandate to be led and to see that there is consistency in the political system.²⁰

The notion of Uhompa or Fumu (chieftainship) in Kavango was deeply embedded in tradition as it mainly dealt with the following main components of the tribal unit: The executive, political,

¹⁶ Ibid, pp.31-33 and Eckl ‘Confrontation and co-operation in the Kavango’, pp.14-28.

¹⁷ Budack, ‘The Kavango’, p.30.

¹⁸ Eckl ‘Confrontation and co-operation in the Kavango’, p.15

¹⁹ Sikerete, 3 April 2007

²⁰ Ntsebeza, Democracy Compromised, p. 25

religious, military, judicial, and legislative and the general administration of the tribe.²¹ As the judicial leader for example, the chief was the judicial head of the judicial tribal system, there was no one above the hompa and his decision was considered final and unchallengeable. Decisions or judgements passed at the lower tribal courts headed by different Masimbi gomukunda (village councillors) required the chief's knowledge and some decisions could not materialise without the endorsement of the chief whilst other decisions (considered minor) could just be effected by the lower courts and only required the chief's knowledge.²² The Fumu was the supreme judge and as such all major and serious disputes or contravention of the traditional law had to be attended by him²³. The Chief had the ultimate authority to decide on serious cases, but this decision sometimes required the approval of his Ndango zo Masimbi (traditional council). The chief had the power to impose a fine, which according to Gordon was divided between the victim (and/or his family), and the chief.²⁴ The part paid to the chief was mainly given back to the tribe during times of famine or traditional festivals. Sometimes minor cases were punishable by ordering the offender to do community work or simply working at the chief's court or agricultural field.

Since fines were not fixed and mainly depended on the crime committed, the chief could decide to impose a fine or simply order the perpetrator to be given lashes.²⁵ Lashes were commonly given to the perpetrator, if the order of the chief or village councillor was openly defied or when the perpetrator failed to settle a fine.

²¹ The two languages i.e., ruManyo and ruKwangali refer to the chief as Hompa, while the haMbukushu refer to their traditional leader as Fumu. These two terminologies might therefore be used interchangeably in this study.

²² In each tribe, there were various Masimbi gomukunda (depending on the size of the tribe) who assisted the chief with maintenance of order at the local level

²³ The traditional laws were based on tribal custom, taboo and some additional laws decreed by the chief and his advisory council.

²⁴ Gordon et al, The Kavango Peoples, p. 144

²⁵ Fines were not fixed but rather depended on the specific crime, tradition, custom, the time and the circumstances surrounding the crime.

‘Hompa yige a pangera’ meaning ‘the Chief ruled’ and as such he was entitled to govern, rule, control and administer the tribe. The chief was traditionally tasked to ensure the continual existence of the people of his tribe. The chief had authority over all residents that resided in his tribal traditional boundary, he was the overall controller of the land, therefore giving insight on the term ‘Hompa go sirongo’ (the chief of the land). Although the chief was the head of the tribe and the land, the land was communal, but he was tasked to foresee the overall control and usage of the land by the residents. The chief regulated the distribution and the use of the tribal land on behalf of the entire tribe, which was done after recommendation from the village councillors. The chief allocated the land to Nturagumbo (kraal head), the latter required access to natural resources on the commonage, for instance grazing and game land. Any person allocated land did not have any right to sell or hire out the land, but it was only for family use. The land could however be transferred through inheritance to someone else in the family, for example, in case of the death of the kraal head, his elder son was entitled to inherit the land for the continuous use by the family.²⁶

It is clear that in Kavango, the chief had unlimited power over land, but like in most of the African communities, the traditional council’s consultation was also important, as Hugh points out:

The chief had the authority to terminate the individuals’ right to land according to customary law. If the chief terminated the right to land, in consultation with the council, the chief had the responsibility to give land to the family elsewhere, if that land which was needed for public purpose....land could also be taken away if the land holder committed a serious offence, that land could be taken away after the chief had consulted with his council and the decision was in line with customary laws.²⁷

²⁶ Gordon et al, *The Kavango Peoples*, p. 101

²⁷B.A, Hugh, ‘Traditional Leadership in South Africa’, (MBA thesis, University of the Western Cape, 2004), p.56

The subjects were in return expected to respect and abide by the chief's authority. One thing is however certain, land allocation was one of the contributing factors to the legitimacy and respect of the African chiefs.²⁸

As a religious leader, the chief was considered to be in direct connection with the tribal ancestors. It was believed that the chief had powers to make contact with the dead and the Gods especially a good example was for the provision of good rains which resulted in good harvests for their people.²⁹ The chief was considered by many a product of God, a person sent by God to lead. A Kavango saying 'Uhompa siturapo sa Karunga a pitisire vakwawo' (Chieftainship is God set up to lead others) best describes the connection between God and the authority vested in the chief to lead.³⁰ The dependence on rain for human survival and the well-being of crops and cattle was a prominent aspect of pre-colonial Kavango realities. Although, they settled along the river, rainfall was a matter of life and death. The chief and village councillors had specific liabilities not only towards their subjects, but also towards the dead. The luck and ill-luck of the tribe was considered to be in their 'hands' and they were accountable for all happenings, good or bad. The connection between the people, ancestors and God were the tasks of the chief, something that was sometimes demonstrated during times of droughts. The people looked upon the chief who was expected to make spiritual connections with the ancestors for the provision of good rains. Oral sources indicated that, although all the chiefs were responsible for the provision of rains for their individual tribes, the haMbukushu tribal unit chiefs were well known for the provision of good rains in the entire Kavango and especially in times of drought, the other four chiefs and

²⁸ Ntsebeza, Democracy Compromised, p.128

²⁹ Gordon et al, The Kavango Peoples, p.258.

³⁰ Sikerete, 3 April 2007

even other tribes in the region would send gifts or payments to the haMbukushu chief (also known as the rainmaker-chief) and ask him to make sacrifices to God for the rain.³¹

To become chief it was a must that one should be of the royal clan. The five Kavango tribal units followed the matrilineal rule in the appointment of their traditional leaders. This then meant that the proposed candidate was to be a member of the royal clan of the chief's mother. Men were usually preferred to women (this was one of the reasons that brothers of the reigning chiefs were usually highly regarded in society). However, there were instances of female leaders in Kavango, amongst the prominent examples are Queen Angeline Matumbo Libebe (vaSambyu), Queen Maria Mwendere (vaSambyu) and Queen Kanuni (vaKwangali). The chief was not appointed by the royal family, but by the tribe, represented by all vakurona (elderly people) and or the Masimbi (traditional council) whose members were expected to give their opinion on the appointment of a leader. In the vaKwangali for example the royal clan was known as vaKwasipika (the Hyena clan), as a senior Kwangali traditional leader and former Kavango Legislative Council Minister of Agriculture, Rudolf Ngondo explains:³²

The chief is usually the one given the throne, but he or she should be from the royal family. The royal family was in the (uKwangali) tribe referred to as the Hyena clan, but the Hyena clan was divided into two smaller clans, there were those who would never become chiefs (mainly due to their paternal blood), known as the slave hyena clan and those who were entitled to become chiefs due to their maternal blood relation. It was from the royal Hyena clan (those that were entitled to the throne) that a tribal leader was taken from.

\\Hompagogwinaava pe sipundi soUhompag, nye age akare nye gezimo olyo ava tumbura asi lyouhompag. Ano ezimo lyoUhompag yiyo nye lya kara ngesig (mouKwangalig) ezimo lyoUhompag awo kuva tumbura asi vaKwasipikag, ano nampilig moomu yakarag nye asig

³¹ Gordon et al, *The Kavango Peoples*, p.259.

³² Interview by Aaron Nambadi with Rudolf Ngondo, Katji-na-Katji, Kavango, 6 April 2007, On Kavango clans and subclans see Romanus Kampungu 'Okavango Marriages Customs Investigated in the Light of Ecclesiastical Legislation.' (PhD Thesis, Pontificia Universitas Urbaniana de Porpaganda Fide, 1965), p. 454. Dr. Romanus Kampungu was a Roman Catholic priest in Kavango, and was the first Chairman of the first Kavango Legislative Council until his death in 1975

vaKwasipika, vaKwasipika nawo yiyo va kara pavali. Mukwasipika gomusigona ano nova Kwasipika vezimo lyoUhomba. Ano owo ava tumbura nye asi vaKwasipika vezimo lyoUhomba, nkenye apa yimo nye amu tundu ogu nakara mupangeli sirongo\

It is clear here that maternity and paternity of the members of the royal clan was a determining factor, as those who had paternal relation with the chief could never become chiefs. But at the same time while it was accepted that the chief was to come from the royal family, there were also other aspects to the Kavango chieftaincy such as wealth, the ability to lead or defend the people during war and the ability to provide food, Sikerete explains:

A person could be selected, to be a leader, he can later be referred to as chief, and some time due to the fact that he is a great hunter and his hunting fed the people during famines, he could be elected to be their chief, simply because he could bring food (meat), sometimes even when he was not a chief. A great warrior he was therefore respected in this regard and his fighting skills always brought victory, the saviour of the nation and a leading figure at the battle grounds; he could later be made chief because of his skills. Or sometimes wealthy persons with a lot of cattle and horses and every one worked for him. If one looks at where we came from, they were not referred to as chiefs, but ordinary leading figures people who drew great respect from the society, but because they had led the people until they arrive here (Kavango), upon arrival they were definitely made chiefs, because he has led the people until they arrival. If we take Kapinga and Nyumba, these were the first Sambyu chiefs here, they were just an uncle and a nephew who once lived in chief Liwaneka's land, Liwaneka was the chief were they all came from.³³

\muntu kuvhura vamu hororowore, akare mpitisili zawo, taka kara tava kamutumbura asi hompa, morwa mukongo, musani gomunene taparura vantu moruteni rwa kapita, tava ka muhorowora aka kare mpitisili gawo, morwa age mukongo kudipaga nyama, mpamwe nampili kapisi hompa gakere. Ndi pamwe murwi unene moyita vana muhuguvara vana muhuguvara vana fundu vakwawo, yige ana popere rudi rwendi, mpitisili sawo moyita, tava kamuninka asi hompa. Ndi pamwe si nongawo hena, gaweka unene nongombe nononkambe makura navenye kurugana kwendi. Morwa sene tu tara okwina vatundilire kwina, kapi ngava tumbura asi vahompa, kwa kere tupu vantu vena va kere nekuto nono mpitisili dovantu, ano mokuwiza nye omu ta gendesa sigendo dogoro siya sike oku, poku wiza nye omu kutupu hena ogo nava tamangera, ntudi googo gava reta omu, ogu gava gendesa. Morwa sene tutarurura Kapinga yige hompa goku hoverera omu moSambyu na Nyumba, awo kwa kere vantu na hekurwendi, mara sinene otaru-rura kwina vatundire, mosirongo sa Liwaneka vatundire, Liwaneka yige gakere Hompa mwina\

This explanation provides an interesting observation. It gives a hint that, chieftainship was not something that a person was born with or simply the fact that one was from the maternal royal

³³ Sikerete, 3 April 2007

hyena clan, but that there were other factors that were taken into consideration by the reigning chief and his council before a person was made chief. Fortunately in the Kavango, there has never been a case where a chief was appointed by the state. But one ought to ask, what if one then used his connection or relationship to the state or the colonial administration to gain access to wealth therefore making himself wealthy putting himself in a better position to get access to the throne, as compared to his competitors to the throne? Could one then argue that tradition was open to failure in this case, as there was a possibility that this person put himself in a better position than the others? Sikerete argued that wealth although in this case a factor, it was not the only factor. The person was required to demonstrate other leadership skills.³⁴

The traditional authority structure of the five tribal units was organised to represent the various ethnic groups' organisation from the top to the bottom. The Masimbikurona (ruKwangali), Matimbi (ruManyo) and Mayami (thiMbukushu) served on the traditional councils and the tribal advisory council. The Masimbikurona were elected separately by the tribe and they were administrative heads of the tribes. Some of the Masimbikurona served as the tribe's specialists in certain fields such as medicine, land and the law. Initially the Masimbikurona were genealogical seniors and clan heads, and some were chosen from the chiefs' (in respect of older chiefs) age mates, people with whom he knew well and could trust. The chief also inherited some of the Masimbikurona from his predecessors, but as time passed, Masimbikurona could also be chosen because of their knowledge, good sense, leadership skills and wisdom. Romanus Kampungu argued, to become esimbi one needed to fulfil the following requirements:³⁵

- a) Mukurona: An adult, married with children, as opposed to a munona

³⁴ Ibid

³⁵ See NAN, F002-NAR 1/1/55 'Universal Suffrage for Kavango' by Romanus Kampungu, (National Archives of Namibia, Windhoek).

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|------------------------|---------------------------------------|
| | i.e. a younger person |
| b) Nondunge, Ukonentu: | Wisdom, knowledgeable and experienced |
| c) Unongo: | Goodness |
| d) Nomukaro donongwa: | Good behaviours |
| e) Efumano: | Fame, good name in the community |
| f) Kapi si Murudipagi: | No Murderer |
| g) Ungawo: | Richness or Wealth |
| h) Nturagumbo: | Home owner, Kraalhead, |
| i) Kapi si Murodi: | Not a Sorcerer |

These were highly regarded in their communities because of their roles in assisting the chief in matters such as conflict resolution and decision making. Some of the Masimbikurona were also selected by the chief and the traditional council from the South African government appointees, the vaForomani (Headmen). These were, according to the Native Administration Proclamation, 15 of 1928.

Persons appointed by the administrator to control a minor tribe or location under the direction of the Native Commissioner, but shall not include persons commonly called headmen or indunas appointed by chiefs to assist in the administration of the tribes.³⁶

However this did not mean that every Foromani (Headman) or Esimbi lyomukunda (village headman) could become Esimbikurona (senior councillor).³⁷ The notion of headmen brought about a different aspect to the question of traditional authorities. As colonial agents, the headmen, under the direction of the colonial administrator were regarded as a threat to traditional established institutions or organs. It was seen as a way of taking away authority from those that were traditionally elected to assist the local chiefs in the execution of their duties. As financial compensated colonial agents, the vaForomani destabilised the Masimbi gomonomukunda (village headmen).

During conflict resolution the council (which comprised of all the Masimbikurona) and the chief relied heavily on history of the tribe, wisdom, experience, tradition and customs, it was from the

³⁶ H, Patemann 'Traditional Authorities in Process: Tradition, colonial distortion and re-appropriation within the secular democratic and unitary state of Namibia', Report (Windhoek: CASS, 2001), p.24

³⁷ Esimbikurona (singular) and Masimbikurona (plural)

past experience and history that the traditional council's decision was based. The Masimbikurona were more than mere bureaucrats and politicians according to Williams:

[T]he (traditional) council serves as the judicial, advisory and legislative body in the kingdom; it meets under the chairmanship of the king, at set times and also in emergency cases like during a war situation. All decisions of the council are kept secret.³⁸

The traditional council (comprising of all Masimbikurona) in consultation with the reigning chief, elected the head of the council or chief councillor, who was equivalent to a Prime Minister, who then became the chief's right hand man, Erenga (ruKwangali) or Katapa (thiMbukushu).

The chief councillor served as the tribe's main adviser, chiefs' representative, chief's spoke person, acting chief (during the chiefs' absence), the chief presiding officer and the tribal unit warriors' commanding officer.³⁹

Esimbikurona had great deal of power. He was closer to the chief. According to oral tradition, he was also vulnerable and subject to ritual death when his master died, he was buried along with the chief, 'Hompa kapi ava mu vumbike gelike' (the chief was never buried alone).⁴⁰ The chief councillor could execute some of the judicial and executive powers in the absence of the chief. Esimbikurona was also tasked with the immediate transmission of orders and information from the chief to the various villages, and as such he was the person to speak to first when one needed audience with the chief. All-in-all, the chief councillor's mandate was highly regarded in society.

³⁸ F. William, Pre-colonial Communities of South-western Africa: A History of Owambo Kingdoms 1600-1920 (National Archives, Windhoek, 1991),p.106

³⁹ Sikerete, 3 April 2007

⁴⁰Gordon et al The Kavango Peoples, p.92

Conclusion

After the South African colonial administration of South Africa in 1915, the politics of traditional authority was affected. The colonial administration introduced the Foromani, who were appointed and paid by the colonial administration. This chapter has also indicated that, although before 1970, the administration did not directly interfere with the local form of government for the local people, the introduction of the Foromani system created some confusion and competition with the traditional authorities and specifically the Masimbikurona.⁴¹ The introduction of the 'vaForomani system' Mbambo argues that 'some of the traditional elders lost their villages and positions in society.'⁴² As colonial agents, the vaForomani became salaried colonial representatives and this counteracted against the traditional and chief appointees, the Masimbi gomonomukunda, but Budack argued that 'although the Foromani system is regarded as a colonial initiative, it has become an integral part of the political structure of the Kavango people.'⁴³

This chapter gave a brief outline of Kavango's pre-colonial history and specifically how the five tribes known today as the Kavango tribes migrated to settle along the Kavango River. By looking at the local form of government before 1970, the chapter looked at the role played by tradition in shaping the local traditional authorities. The chapter has demonstrated that royal lineage was not enough to guarantee the assumption of chiefly power. Instead it has indicated that for a chief to legitimise such power he had to demonstrate a sense of maturity, and the ability to be a provider of fertility and well being to his tribe. The chiefs and other traditional leader's appointments was scrutinised using set up traditional guidelines. These traditional

⁴¹ G. Totemeyer, Namibia Old and New: Traditional and Modern Leaders in Ovamboland (C.Hurst and Co Publishers, London, 1978),p.54

⁴² Mbambo Heal with God, p.90

⁴³ Budack 'The Kavango', p.40.

guidelines were transferred through oral history. This chapter has indicated that if one failed to abide by these, the person could never be made Chief.

The question whether the five Kavango tribes were created as colonial administration units or whether colonialism re-organised the local tribes, as argued by Mamdani is difficult to evaluate at this stage,⁴⁴ because as observed and mainly due to oral sources, there was hardly any evidence indicating that there was ever a government appointed Chief in Kavango. As indicated by the chapter, the remoteness, inaccessibility of the Kavango area made German colonization of the Kavango tribal authorities difficult and when the German colonial authority managed to reach the area, they were defeated by the British troops and therefore South Africa took over the territory. When both the colonial administration reached Kavango, the different tribes were already clearly divided into the five Kavango tribes and under the chieftainship of the five hereditary chiefs. This chapter looked at the local form of tradition in Kavango, how it operated and on what it was based. The chapter looked at the different layers in the local political governance of the five tribes. One aspect it focused on was how the people who were the chief's representatives at the village level (Masimbi gomonomukunda).

This chapter demonstrated the different political layers of the Kavango traditional authority of the five ethnic groups. By engaging at these structures in this way, the chapter helped to demonstrate that authority was not purely based on the chief (who was the judicial, administrative and executive head of each tribe), but instead on the various elected people, people who served on different traditional bodies at different levels. This however, does not overlook the fact that the chief, as the head of the tribe had the final power and say in (almost) all the matters, but instead it helps to demonstrate that local governance was exercised at different

⁴⁴ M. Mamdani, Citizen and Subject: Contemporary Africa and the legacy of late colonialism (Princeton University Press: New Jersey, 1996), pp. 80-90

community levels. It was these levels that could assist the chief in the running of the traditional affairs. The chapter also looked at the different roles by the Masimbikurona and Masimbigomonukunda as symbolic and traditional extension of the chiefs' administrative and political duties at the local level.

The chapter has shed light on the authority of the chief and the role played by traditions and customs in the preservation of the collective identity of the Kavango people and that of the individual five Kavango tribes. Tradition provided continuity, preservation of identity and compensation for the different people entrusted with traditional leadership. For example, this chapter has demonstrated that by sharing the fine paid by the perpetrator, with the victim, the chief was compensated for his work in society. And the chief in return was expected to use the portion of the payment to feed his people in times of drought, famine and traditional festivities. Tradition made way for local governance of the people at various levels and mainly in the areas of land allocation, defence and security, peace and order, customary law and appointment of local leadership structures. The chapter helps to demonstrate that the chief was put into that leadership position to provide links with the ancestor and God, something that had an effect on the prosperity of the tribe.

The next chapter looks at the homelands and how they were created in South Africa and later transferred to South West Africa. It looks at the dynamics and the different factors that led to the establishment of the Bantustans and the legislation thereof.

CHAPTER TWO

HOMELANDS IN SOUTH AFRICA AND SOUTH WEST AFRICA

Introduction

This chapter seeks an understanding of the Homeland policy as it evolved in South Africa between the 1950s and the 1970s. This is vital to understand its extension into South West Africa in the period 1970 to 1980. The victory of the National Party in South Africa in 1948 led to the introduction of the homeland policy which had as its core the separation of Africans from non-African on ethnic lines. The chapter looks at the dynamics of the National Party's election victory in relation to the political and economical situation in South Africa and how after the victory, the National Party changed the reserves and initiated the Bantustan policy.

The final part of this chapter aims to give an insight into the introduction of the Bantustan in South West Africa. It begins by briefly covering the political evolution of South West Africa, after it was given to South Africa to administer as a mandate. It then moves how the Bantustans were introduced in Kavango and looks at the people's perception of the developments. It tries to answer the question as to whether the Bantustan system was forced on the Kavango or was it requested or was it a bit of both.

Apartheid and the Homeland Policy

A Bantustan or homeland was a territory set aside for black inhabitants of South Africa and South West Africa (now Namibia) as part of the policy of Apartheid. These territories were established for the purpose of concentrating members of designated ethnic groups, making each one of these territories ethnically homogenous as the basis for creating autonomous nation states for the different black ethnic groups. After the National Party election in 1948, South Africa's political playing field was changed and this saw new measures introduced by the elected government. This period experienced major changes in legislation to facilitate the question of land, political control, forced removal, segregation and economic control.

After 1950, the Nationalist government started with strategies and legislation aimed to suppress the mobilisation of the black opposition that was placing white political power and South African economic growth at risk. The government implemented measures to control and destroy African unity.

The following legislations legislation put in place helped to achieve just that. The Group Areas Act of 1950 ensured that the different racial residential areas were easy to control and seal off in case of a riot eruption or a boycott.¹ The Act extended the principle of separate racial residential areas on a comprehensive and compulsory basis and it was mainly aimed at the residential areas in the urban areas of South Africa. The different racial groups such as the Indians, Coloureds and Africans were forcefully removed or relocated from certain areas and whites in particular the Afrikaner working class became the chief beneficiaries. The Group Areas Act was supplemented by the Reservation of Separate Amenities Act of 1953, which enforced social and ethnic segregation in all public amenities, such as transport, cinemas, restaurants and sport facilities.

¹ Unterhalter, Forced Removal, p.12

The Preventing of Illegal squatting Act of 1951 ‘aimed at rooting out people living ‘illegally’ in towns and to destroy their precarious hold on an urban livelihood’² aimed to restrict African urbanisation, reduce the number of Africans allowed to stay permanently in urban areas and at the same time control those who were allowed to remain. This act made it an offence for a person to enter and settle on land without the permission of the owner or the lawful occupier. Africans found instigating political mobilisation in the African urban settings, were up for deportation.

The Bantu Authorities Act of 1951 formalised the Bantustan in South Africa. The Act established a hierarchy of tribal, regional and territorial authorities. The traditional elites of chiefs and headmen became firmly embedded in the overall structure of domination in the homelands. Their powers were increased. They became salaried officials with vested interest in the Apartheid system, local agents of control for the central government. The financial interest of these officials ensured indirect control of the Bantustans by the South African government. Territorial zones were carved out of the old South Africa for separate nations represented by new legislative authorities.³

The Promotion of Bantu Self-Government Act of 1959 made provision for the extension of considerable powers to the different Bantustan’s territorial authorities of each of the African homelands. By these powers, the homelands would have the prospect of self governance and even independence. The Act also stipulated that the identified groups were to be attached the specified Bantustans, in return making it the political homes for the different African groups in South Africa. It re-defined loose groupings of chiefdoms and clans into homelands. The

² Platzky and Walker, The surplus People also see Unterhalter, Forced Removal, p.152

³ N. Worden, The Making of Modern South Africa: Congest, Segregation and Apartheid, (Oxford,Blackwell,1995), pp.118-119

government gave executive and political powers to the Africans only in their respective Bantustans and they were allowed to exercise their political aspirations, but not in South Africa. The Act changed the idea of the Reserves to the Bantustans and stipulated the issue of self-government. It divided the Africans into ethnic groups. This Act identified eight ethnic units Northern and Southern Sotho, Zulu, Tswana, Venda, Tsonga, Xhosa and Swazi. The Xhosa was later to be split in two and another ethnic unit was added the Ndebele. The Act placed local government in the hands of chiefs, village headmen and councillors 'all of whom were salaried officials, accountable to the Bantu Affairs Department.'⁴ This move gave more powers to these South African appointed officials over law and order, maintenance of roads, schools, land allocation and welfare application. In return these government appointed officials became more firmly embedded in the overall structures of domination in the homelands. This process transformed local traditional leaders of resistance to colonialism to (with some notable exceptions) representatives of the white government 'lowly officials of state'⁵

The Bantu Affairs Administration Act of 1971 gave the mandate of dealing with the question of influx control to new established Administration Boards. These boards had the power to fence off an area, remove occupants, determine who was to live in an area and resettle the people (mainly Africans) elsewhere.

The Admission of Persons to the Republic Regulation Act of 1972 dealt specifically with non South African citizens. If one was found to be an 'illegal resident' in an urban area, he or she was subject to imprisonment for several months without option of a fine.

⁴ Unterhalter, Forced Removal, p.16

⁵ Platzky, Walker and Worden argued that by providing financial and materialistic benefits, the government turned them against their people and for the South African government which in the end creating a class of elites.

The Bantustans policy was used as a means to control African urbanization, something which was seen to hamper the development of the whites in the urban areas. Illegal squatting in urban areas was prohibited and the government introduced laws that insisted that every African including woman carry reference books. Legislations such as the Natives (Urban Areas) Amendment Act (consolidated later as Act No.25 of 1945) stipulated that rights to live in urban areas by the Africans were confined to those that were born in urban areas or had worked there for ten or fifteen years with a single employer. All others needed a permit to stay longer than three days. The move was welcomed by most Afrikaners. It favoured their economic interests, as it reduced competition for work, increased economic growth and white living standards. Worden pointed out that:

Most whites supported the apparent limits to African urbanization imposed by the government and the suppression of resistance. But most significantly apartheid policies had not interrupted economic growth and white living standards increased steadily. Farmers benefited from increased produce prices and workers from racial job reservation.⁶

In addition to this the government used the Bantustans to cater for the commuter migrants from the Bantustans to the working places and back. The government used the Bantustans as mechanism to control and direct labour supplies. As the government was concerned with the growing black working class which was competing with the Afrikaner working class, the Bantustan policy was then used to control permanent African urban population, which was seen as a threat to white political, economic supremacy and high unemployment. The South African government allocated administrative powers to the Bantustan government making them directly in control of the migrant labour and influx control. The state used the migrant labour system to reduce costs on accommodations for the workers in white owned industries, farms and urban areas. The Bantustan system prohibited tenancy on farms, a move that resulted in mass evictions

⁶ Worden, The Making of Modern South Africa, p.99

of African families. The economic expansion of South Africa in the 1950s onwards saw the rise in productivities and mechanisation, increase in foreign funding and the expansion in manufacturing and agriculture. The government in return reduced competition between the African people and the whites. The elimination of competition resulted in major removals from the urban areas to the Bantustans. Platzky and Walker argued that it was not only a question of providing accommodation brought about by removals and relocations, but also a question of accommodation tied together with the question of ensuring the constant supply of able bodied migrant labour for the white manufacturers, industrialists and farmers from the Bantustans.⁷

The South African government initiated the labour bureaux system in the various Bantustans to specifically determine, allocate and control African jobseekers. By doing this, the government used these institutions to control the number of Africans allowed to leave the Bantustans into South Africa. The government successfully met the demands of the white farmers and white industrialist. The white farmers and the white industrialist benefited in the sense that as a tool, the labour bureaux system dealt with the question of sending only the ‘right worker-for-the right job’ from the various Bantustans into South Africa and most of the urban areas. The government aimed to reverse the flow of Africans to the urban areas and to establish the Bantustans as major African population territories. The Bantustans were also regarded as the answer to the question of ‘where to take the Africans who lost their jobs on farms as a result of mechanisations’⁸. Due to the modern mechanisations, farmers did not require a huge number of the labour force, and as such those affected were then forcibly relocated to the various homelands. This process the government and the white farmers argued reduced dependency, costs and increased profits for the white farmers.

⁷ See Unterhalter, Forced Removal, pp, 27-92 on the topic of forced removals in South Africa, how the Bantustans were turned into dumping grounds for the unwanted Africans from the urban and white inhabited areas and how the Bantustans continued to supply urban areas with able bodied African migrant labourers

⁸ Worden, The Making of modern South Africa, p.111

The government embarked on measures that re-emphasized the reference books, which in return made the question of influx control more radical and extensive. 'Every men and women over the age of sixteen was required to carry a reference book as this specified the terms and conditions on which the African was allowed to enter and stay in urban areas'.⁹ As from 1952, no African was allowed to stay longer than seventy two hours in urban areas, unless he or she had special permission to be there.

The government used Bantustans to remove unwanted and surplus African people from urban areas and white owned farms. The homelands acted as the dumping ground of the surplus, the aged, the unfit, the superfluous, the non-productive, widows and women with dependent children, it aimed to make the Bantustans the receptacles for the nation's unemployed. The Bantustans became areas where the removed, illegal and unwanted African people were sent from the farms. The introduction of more and better machinery created unwanted workers who were dismissed from the white owned farms, as indicated by Platzky and Walker:

The introduction of more and better machinery onto farms was creating a situation where a group of surplus and unwanted people was now developing on the farms as well – redundant workers, ex-labour tenants and their families.¹⁰

The government used the Bantustans to relocate to the Bantustans to make way for white profit, prosperity and security. The Bantustans were used as the true home for the African population and specifically for those that were unwanted from the farms and the urban areas. The government argued that the homelands were the places where the African workforce would be maintained and controlled together with the surplus population.

Many areas of freehold land held by Africans throughout South Africa came under threat especially when they lay in areas designated as part of 'white' South Africa. They were termed

⁹ Unterhalter, Forced Removal, p.152

¹⁰ Platzky and Walker, Surplus People, p.110

‘black spots’. The government set up a long term plan to eradicate ‘black spots’ in the whole of South Africa, a move which resulted in major forced removal. The forced removals from the ‘black spots’, turned many African people into landless and stockless people. As indicated by Worden, separate development (as an apartheid tool) removed from the ‘black spots’ to the homelands the sizeable number of African tenants, freeholders and squatters who were in ‘white’ rural areas.¹¹ To achieve this, the government embarked on forced removals and relocations of the African people from the black spots to the various Bantustans. Due to the high population and competition for inadequate resources in these Bantustans, the process turned these homelands into barren and desert like territories.

By extension of the administrative powers to the appointed chiefs and the local elites, the South African government created Bantustan bourgeoisies who controlled African politics in the various Bantustans. These South African salaried chiefs, headmen, business men and legislators became firmly embedded in the overall structures of white domination in their own homelands. Their powers were increased and their cooperation had materialistic and financial benefits. Their considerable powers were conditional that they administered the different territories to the satisfaction and benefit of the central government of South Africa. This in return secured a collaboration class in the homelands. As Molteno puts it:

It’s our contention that the class of Black entrepreneurs in the Bantustans is a comprador class heavily parasitic upon the South African State, tied hand and foot to it, and, for the economic reasons, unlikely, except in individual cases, ever to accumulate capital on a significant scale within the present dispensation. Its allegiance to the status quo is ensured by its dependent existence being entirely predicated upon the perpetuation of the Bantustan system. This class-co-opted already in concept-has as much vested interest as the White fraction of the working class in the maintenance of White capitalist domination in Southern Africa.¹²

¹¹ Ibid.

¹² Ibid,p.25

By using the Bantustan system, the government divided the various African people in the homelands to counter attack the fast rising national political aspirations of the Africans. It used the system to diffuse and divide African nationality. Since African unity was considered a threat to Afrikaner white prosperity and supremacy, the introduction and formalisation of the Bantustans meant that the African population was to be dispersed, making them numerically less threatening ethnic groups-a plurality of minorities. The legislations provided for all Africans in South Africa to be given citizenship of one of the homelands and to be issued with a certificate of citizenship, therefore stripping off all Africans of their South African citizenship.¹³

The government does not view all Bantu as one single people, but the Bantu are in fact divided by language, culture and tradition into several peoples or nations.....fortunately for each of these people or nations, history has left to them within the borders of the present Republic large tracts of land which serve as their homelands. The government's policy is therefore, not a racial policy based on the colour of the skin of the inhabitants of the Republic, but a policy based on the reality and the fact that within the borders of the Republic there are found the white nation and several Bantu nations. The government's policy is therefore, not a policy of discrimination on the ground of race or colour, but a policy of differentiation on the ground of nationhood of different nations, granting each self determination within the borders of the homelands-hence this policy of separate development.¹⁴

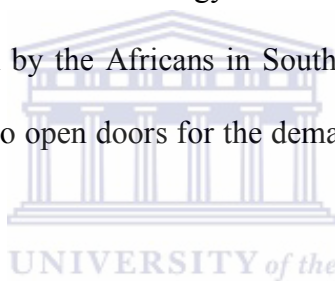
The Africans became citizens of the homelands and could exercise their political rights only in their respective in the homelands. The government also used the Bantustans to re-look at the question of tactics employed by the different national movements and political parties to counteract apartheid. In 1952, the ANC and the Communist Party jointly launched the Defiance Campaign to protest against the government's discriminatory legislation. The aim was to mobilise widespread defiance of unjust laws. The government then aimed to break up this by making the different people citizens of different Bantustans, breaking up unity. The various Acts

¹³ B. Rogers, Divide and Rule, p. 41

¹⁴ The Bantu Affairs Commission chairman speaking in Cape Town in May 1968. quoted in Platzky and Walker, The surplus People, p. 114

decreed every African a citizen of a homeland whether or not he or she lived in a Bantustan. Molteno, pointed out that, 'as a political tool, the homeland system in South Africa was the government's way of dealing with the political question in South Africa at that time.'¹⁵ By dividing the different African people into different homelands, the government aimed to rid itself with the question of African responsibility, instead this responsibility was given to the various Bantustans administrations organs. The principle of ethnicity was used as the basis for the establishment of the homeland system.

As previously stated, the National Party drew its support mainly from the Afrikaner working class and Afrikaner farmers. The Bantustan strategy aimed to re-look at the increase in demand for political rights and recognition by the Africans in South Africa. The Party indicated that if this was recognised, it was bound to open doors for the demand of full political rights within the full common framework.



It was recognised that the granting of any political rights to Africans as national citizens could only foster the further development of African nationalism...thus, a central element in the Bantustan was to entrench the status of the bulk of the subordinate colour-caste as literal non-citizens by placing them politically in a sphere completely removed from that of South African citizenship.¹⁶

Before the 1948, the National Party realised that the African consciousness was rising fast and in the following years the political consciousness of the oppressed groups was rising rapidly. The spirit of African nationalism was asserting itself with unprecedented force and the All African Convention had placed the unity of Africans with all oppressed groups at the head of the agenda.¹⁷ The African solidarity encouraged by the successful struggle of the people of China was gathering momentum in South Africa and other parts of Africa. The black workers and

¹⁵ F. Molteno, 'The Historical Significance of the Bantustans Strategy', *Social Dynamics*, 3,2 (1997),pp.22-23

¹⁶ Molteno, 'The Historical Significance of the Bantustan Strategy', p.23

¹⁷ *Ibid.*p.21

miner's involvement in industrial strike action in South Africa was increasing tremendously. Thousand were gaoled and many became victims of police brutality and violence. The National Party when it took over power realised that the bloody repression of the political and National movements in South Africa, could never hold out for long to save the structures of exploitation and domination. A new strategy had to be found, and that was the Bantustan. It was in the Bantustans that the Africans could seek political aspiration especially after the abolishment of the African political representation and rejecting the demand for political rights in South Africa.

These acts collectively aimed to look at the question of African political power in relation to the South African booming economy into a pattern of control, where the control of the political power was to be controlled and in return make Africans benefit the South African economy. The government introduced some of these laws to directly deal with the issue of divide and rule in the urban and rural areas of South Africa.¹⁸

The policy of separate development therefore had three phases, economic intervention, political intervention and movement control. These measures collectively aimed to achieve the political and economical objectives of the National Party, which included (amongst others) white supremacy, elimination of competition and economic prosperity for the supporters of the government. The political intervention thrust was mainly aimed to simultaneously restructure local political authority and to curb African nationalism. Four of the homelands established ultimately went the full route and received independence: the Transkei- declared independent 26 October 1976, Bophutatswana- 6 December 1977, Venda- 13 September 1979 and Ciskei- 4 December 1981.

¹⁸ For a complete list of the acts Implemented by the government to deal specifically with the Bantustans, see Worden, The Making of Modern South Africa, pp. 95 -99 and Rogers, Divide and Rule, pp. 40-43

South Africa's homeland policy was soon to be introduced into South West Africa.

South West Africa and South African Rule

The First World War came to an end in 1918, and with this in mind politicians around the world especially those that were involved in the war wanted to work out a strategy that would guarantee lasting peace. Those that emerged victoriously after the war met at Versailles near Paris in France. These victorious countries sat down and signed the Treaty of Versailles on the 28th June 1919 and instructed Germany to relinquish all its former colonies including South West Africa (which was at that time known as German South West Africa). This was based on the fifth point of the fourteen points presented to the representatives at Versailles by President Wilson of the USA.¹⁹ In the next year, a 'C' class mandate was established for South West Africa, meaning that the sovereignty of this former German colony was transferred to the Allied powers, and they in return transferred the 'full powers of administration and legislation' to the Union of South Africa as the mandatory power. By this, South Africa, pledged to treat its given territory as 'a sacred trust' and promote to the utmost the well being of its inhabitants, but she was to do this under the direct supervision of the League of Nations. The goal was for South Africa to gear the territory towards 'ultimate self-government'.²⁰

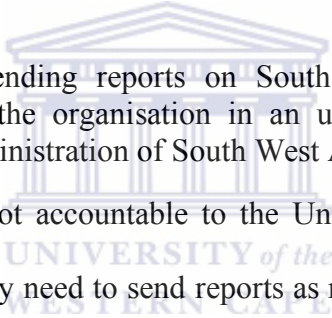
In 1948, the National Party won the election in South Africa and immediately after that the government started plans to try annex South West Africa as a fifth province, but subject to the

¹⁹ C. Culpin, Making History: World History from 1914 to the present day, (Harper Collins, London, 1996), p. 25

²⁰ According to the Mandate system the former German Colonies were grouped into A, B and C mandates. Meaning those classified as A mandates were colonies who would become independent soon, while B mandates would become independent after their administration was developed up to a certain standard and C mandates were territories that were considered to be completely unable to govern themselves. Instead these were placed under the supervision of the League of Nations, and given to one of the Super Powers to govern on behalf of the indigenous people. See the Namibia Senior Secondary Certificate History, Namibia and Southern Africa, Module 1, Part 2, Ordinary Level, Grade 11-12, (NAMCOL, Windhoek), pp. 23-25

conditions of the mandate. This idea brought problems to the Union, as this was contradicting the terms of reference that had been given to the government by the League of Nations. The move to annex South West Africa to South Africa drew criticism from various national movements and the international community. In July 1970 the United Nations declared South Africa's presence in South West Africa illegal and demanded its immediate withdrawal from South West Africa.

In South West Africa, when the National Party under Dr D.F. Malan took over power government introduced the 'Kragdadige strategy'²¹ towards the United Nations. The government refused to be accountable to the United Nations when it came to South West Africa, instead it informed the United Nations that:


It had decided to stop sending reports on South West Africa because the information was used by the organisation in an unwarranted manner, i.e. to criticise South Africa's administration of South West Africa.²²

South Africa argued that it was not accountable to the United Nations, but to the League of Nations and therefore did not see any need to send reports as requested by the United Nations, but instead it could rule South West Africa in which ever way it saw fit. The United Nations on its part argued that South West Africa was its responsibility and as such South Africa was obliged to send reports to the United Nations General Assembly. This argument led to the General Assembly to seek for an advisory opinion on this matter from the International Court of Justice. In 1950, the fourteen justices of the International Court of Justice gave their opinion.

- That the Mandate for South West Africa had not lapsed on the demise of the League of Nations.
- That South Africa was obliged to account to the United Nations for her administration of South West Africa.
- That South Africa was not legally obliged to place South West Africa under Trusteeship.
- That South Africa could modify the international status of the Territory with

²¹ This means literally to the South African government aimed to act powerfully towards the United Nations

²² See JHP Serfontein, Namibia? (Randburg, Fokus Suid, 1976), pp 45-48.

consent of the United Nations.²³

South Africa refused to comply with the International Court of Justice opinion, but instead continued to administer South West Africa in her own terms. In the 1950s, different people in South West Africa wrote petitions to the United Nations, asking for the United Nations intervention in what they termed unfair administration of the territory. The petitioning to the United Nations by different national leaders in South West Africa gave rise to South West Africa's nationalism²⁴ and the United Nations concluded that people of South West Africa did not approve the presence of South Africa in their country and therefore wanted the United Nations to intervene. Amongst the petitioners to the United Nations were: Mburumba Kerina in 1957, Andimba Toivo ya Toivo in 1958, Rev Michael Scott, Hans Beukes and Jariretundu Kozonguizi in 1959. These petitions to the United Nations collectively presented dissatisfaction with the way South Africa was governing South West Africa, questioned South Africa's right to annex South West Africa as a fifth province and South Africa's right to administer South West Africa as an integral part of South Africa.

In 1950s and the 1960s, different political parties and national movements were established in South West Africa, amongst them was the South West Africa People's Organisation-SWAPO, a national movement that was founded by mine contract labourers, fishing industry workers as well as South West African students in South Africa.²⁵ SWAPO which was initially known as Ovamboland People's Congress, was later changed to the Ovamboland's People Organisation

²³ Ibid., p.47

²⁴ On petitions, nationalism, unequal development and economic interest see T. Emmet, Popular Resistance and the Roots of Nationalism in Namibia 1915-196, (Basel: P. Schlettwein Publishing, 1999).p. 275 and T. Nairn, The break-up of Britain: Crisis and Neo-nationalism, (London: New Left Books, 1977), pp.16-36

²⁵ Emmet, Popular Resistance and the Roots of Nationalism in Namibia.p.274

before it became SWAPO on 19th April 1960.²⁶ SWAPO received technical, financial and military assistance from countries such as Zambia, the Soviet Union and Ethiopia in its fight against South Africa's administration of South West Africa. The South West Africa National Union (SWANU), was initially a cultural body the South West African Progressive Association (SWAPA) and was founded by South West African students studying in South Africa in 1955, but only became a political party in 1959 after a coalition with the Herero Chief Council. The others were the Caprivi African National Union (CANU), the National Unity Democratic Organisation (NUDO), the Herero Chief Council, and the Damara Tribal Council.

Homelands for South West Africa

In September 1962 the State President of South Africa appointed a Commission of Enquiry into South West African affairs. The Commission was chaired by the then Administrator of the Transvaal, Mr Frans Hendrik Odendaal. The other members of the Commission of Enquiry were: Dr H.J. van Eck, Prof J.P. van Bruwer, Prof P. J. Quin, Dr H.W. Snyman, Dr C.J. Claasen (Secretary) and Mr W. J. Weideman (Assistant Secretary). The Commission was specifically tasked to 'investigate the economic, social, political and moral well beings of the South West Africans and to make recommendations for implementations.'²⁷ The Commission had a huge task and was to cover a rather very comprehensive and unlimited scope, but had two important terms of references:

1. Having regard to what has already been planned and put into practice, to enquire thoroughly into further promoting the material and moral welfare and the social progress of the inhabitants of South West Africa, and more particularly its non-white inhabitants, and to submit a report with recommendations on a comprehensive five-year plan for the accelerated development of the various non-white groups of South West Africa, inside as well as outside their own territories, and for the further development and building up of

²⁶ Ibid, pp.273-278

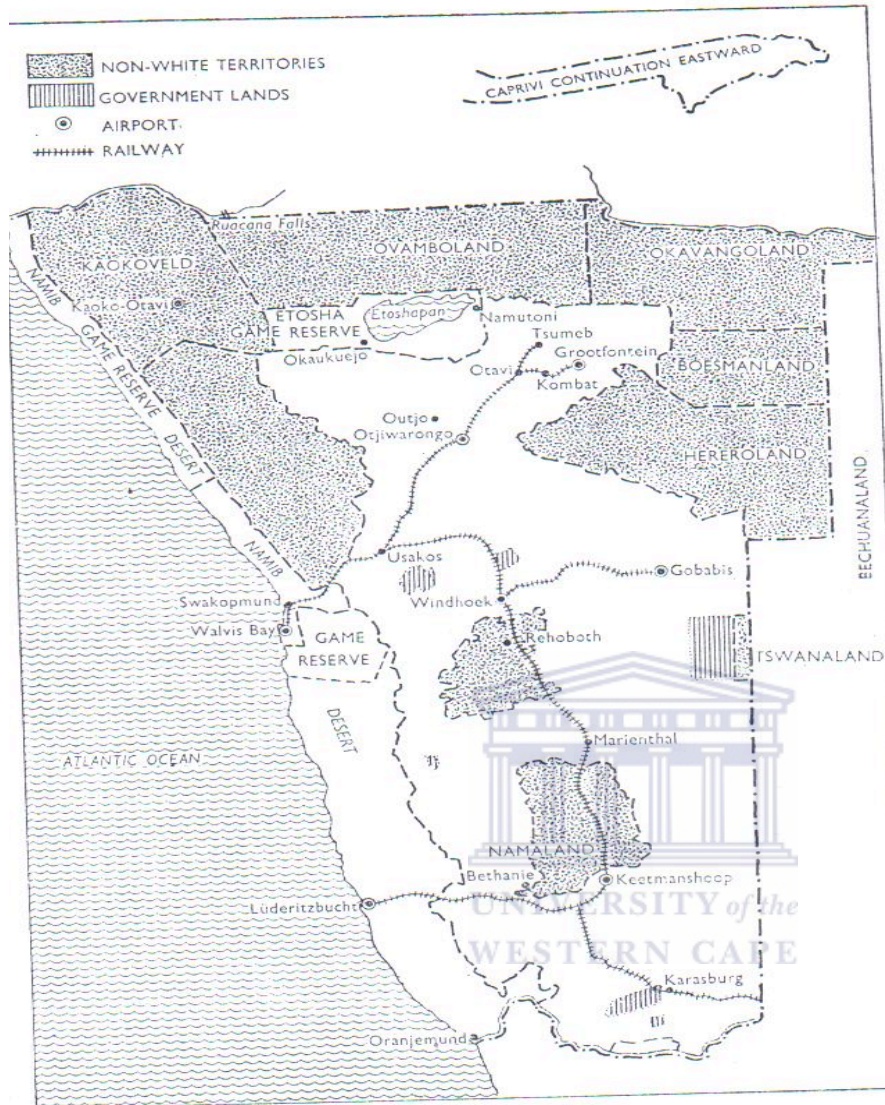
²⁷ Diescho 'A Critical Evaluation of the (Odendaal) Commission of Enquiry, p.54

such native territories in South West Africa.

2. With a view to this investigation, the attention of the Commission is particularly directed to the task of ascertaining – while fully taking into consideration the background, traditions, and habits of the Native inhabitants – how further provision should be made for the social and economic advancement, effective health services, suitable education and training, sufficient training, sufficient opportunities for employment, proper agricultural, industrial and mining development in respect of their territories, and for the best form of participation by the Natives in the administration and management of their own interests. The Commission is empowered to investigate any other matter which in its opinion maybe of importance in this connection, including the financial implications and the manner in which any appropriation of funds should take place.²⁸

After a year's work, the Commission completed and tabled its report in December 1963 in Pretoria. The report covered many aspects of the territory which included amongst others the history of the territory, the topography, natural resources, ethnic composition, distribution and finally its recommendation on the development of the territory. Of relevance to this thesis is the recommendation that led to the establishment of the various ethnic Homelands for the various ethnic communities in South West Africa.

²⁸ Diescho 'A Critical Evaluation of the (Odendaal) Commission of Enquiry', p.56



South West Africa: Proposed Homelands

Source: J.P. van S. Bruwer, South West Africa: The Disputed Land (Cape Town, Nasionaleboekhandel, 1966), p. 109

According to the Odendaal Commission recommendations, the Africans were to be allocated and grouped into ten separate homelands, whilst one homeland was to be allocated to the Rehoboth Basters, a coloured population. The Odendaal Report indicated that the Africans (excluding the

whites) were initially and culturally divided into indigenous peoples. The Commission argued that:

The Population of South West Africa is by no means homogenous and is in fact extremely heterogeneous. It consists of twelve different population groups which differ from one another both physically and spiritually in one or more important respects. The spiritual differences are particular in respect of traditions, customs, language, religion, level of development and social, political and economic system. In the course of the enquiry the Commission gained the impression supported by evidence, that various population groups harbour strong feelings against each other and would prefer to have their own homelands and communities in which they would have and retain residential rights, political say and their own language, to the exclusion of all other groups.²⁹

This was why the Commission recommended that each of these different population groups, excluding the white population group, (which was to occupy any area inside the country) was to be given a homeland of its own. The different homelands were to totally cover 39.4% of the total area of South West Africa. The Coloured population was to be given areas around Windhoek, Walvis Bay and Luderitz, where their administration was to fall under different Coloured Local Township Authorities in the various areas.³⁰ The Commission recommended for the Africans to be administered by the South African Ministry of Bantu Administration (except for the Rehoboth district and Namaland which would fall under the Department of Coloured Affairs). The government representation in the homelands was to be through a Bantu Chief Commissioner (based in Windhoek) and a number of individual Bantu Commissioners.³¹

²⁹ Report of the Commission of Enquiry into South West Africa Affairs, p.55

³⁰ Ibid, pp. 108-109

³¹ Ibid, p. 63

Table 1

Proposed homelands in South West Africa

Proposed Bantustan	Land Area	Population in 1960	Square Kilometres <i>per capita</i>	Ethnic Group	Self-Governance
Ovamboland	56 072	239 363	0.23	Ovambos	May 1973
Tswanaland	1 554	9 992	0.59	Tswanas	
Namaland	21 677	34 806	0.62	Namas	
Eastern Caprivi	11 534	15 840	0.72	Caprivians	1976 ³²
Damaraland	47 990	44 353	1.08	Damaras	
Bushmanland	23 927	11 762	2.03	Sans/Bushmen	
Okavangoland	41 701	27 871	1.50	Kavangos	9 May 1973
Hereroland	58 997	35 354	1.67	Hereros	
Kaokoveld	48 982	9 234	5.30	Himbas	
Rehoboth Gebiet	13 860	11 257	1.23	Basters	

Source: A. A. D'Amato, 'The Bantustan Proposals for South West Africa', The Journal of Modern African Studies, 4, 2 (1966)

The Report did not specifically deal with the administration of the whites or those that were classified as non-Africans, but according to the Report, the whites were to be administered by an Administrator, Executive Council and a Legislative and these were to fall under the South African Ministry of Interior.³³ The Report also made some provisions and recommendations for what it termed government land inside the Police Zone.³⁴ Most of the area (apart from the proposed homelands) inside the Police Zone was to be retained by the Whites and the government. These contained most of the factories, processing plants, mines, communications systems, harbours, railways, airlines and most water resources.³⁵ Out of the whole territory, the majority of the population was proposed to only occupy 39.6% of the total land. Why was the

³² The Eastern Caprivi Homeland was later renamed Lozi, immediately after gaining its self-rule statut in 1976.

³³ Ibid, pp.61-62

³⁴ The Police Zone was to be found in the Southern part of the country and it included all the land after the homelands were excised from the territory and it contained all the factories, processing plants, mines, transport an commercial farms. See 'Report of the Commission of Enquiry into South West Africa Affairs.

³⁵ Diescho, 'A Critical Evaluation of the (Odendaal) Commission of Enquiry', p.60

territory not to be divided into equal portions amongst all the people? Diescho and D'Amato argued that the government's land allocation was unfair in relation to the number of African people in the country and the fact that some pieces of land were left untouched and that the Commission's report did not deal specifically with land allocation for the white population group, instead, it was proposed that they could live anywhere inside the police zone.³⁶ See the table below.

Table 2

Allocation for:	Land Area (square Kilometres)	Population in 1960	Square Kilometres <i>per capita</i>
1. Natives	312 433	424 047	0.74
2. Coloureds	14 785	23 965	0.62
3. Europeans(Whites) excluding government land	360 480	73 464	4.92
4. Europeans,(Whites) including government land	495 927	73 464	6.76
Total	823 143	521 476	1.58

Source: D'Amato, A. A. 'The Bantustan Proposals for South West Africa', The Journal of Modern African Studies, 4, 2 (1966)

The minority group got more land than the various African populations in South West Africa. D'Amato has shown that the inequities in the actual land given per head within the Bantustan and the land allocated to the white population group are striking. One point was that although the

³⁶ Diescho 'A Critical Evaluation of the (Odendaal) Commission of Enquiry', p. 59-61 and D'Amato, The Bantustan Proposals for South West Africa, p. 180.

quality of the land in the Bantustans was good, the fact that it was more densely settled meant that land fertility could diminish faster.³⁷

The government endorsed the recommendations of the Odendaal Commission, especially on the question of establishing homelands for the different natives groups in South West Africa. This started with the passing of the Development of Self-Government for the Native Nations in South West Africa Act No 54 of 1968. This Act was amended later on the 5th April 1973 to the Development of Self-government for Native Nations in South-West Africa Amendment Act No 20 of 1973. Different homelands were set up for the different native nations of South West Africa. These homelands were to be governed by their respective Legislative Councils. Out of the ten envisaged homelands only three were given or attained self-rule status i.e. the Owambo Homeland (which was set up in 1968 and attained self governing status in May, 1, 1973), the Kavango Homeland (was set up in 1970 and attained self governing status in May, 9, 1973) and the Caprivi Homeland (set up in 1972 and was given self governing status in 1973)

The African people were informed about the idea of establishing various homelands for the African people of South West Africa during public hearings in different parts of the country in 1962-1963. The different people gave their thoughts at such meetings. D' Amato³⁸ for example, noted that 'the format of the meetings called by the Commission failed to elicit or encourage fair participation by the non-whites, therefore discouraging the input of the non-whites, instead they were rather invited to act as passive listeners and as for those that gave their input, it was doubtful if their inputs were taken seriously or even listened to.' He therefore argued that these meetings were not fair as they failed to encourage participation from the African people.

³⁷ D'Amato, 'The Bantustan Proposal for South West Africa', p.182

³⁸ D' Amato. The Bantustan Proposals for South West Africa, p. 185-186.

Various meetings were held in Kavango from 16 January to 26 January 1967, to inform the people about the government's plans for the homeland. The Commissioner wrote in his report that the goal of the meeting was:

The acceptance or not, by the Okavango tribes, about planned developments as introduced by the Bantu Affairs Commissioner, to the tribe leaders at a meetings held in Kavango during 16-26 January 1967.³⁹

\Aanvaarding aldaan nie, deur Okavango stamme, van beplande ontwikkeling na voostelle gedoen deur Bantoesakekommissaris, aan stamleiers op 'n vergadering gehou te Runtu gedurende 16-26 January 1967\.

This indicates that the meeting was there to give the people a choice to accept or reject the proposed plans by the government, but one can really question how optional these planned developments were and how opposing views were accommodated. The fact that the government went ahead and implemented the homeland proposal in Kavango suggest that the Kavango people did accept the proposed plans, but this was certainly not entirely so. Pastor Mathias Sikondomboro for instance, at one meeting held at Mpungu in the western part of Kavangoland on 26 January 1967 made reference to the government plans to establish cattle camps in Kavangoland, He said:

Slavery was stopped by the Government a long time ago. After that, people worked in the Police zone and the S.W.A.N.L.A sold them like slaves to the employers. They had to work constantly, because they were slaves, even at night, and were treated very bad. In the past, censuses were held, and then the people had to pay taxes. At first the tax was 25 cents but gradually increased up to R1 until today. According to the people, the Government deceived them with the slavery and also with the censuses. They say the camps which are under discussion are a plan by the Government to take their cattle. Apparently the Government wants to rob the people and the people do not accept the new things.⁴⁰

\Lank gelede het die Regering slawerny stopgesit. Daarna het mense in die Polisiesone gaan werk en S.W.A.N.L.A verkoop hulle soos slawe aan die werkgewers. Omdat hulle slawe is moet hulle aanhoudend werk, self in die nag, en word hulle sleg behandel.

³⁹ 1/1/55 NAR 10, File 11, Commissioner Report titled 'Notule van Stamvergadering gehou in die distrik Okavango gedurende die tydperk 16-1-1967 tot 27-1-1967' National Archives of Namibia, Windhoek,.

⁴⁰ Ibid.

Hierdie slawerny het gekom in die plek van die ou manier. Ook lank gelede het die regering die mense getel en daarna' moes hulle belasting betaal. Die belasting was eers 25 sent maar het gaandeweg vermeerder totdat dit vandag R1 is. Die mense se die Regering het hulle bedrieg met die slawerny en met die telling en hulle se die Kampe waarvan gepraat word is 'n plan van die regering om hulle beste te vat. Die regering will die mense besteel en die mense aanvar nie die nuwe goed nie\

At the same meeting, a local teacher Jacob Hilondiroa rose and said:

I thank the Bantu Affairs Commissioner and his guests. I feel that we are troubling the Bantu Affairs Commissioner. I am a teacher and I know how children can trouble a teacher. It is the same today. People just bring objections and they may drive the Bantu Affairs Commissioner away. If the Bantu Affairs Commissioner is not pleased with the result of the meeting today, I say to him: Please stay with us and do not be discouraged. At present children live far from their schools and they must sometimes walk in rain and bitter cold. I pity the children and their parents. Parents want their children to herd cattle instead of going to school. I think that is the state of affairs here. I hail the proposals because the children will be able to attend school. I doubted what I heard from the people in the first instance regarding these plans and it was my hope that you (the Bantu Affairs Commissioner) would come and explain them to us. You came and you explained the proposals and I can now see that they (the proposed plans) will make it easier for the people. The plans are good, may God bless them and may the Okavango prosper. God created man to prosper and not to suffer.⁴¹

At another meeting held at Kayengona, east of Rundu⁴² on 18 June 1970.⁴³ Mr H.J.R Myburg, the under Secretary: State Affairs and Development gave the purpose of the meeting, which was:

‘To inform and request the people of Sambyu if they were ready to participate in the Kavango government and if that was the case, to elect and send their representatives to Rundu to represent the Sambyu people in the Kavango government.’⁴⁴

The Sambyu tribe’s spokesperson, Father Bonifacius Hausiku responded ‘Everything is accepted by the Sambyu tribe’⁴⁵ \Alles word deur die Sambyustam aanvaar\ . At another meeting at Kahenge in the uKwangali area, the tribe’s spokesperson Zacharia rose and said:

⁴¹ Ibid.

⁴² Kayengona is located eastern of Kavango and it is where the Sambyu Traditional Authority offices is found, the current reigning Queen of the vaSambyu ethnic group also resides at Kayengona.

⁴³ The government held meetings on 15 June 1970, Ndiyona, Gciriku area, 16 June 1970 , Kapako, Mbunza area, 17 June 1970, Mukwe, Mbukushu area, 18 June 1970, Kayengona, Sambyu area and 19 June 1970, Kahenge in the uKwangali area.

⁴⁴BAO 210/2/1, Vol 1, Die Okavango stamvergaderings gedurende die tydperk 15 Junie – 19 Junie 1970, South African National Archives and Record Service, Pretoria. Father Bonifacius later represented the vaSambyu in the Kavango Legislative Council in the 1970s, serving both as a Councillor and one time the acting Chairman of the Council.

We are like a child learning to walk and we hope father will help us learn to walk. Today we are very grateful to the misters that came to us to discuss this matter with us. The tribe accepts all that has been explained here. ⁴⁶

/Ons is soos n kind wat leer loop en ons hoop vader sal vir ons leer loop. Ons is baie bly vandag oor die menere wat hier na ons toe gekom om hierdie saak met ons te kom bespreek. Die stam aanvaar alles wat aan hulle verduidelik is./

Interesting enough all the five tribes visited during these meetings, had only one spokesperson per meeting, who said the specific tribe accepted the proposal and as such the specific tribe was willing to join the proposed developments and no other questions were asked. As the spokespersons of the tribe, their acceptance to participate at these new development signalled the individual tribes willingness to participate in separate development and looked up to the South African government to ‘help them’ attain their ‘independence.’ Having largely lost some of their religious functions and powers to the different missionaries in the country, the various traditional leaderships’ acceptance of the self rule offer by South Africa, brought about another challenge. A challenge that was to change the judicial, political and socio-economic authority of the different tribal leadership political system in South West Africa. Du Pisani has argued that ‘it seemed that the leaders still viewed the new developments and proposals as a chance for recovering their waning authority and status.’⁴⁷

The recommendations of the Odendaal Commission and the government plans (in Kavango) did not go by unopposed by the local people, as demonstrated by Pastor Mathias Sikondomboro, but at the same time there were those who supported these developments and welcomed them. This however, helps to demonstrate that some people did have some reservation about the new planned developments which included the Bantustans and that these reservations were mainly

⁴⁵ Ibid.

⁴⁶ Ibid

⁴⁷ Du Pisani, SWA? Namibia: The Politics of Continuity and Change, p.55

attributed to their past experience with the government. Those who opposed used past experience to oppose the planned developments, but the question that is vital is, did the authority take the local peoples inputs into consideration. The question is partially answered by the Bantu Affairs Commissioner's communication to the Chief Bantu Affairs in Windhoek. Commissioner Mare wrote:

The proposed developments created great interest at all the meetings and the general atmosphere was one of eager anticipation. All the meetings expressed the hope that the proposals will be implemented without delay. At Mpungu, in the Reserved Area a tribesman observed that the words of the Bantu Affairs Commissioner were like the first rain of the season, bringing fresh hope and faith in the future. The gratitude of the tribes at the dawning of a new period of progress and prosperity was expressed at every meeting.⁴⁸

This report suggested that all the people of Kavango were happy and accepted the proposed government plans, unfortunately this was not the case as demonstrated above by Pastor Sikondoromboro's input at the Mpungu meeting.

In Kavango all five tribal chiefs and some senior tribesman were consulted and informed as indicated above. In fact, all the meetings in Kavango were attended by the Chief and his Council but, the main issue is as Diescho asks, 'whether these tribesmen had any other choice and if they did, were their choices and reservations accommodated?'⁴⁹

⁴⁸ 1/1 NAR 10, file 12, The Bantu Affairs Commissioner Report titled 'Terugvoering van Stam vergaderings gehou in die distrik Okavango gedurende die tydperk 16-1-1967 tot 27-1-1967' National Archives of Namibia, Windhoek ,

⁴⁹ Diescho 'A Critical Evaluation of the (Odendaal) Commission of Enquiry', p. 63

Conclusion

This chapter indicated that the notion of the homelands originated in South Africa and was formalised after the National Party came into power in 1948. The chapter argues that after the election victory of the National Party legislation was put in place to formalise separation of ethnic groups and to promote white supremacy. The political and economic factors in South Africa contributed significantly to the establishment and formalisation of the Bantustans in the 1950s to the 1970s in South Africa and later in South West Africa. By looking at the legislation put in place by the party, this chapter has demonstrated the National Party's apartheid policy through the creation of the various Bantustans and how the Bantustan policy was implemented by the government with the aim of authenticating apartheid.

It is safe to argue here that the political factors complimented the economical factors in both the countries when it came to the establishment of the Bantustans. At the same time, the government always kept an eye on the issue of the migrant workers. This was important as the economy of South Africa depended on the labourer. As demonstrated by Platzky, Walker and Unterhalter, relocations, forced removal from the black spots, farm evictions, and urban forced relocations were apartheid measures put in place by the South African colonial government to promote white supremacy and apartheid.

The chapter also looked at how homelands were introduced in South West Africa. It firstly looks at the political situation of the country. The chapter also dealt with the politics on how South Africa got to administer South West Africa and how she used her given mandate to transfer her political and colonial administration to the territory. It indicates that the rise of the various political parties and national movements in South West Africa, coupled by pressure from the international community and independent African countries was seen as a threat to South

Africa's colonial policies in the territory, therefore resulting in the implementations of the Bantustans in South West Africa. The chapter indicted that the political rise of nationalism and the petitions submitted to the United Nations had an impact on South Africa's administration of the territory. The colonial administration looked for a way that was both to counteract the political rise of the Africans and also to help it silence its apartheid critics. This chapter argued that the Bantustan implementation in South West Africa came as a result of the Odendaal Commission.

By using an example at two of the meetings in Kavango, the chapter demonstrated how the people perceived the homelands plans by the South African government and its planned developments for the area. This chapter argued that the Bantustans development in South West Africa had opposition and local support, but the authorities sometimes overlooked the opposition, as demonstrated by Commissioner Mare's report to the Chief Bantu Affairs Commission in Windhoek.

The next chapter deals with the Kavango Legislative Council and the move to self-rule. The chapter will look at the issue of the composition of the first and the second Kavango Legislative Council and the inclusion of the traditional authorities in the Kavango Legislative Council.

CHAPTER THREE

KAVANGO LEGISLATIVE COUNCIL: A MOVE TO SELF-RULE (1970-1973)

Introduction

This chapter looks at the Kavango Legislative Council and provides a background on the legislative framework that brought about the Kavango Legislative Councils. It then moves to the composition of the first and the second Kavango Legislative Council, tackling issues such as, how the people elected or nominated to the decision making chamber, and whether these figures drew their respect and authority from the traditional political structures? Were there members of the new 'educated' elite and what was the gender composition of the Council. The chapter will also look at the relationship between members of the Kavango Legislative Council and the Kavango traditional authorities represented in the Kavango Legislative Council.

The chapter describes how Kavango obtained self-government in 1973 and the meaning thereof in terms of authority and power of the Kavango Legislative Council.

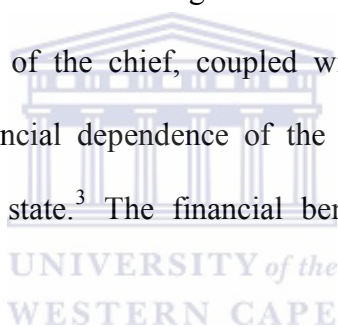
The chapter also looks at the role of the elites in the Kavango Legislative Council.

Since the establishment of homelands in South Africa and later South West Africa, two views have dominated the discourse of separate development and apartheid. In the first, the homelands are viewed as ethnically constituted and separate regional territories governed by autonomous and semi-autonomous local leaders.¹ The second view incorporates a set of argument that stresses the economic and political dimensions of the homelands, challenges the ideology of the state and other interpretations of state policy, and argues that as labour reserves, sites of social reproduction, and

¹See Butler et al, The Black Homelands of South Africa: The Political and Economy Development of Bophutatswana and KwaZulu (Berkeley, University of California Press, 1977)

dumping grounds for surplus people. This chapter looks at the question of authority and how it was exercised in one of the homelands, by looking at the role of the elites and the traditional authority in exercising the limited given authority, before and after self-rule.

In the first phase of the Bantustans in South Africa in the 1970s, the government of South Africa passed different proclamations that facilitated the second face of Bantustan in South West Africa. By passing these proclamations the government granted home-rule power and later self-government to the various Bantustans that incorporated existing traditional authority systems and members of the elite as one organ that governed the people in the different homelands.² The government's way of including the various traditional leaders in the new form of government concurs with Southall's discussion on the bureaucratisation of the power of the chief, coupled with the 'creation of a homeland petty bourgeoisie, and the continual financial dependence of the homeland political and administrative apparatuses on the South African state.'³ The financial benefits for the Council members were enormous.



² Proclamation R291 of 1968 introduced the Owambo legislative council, whereas proclamation R104 of 1973 eventually declared Owambo a self governing area. By this proclamation seven traditional authorities in Owambo were recognised: Onkolonkadhi-Eunda, Uukwaluudhi, Oukwanyama, Ombalantu, Ondonga and Ongandjera. Proclamation R178 of 1970 recognised five traditional authorities in Kavango: Kwangali, Mbunza, Sambyu, Geiriku and Mbukushu, whilst Proclamation R196 of 1970 almost identical to the above quotes (R104 for 1973 for Owambo), created the Kavango Legislative Council.² Proclamation R261 of 1971 recognised two traditional authorities in the eastern Caprivi: Fwe and Subia. Proclamation R6 of 1972 instituted in Eastern Caprivi legislative council. Proclamation R42 of 1976 declared Eastern Caprivi a self governing area. Proclamation R150 of 1977 established a representative authority for 'Damara Nation' Proclamations R177 and R178 of 1974, set up community authorities for Mbanderu communities. Proclamation R160 of 1975 did not refer to 'self government' or the establishment of 'representative authorities' for the Nama Nation but however, it provided (in similar terms) for the establishment of a Nama council, tribal authorities and village management boards.

³ Southall, South Africa's Transkei, p.104

The First Kavango Legislative Council

Proclamation No R196 of 1970 in the South African Gazette established the Kavango Legislative Council. The Kavango Legislative Council was comprised of six persons per tribe including the chief (thirty tribal designated members).⁴ During meetings in all the tribal communities in the Kavango in June 1970, the six members for each tribe were appointed to the Kavango Legislative Council.⁵ Each tribal delegation operated as a unit and had one vote in the Kavango Legislative Council.⁶ On 17 July 1970 the thirty nominated members assembled at Rundu for the first time.⁷ At the meeting they familiarised themselves with the proclamation, the authority and the procedural rules of the Council.

The Executive Council of the first Kavango Legislative Council, consisted of five members, nominated by each tribal representative. Of the five executive members, one was elected by his fellow executive members the Chief Councillor. However, the South African State President had the right to dismiss the Chief Councillor. The main duties of the Executive Council (amongst others) were to control and administer the different departments in accordance to the instructions given by the Council. The departments of the first Kavango Legislative Council were: Works (Councillor Alex Kudumo, Kwangali), Justice and Community (Councillor Anton Mushambe Kathumbi, Mbukushu),

⁴ Government Gazzete, August 1970, Volume 62, No. 2770, Proclamation R.196 Kavango Legislative Council, National Library of Namibia, Windhoek.

⁵ BAO 5007, File No.56/14/6, document entitled 'Notule van stamvergaderings gehou in die distrik Okavango gedurende die tydperk 15-6-1970 to 19-6-1970', dated 24 June 1970, The National Archives and Records Service, Pretoria, South Africa

⁶ For the list of members of the first Council see AP 7/3/2, Proceedings of the fourth session of the first Kavango Legislative Council, (National Archives of Namibia, Windhoek) pp.1-2.

⁷ BAO 5007, File No.56/14/6, document entitled 'Notule van stamvergaderings gehou in die distrik Okavango gedurende die tydperk 15-6-1970 to 19-6-1970', dated 24 June 1970, The National Archives and Records Service, Pretoria, South Africa

Authority Affairs and Finance (Chief Councillor Linus Shashipapo, Geiriku), Agriculture (Councillor Romanus Kamunoko, Shambyu) and Education and Culture (Councillor Elia Neromba, Mbunza).⁸

To be a member of the Council, the conditions were that the person had to be a Kavango and over twenty-one years of age, with no criminal record, and neither guilty of high treason nor mental retarded. The Proclamation further stipulated that: a tribal chief who became a member of the Kavango Legislative Council, may after consultation with his relevant tribal authority, nominate any other person to attend a session of the Legislative Council on behalf of any absent member of his tribe, the nominated person may participate in all the proceedings but the tribal chief may at any time revoke the nomination of such person.⁹ In this way the chief was at liberty to nominate any person to the Council and therefore giving the five chiefs powers to control who was to participate in the Council. It further stated that the State President of South Africa, the Minister of Bantu Administration and Development and any other person specifically authorised thereto by the State President, may attend and/or address the sitting of the Council. The proclamation made provision for the different tribal Chiefs and the local headmen who vacated their tribal positions due to their nomination to serve on the Legislative Council, to appoint another person to serve in their positions on temporary basis stating that:

...If a chief or headmen was elected to the serve on the Council, his annual stipend as a chief was to cease.....and the person appointed to deputise or assist in the performance of the official duties relating to his chieftainship or headmanship, shall receive a R600 annual pay....¹⁰

This stipulation is of great interest as it indicates that the role of the chief was controlled and so was the person who acted on behalf and during the absence of the chief. The fact that the person's salary was funded by the colonial administration indicates that one was not at liberty to act independently

⁸ F002-AP 7/3/2 'Proceedings of the Fourth Session of the First Kavango Legislative Council', National Archives of Namibia, Windhoek, pp.1-2

⁹ BAO 5008, File number 56/14/6 part I ,Kavango Proclamasies en Regulasies dated 24 June 1970, , The National Archives and Records Service, Pretoria, South Africa

¹⁰ BAO 5008, File number 56/14/6 part I ,Kavango Proclamasies en Regulasies dated 24 June 1970, , The National Archives and Records Service, Pretoria, South Africa

without the consent of the South African government which paid his or her salary. It raises a question on how independent the traditional authority was in the execution of its duty towards its people (especially after the establishment of the Legislative Council). Was it possible for the local traditional authority to go against the colonial administration or authorities, knowing that it provided the salary of that person (who was acting during the chief's absence) and the salary of the chief (whilst serving on the Legislative Council). It demonstrates the difficulties faced by the traditional authority in its independent participation in the Council, as Rudolf Ngondo

It was the responsibilities of the secretaries who were all white officials, because at the point in time there was no one who had knowledge about how these things operated. It was also seen as a way of teaching the Kavango people how it was done. The secretaries organised everything for the Council and the different departments.¹¹

\Unene yinke kwa kere yova kamutjangi owo vakere vazera, ruveze rwina omu mutupu vantu owo vakere no udivi ano ayo hena kwa kere ngwendi erongo, age kamutjangi yige ana ku wapaika yininke nayinye yoNdango nono departmente. \

All the senior administrative posts in the five departments of the Executive Council were held by white South African officials, as there were no 'qualified' Kavango people to occupy such offices. These included the Director (Secretary), Deputy Directors, Departmental Secretaries and Chief Personnel Officers posts.¹² This set-up indicates that the entire Council's administrative work was coordinated by white South African representatives. These officials also acted in the best interest of South Africa in the maintenance of political control in Kavango. Although the officials fell under the various departments, the secretary (later referred to as director) was responsible for the motions in the Council. The Chief Director was responsible for informing the Minister and all other members of the Council (in writing) of the dates, the motions and times of the meetings of the Legislative Council.¹³ One question that arises here is, how independent was the Legislative and the Executive Council then,

¹¹ Ngondo, 6 April 2007

¹² Ibid.

¹³ Interview by Aaron Nambadi with Haupindi L, Safari, Rundu, Kavango, 4 April 2007

when and if all the motions had to go through the director, who was a South African official? This format or institutional set up benefitted the South African colonial governments in the sense that it knew exactly what was happening in the Council. The fact that all the motions were brought into the Council by Director of the Legislative Council, the government of South Africa ensured that the Legislative Council discussed matters that were in line within its limited given powers and of interest to South Africa and not contrary.

Members of the first Legislative Council were remunerated as follows: Chief Councillor R3 600, Councillor R3 000, Chairman R600 and the deputy Chairman earned R300 per annum.¹⁴ In addition to this, members of the Council had additional travelling, sitting, session and other allowances. It is clear from these Proclamations that the South African State was heavily subsidizing the salaries of the member at a time when money was a scarce commodity. Members of the Council received huge financial benefits and this made independence of the Council questionable.¹⁵ The fact that the Kavango Legislative Council was heavily financed by South Africa means that, South Africa as a major financial contributor could direct the decisions and overall direction of the Kavango Legislative Council.

¹⁴ Government Gazzete, August 1970, Volume 62, Proclamation R.198 of 1970 'Kavango Legislative Council: Salaries and Allowances of members', National Library of Namibia, Windhoek

¹⁵ The salaries were adjusted in 1975 and 1978. In 1978 for example, the Kavango Legislative Council tabled and passed the Kavango amendment law on remuneration and privileges of members of the Legislative Council 1978. According to this law, members of the Kavango were to receive salary increments as follows: Chief Minister R9 072, Minister R7 560, Chairman of the Council R3 780, Deputy Chairman R3 408, ordinary member R2 652. These salary increments indicated a two hundred percentage salary raise, of which a huge amount of money came from the colonial government. In the same year 1978, for example, the salaries of the members of the Council totalled R 112 404, of which South Africa's financial contribution was R100 404 and the Kavango government's own contribution was R12 000.

Matara-tara

The 21st October 1970 is remembered by many people of Kavango as a significant day in the history of Kavango, the day in which the Kavango started the first step towards home-rule on an event that was held at the Nkunki Flats near the Kavango River.¹⁶ The government of South Africa handed over limited powers to the Kavango Legislative Council and this was done at a glamorous event at ‘Matara-tara’. The name Matara-tara (plural) originates from the local name ‘Utara-tara’ (Rukwangali) or Ghutara (Thimbukushu) which refers to local hand made grass-roof canopy that provides shades. The canopy is usually used by elders to rest and (sometimes) have their meal or conduct important rituals in the ‘kraal’.¹⁷ ‘Etara-(tara)’ also provides shade for visitors in the homestead, whilst waiting for the homestead owners to come. 21 October 1970 is referred to as the day of ‘Matara-tara’. This is in reference to the many local hand made structures that provided shelters to the people who came to the occasion. Matara-tara was a significant day in the history of Kavango, many people came together, children were transported from various schools to come and sing the Kavango National Anthem. The people ate, danced, drank and rejoiced the handing over of limited powers to the Kavango Legislative Council by the South African administration (see figure 8-10)

The South African government went to great lengths to make this event as formal and serious as possible; a complex ceremony was introduced for the occasion. A number of dignitaries and South African state officials were flown in from Pretoria.¹⁸

At the occasion the South African minister of Bantu Administration, Development and Bantu Education, M.C Botha gave the keynote address to the large crowd, He said...

¹⁶ Nkunki is former settlement area, located behind the Mangarangandja area from which local inhabitants were relocated despite the efforts by the Kavango Legislative Council in the 1970s, on forced relocation in Kavango in the 1950s and the 1970s see K.M Likuwa, ‘Rundu, Kavango: A Case study of forced relocations in Namibia, 1954-1972’, (MA thesis, University of the Western Cape, 2005)

¹⁷ The fenced-in area of the village comprising huts for a number of families, each family could also have small Utara-tara, see J. Diescho. *Born of the Sun: a Namibian novel* (New York, Friendship Press, 1988), p.10

¹⁸ M. Fumanti, Youth, ‘Elites and Distinction in Northern Namibian Town’, (Doctoral thesis, University of Manchester, 2003), p.66

Your people and mine are living together here in Southern Africa as friends, there are also a number of other nations, although each is now set on its own course, they will have to help each other. It is my firm conviction that the pattern of peaceful co-existence will have to be one of mutual assistance between self-sufficient units what I should like to call multi-national development with inter-dependence. The government of the Republic is willing to make a generous contribution towards the development of every one of the other peoples concerned with the framework of this interdependence of peoples. This is the basis on which we can enjoy a future of peace, friendship and progress.¹⁹

The event marked the first step from South Africa's direct rule to indirect rule of Kavango. The government of South Africa handed over power to the thirty nominated members of the five tribal authorities. The following day the South African Minister of Bantu Affairs officially opened the first Kavango Legislative Council, signalling the first step of handing over of limited powers to the Council. At the occasion the Kavango National Anthem was sung.

The Kavango-National Anthem

With Dignity Flows the Okavango
Through the Land of Green and Grey
Untouched but Combined
Here We Find a Small Nation at Home
But Through the Dark Shred Dawns

Through These Chaos Refract Light
Like Purple Lily of the Valley
Through Your Mud Blazes
Hope of Civilisation
For We Were Doomed, With No Hope in Sight
Oh Deep River, Oh Dark Stream
We Have Awoke We See the Light
Oh Deep River Oh Miraculous Stream²⁰

Kavango Volkslied

\Statig vloei die Okavango
Deur 'n land van groen en grys
Ongeskonde maar gebonde
Vind ons volke hier 'n tuis
Maar die skemering skeur die donker

Deur die chaos breek die lig

¹⁹ For the keynote address during the ceremony see the [South African Panorama](#), January 1971, p.38,

²⁰ I would like to thank Mr Sebastian Kantema and Ms Elisabeth Kandjendje for their assistance in getting a copy of the Kavango National Anthem, and Mr Michael Akuupa for the English translation of the Kavango Nation Anthem.

Soos pers lelies deur jou modder
Vlam van hoop beskawingsplig
Ons was gedoen geen hoop in sig
O diep rivier o donkerstroom
Ons het ontwaak ons vind die lig
O diep rivier o wonderstroom\

The lyrics of the National Anthem is puzzling, the use of phrases such as ‘through these chaos refract light’, through your mud blazes hope of civilisation’ For we were doomed, with no hope in sight’ We have awoke, We see the light’. The phrases imply that before the arrival of the white administration or the introduction of the Kavango Legislative Council in 1970, the people of Kavango were backward, uncivilized, but after the arrival of the colonial administration, the Kavango nation became civilized and awoke. This makes one to ask, how can the people of Kavango sing such an anthem and even making it a national anthem? Does it imply that the people of Kavango were not proud of their pre-colonial roots? The South African colonial administration composed and gave this national anthem to the Kavango government to be used as the National Anthem. It was an apparatus to indicate sovereignty and self-government for the people (as opposed to the past when the people were ‘doomed’ and ‘uncivilised’).

After 1973, the Kavango Legislative Council requested for the anthem to be proclaimed the Kavango National Anthem (as part of the request for self-rule). How then, did the Kavango Legislative Council make such a request, without alterations to the anthem? And how did the Kavango government allow the people of Kavango to sing the anthem. The fact that the first Kavango Legislative Council was not allowed by South African colonial law to alter the national anthem is somewhat understandable. But what is puzzling is that even after 1973, when Kavango became a self-ruling territory and the second Kavango Legislative Council was empowered to pass own laws, the Council did not alter the national anthem, instead the Council requested South Africa

colonial administration to adopt the anthem as the official Kavango National anthem, a request which was approved.

Self-Rule

In July of 1972, the Executive Council of the first Kavango Legislative Council (See figure 13), together with the Chairman and the vice-Chairman of the Council held urgent discussions with the Commissioner-General and officials of the South African Department of Bantu Administration and Development. The Executive Council requested the government of South Africa to make necessary preparations for granting of greater self-governing powers to the Kavango government. Four months later, during the official opening of the special session of the first Legislative Council of Kavango, Mr. J.M de Wet, the Commissioner-General for the native nations in South West Africa said:

During July of this year, you requested the government of the Republic of South Africa to make the necessary preparations for the granting of greater self-governing powers to the government of Kavango. My government agreed to this request and the necessary steps are now being taken to comply with your request. That is also the reason why you have summoned this special session so that you may also take the necessary steps on your part to further the matter.²¹

The opening speech by the Commissioner-General indicated that the Kavango government had requested self-rule and that the request was granted and the necessary measure were being discussed by the government of South Africa to comply with the request. But then, the Executive Council through the Chairman of the Council Dr Romanus Kampungu, informed the Kavango Legislative Council that:

²¹ NAN, F002-AP 7/3/1, The Commissioner-General during the official opening of the special session, Proceedings of a Special Session of the First Kavango Legislative Council, 27-31 October 1972 (The National Archives of Namibia, Windhoek), p.4.

The Executive Council, the chairman and Vice-Chairman, held urgent discussions with officials of the Department of Bantu Administration and Development with regard to the possibility of Kavango being declared a self governing territory.²²

And that the Executive Council had specifically requested that:

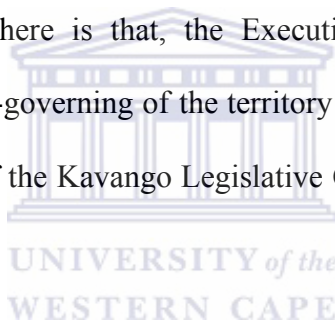
The nation of Kavango should take a greater share in the constitution of the Legislative Council and this was to be done in the form of an election, so that members of the Kavango nation, men as well as women, may have the opportunity of electing members of the Legislative Council. And that the Executive Council had specifically requested that: The Kavango territory be declared a self-governing territory, the Legislative Council of Kavango be empowered to pass laws instead of enactments, more powers be transferred to the Legislative Council, the Executive be substituted by a Cabinet with a Chief Minister and Ministers, a Supreme court for Kavango with its own judges be instituted and that the Kavango to have its own flag and national anthem.²³

The reason for the tabling of this motion in the Kavango Legislative Council was to allow for discussion, which then creates confusion. Why was the motion tabled if the two governments had already (before the special session) agreed to grant self-government to the government of Kavango? Was the Chairman only informing the Council of the request or was it tabled for discussion? The Executive Council in its capacity as the highest decision making body in the Kavango, had the authority to take a decision to request the government of South Africa for the status, however, it was only right to first consult the Kavango Legislative Council first. One would like to think that before matters of such magnitude were discussed with South African government officials and referred to the government of South Africa, this matter (self-governing rule) should have been first discussed in the Legislative Council, and then after, referred to the relevant South African authorities, which was not the case. Instead matters were first referred to the officials in the South African Ministry of Bantu Administration and Development (officials of the Republic of South Africa), and only four months later, it was referred for discussion by the entire Legislative Council. In fact this issue was brought to the attention of the Legislative Council by the Chairman in a form of an announcement,

²² NAN, F002-AP 7/3/1, Dr Romanus Kampungu, Proceedings of a Special Session of the First Kavango Legislative Council, 27-31 October 1972, (The National Archives of Namibia, Windhoek), pp.20-21

²³ Ibid

and he asked that the motion be passed by the Council. This surely demonstrates that Executive Council felt that it was better to discuss it with the colonial administration officials first before bringing it to the entire house, indicating the superiority of the colonial administration in Kavango. It also demonstrates that the South African government had the power to decide on the future of the territory and not the Legislative Council. In fact one may ask, what if, when the Kavango administration requested for self-rule, the colonial government of South Africa was not in favour of granting self-rule to Kavango, would this issue then have been brought to the attention of the entire Kavango Legislative Council? Or what if the Kavango Legislative Council (after learning about the Executive Council's request) rejected or was not in favour of self-rule, was the motion still to be discussed and passed? The point here is that, the Executive Council driven by the colonial administration requested for the self-governing of the territory before consulting the entire Council. This indicates the limits of power of the Kavango Legislative Council and demonstrates that power lay somewhere.



The lack of proper coordination between the Executive Council, the government of South Africa and the Legislative Council was surely a concern. The members of the Legislative Council did not understand what was happening as demonstrated by Councillor Nathanael Sirongo, a member of the Kwangali tribe:

Honourable Chairman, I only have a question. With regard to this second step which now gives us greater authority, in other words the granting of self-government, is it meant to be given at a specific time, is it to be asked for or are compelled to accept it.²⁴

This question by Councillor Nathanael Sirongo clearly demonstrates that as a member of the Council, he failed to understand the procedural for implementation or the granting of self-rule, how it was to be

²⁴ NAN, F002-AP 7/3/1, Rev. Nathanael Sirongo, Kavango Legislative Council Proceedings of a Special Session of the First Kavango Legislative Council,(27-31 October 1972), p.22

implemented and whether the Kavango was forced to accept self-rule. The Kavango Legislative Chairman, Dr Romanus Kampungu tried to put the other members at ease by replying:

We should not be hasty, we should accept these things and then everything will turn out well in the end. Are there any other ideas? We know that Chief Councillor has proposed this motion and you also know how it will be handled from here.²⁵

The chairman's reply indicated that the question of self-rule was to be tried first before any opposition from the house. Before the self-government motion was passed, the Honourable Chief Councillor, Linus Shashipapo who introduced the motion to the house, took the floor again and said:

Honourable Chairman, I also wish to give my opinion on this matter. It would not be advisable to refuse this second step. In my view, we should not develop too rapidly, but rather step by step, and later on we shall see that we have developed well..., but I ask that we should try and see what happens... We know what our needs are and what our wishes are, but one should not be left out of this. You should ask all that you wish to know, because even a child has a mind of his own. We don't as yet know how to rule, but those who teach us, do know. They know what our aims are and where we are heading for. We should not hate one another, because we know our own ideals. Thank you, Honourable Chairman.²⁶

The motion was discussed and adopted by the house, and what is interesting is that the some members (including the Chief Councillor and the Chairman) felt that they needed to 'try self-rule' as granted by South Africa and see where it took them and secondly, it was clear that they relied more on South Africa's assistance (than on themselves) to make this process a success. These members of the Council by pushing for this motion through, understood and felt that by not accepting this motion, the Council was to disappoint South Africa and in the future sour the relation between the Kavango and the Republic of South Africa, a relationship on which Kavango depended heavily.

²⁵ NAN, F002-AP 7/3/1, Dr Romanus Kampungu replying to the question posed by members on Kavango's proposed self rule, Kavango Legislative Council Proceedings of a Special Session of the First Kavango Legislative Council, , (27-31 October 1972), p.24

²⁶ NAN, F002-AP 7/3/1, Chief Councillor Linus Shashipapo motivating the motion on Kavango Self rule, Kavango Legislative Council Proceedings of a Special Session of the First Kavango Legislative Council, (27-31 October 1972), p.24

On 9 May 1973, (two days after the last sitting of the first Kavango Legislative Council) Kavango was declared a self-governing area under Proclamation No.R.115 of 1973. The first Kavango Legislative Council was dissolved and after elections in the five electoral areas, a second Kavango Legislative Council was proclaimed, which consisted of the following members. The five Chiefs, two members designated by each of the five tribal authorities and three members in respect of each electoral division, elected by the members of the Kavango nation entitled to vote.²⁷ The second Kavango Legislative Council was therefore composed of thirty members. The Kavango Legislative Council's executive authority rested in the Kavango cabinet, which was comprised of five ministers elected by the tribal representatives from their own ranks.²⁸

The cabinet consisted of five Ministers i.e. Ministry of Chief Minister and Finance: Alfons Mayavero (Mbukushu), Ministry of Works: Andreas Kandjimi (Sambyu), Ministry of Justice Sebastian Kamwanga (Gciriku), Ministry of Education: Leevi Hakusembe (Mbunza) and Ministry of Agriculture and Forestry: Rudolph Ngondo (Kwangali). Like the first Legislative Council, the second Kavango Legislative Council was administered by white South African officials and 'being a minister at that time meant the secretary would inform you of what you are to discuss and you as a minister would lead that specific discussion in the Legislative Council.'²⁹ (Secretary tayi reta eyi nomu yalikunda ano ove toyi pitisire mo Ndango). However, Rudolf Ngondo argues that although the administrators were South African, the fact that departmental motions were tabled by the Minister and discussed through the Ministries meant that the Ministers always acted in the interest of the entire people of Kavango.³⁰

²⁷ The Tribal Authorities for each of the five Tribal Authorities were also Electoral divisions and these were used in the elections of the four members to the Legislative Council. In order to vote, persons were required to be 18 years or over, in possession of a registration card and were only entitled to vote in his or her electoral division.

²⁸ Republic of South Africa Government Gazette, 4 May 1973, Vol. 95, Proclamation R.115 of 1973 'Kavango-Declaration of Self-Governing Area and Constitution of Legislative Council', National Library of Namibia, Windhoek, p.5

²⁹ Ngondo, Katji-na-Katji, 6 April 2007

³⁰ Ibid

Elections for the fifteen members to the second Kavango Legislative Council were held on 29 and 30 August 1973, in Mbukushu, Sambyu and Mbunza tribal areas.³¹ The electoral constituencies of Kwangali and Gciriku each nominated exactly five members, who were therefore automatically elected to the new Legislative Council. Hence no elections were necessary in those tribal areas. The elections were highly criticized by S.W.A.P.O as reported by Kavangudi:

Before the election the Kavango Legislative Council received a letter from SWAPO, in the letter, residents of Kavango were discouraged from voting and were specifically told that in case they did vote, they should be able to bear the consequences of their actions.³²

\Komeho tupu zehoroworo yipo za gwene Ndango zEturovoveta zaKavango mbapira zaSwapo. Mombapira ezi kwa tanterere mo vaKavango as va ha hororowora nokuvatantera hena asi sinene tupu ngava horowora ngano yiwo tupu kukagwana udigu.\

The threatening letter by SWAPO indicates its opposition to the Bantustans and the party's stand which indicated that Kavango (like any other part) was an integral part of the whole South West Africa and not a separate part of the territory. The letter by SWAPO in Kavangudi was not taken up seriously or maybe it was, but the Kavango administration did not call off the elections. In fact, Kavango Legislative Council's Chief Minister Linus Shashipapo counteracted:

SWAPO should never involve herself in his people's activities. He also did not want other countries to get involved in the elections in Kavango.³³

\SWAPO narumwesi nga liture moyininke yovantu vendi. Age hena kapi ga here asi yirongo nayo peke yoponze zaKavango nayo yiuunge kombinga zehoroworo eli lya horoka moKavango.\

The election went ahead even with opposition from SWAPO, which at that time was not allowed to have any role in the political affairs of Kavango. SWAPO campaigned for the unification of the territory under one democratic elected government. Coupled by the International Court of Justice

³¹ NAN, F002-JX/0006, Kavangudi No.4, newspaper article entitled 'Kavango yina mupu yehoroworo', September, 1973,(National Archives of Namibia, Windhoek) pp.1-2 and also see Du Pisani, SWA/ Namibia , p. 241

³² NAN, F002-JX/0006, Kavangudi No.4, newspaper article entitled 'Kavango yina mupu yehoroworo', September, 1973, pp.1-2

³³ Ibid

ruling that declared South Africa's presence in the territory illegal on the 21st June 1971, SWAPO cautioned that the freedom of the territory was primarily a matter to be decided by the Namibian people themselves and not by a foreign colonial government.³⁴ SWAPO with other political churches and church organisation such as the Ovambo-Kavango Evangelical Lutheran Church boycotted and condemned both the Bantustan elections in Ovamboland and Kavango.

At that point in time, SWAPO had arrived in Kavango, a lot of people were fleeing the country. The election was in a compromising and difficult position. The people listened to the Radio from the other (northern) side of the River. The people on the radio spoke of SWAPO's refusal to participate in the elections in Kavango. A lot of SWAPO supporters in Kavango did not participate in the 1973 election, they simply refused, but the election went ahead, what could one do? Nothing!³⁵

Ruveze rwina SWAPO ana wiza, vantu awo kuna kuzaza ponze zosirongo. Ehoroworo kwa kere moudigu. Ose pena kupurakena ko Radio zemesinya mwina. Ngatu zuvhu asi SWAPO ano nyoka ku kwatesako ehoroworo lyomo Kavango. Sinzi sovantu ava vapulire mwa SWAPO kapi va horowere mo 1973. Vantu kwa nyokere, enye ehoroworo kwa zire komenho, yinke no vhura kurugana ko? Nayimwesi!

Although lack of statistical evidence to indicate how many SWAPO supporters refused to participate in the elections, it is safe to conclude that some SWAPO supporters in Kavango did not participate in the election, but yet the election went ahead as planned. The fact that SWAPO was not allowed to operate inside South West Africa meant that, the party could only oppose the elections clandestine and from outside, but all these efforts proved ineffective to stop the elections in Kavango.

³⁴ K. Dierks, Chronology of Namibian History: From Pre-Historical times to Independent Namibia, (Namibia Scientific Society, Windhoek, 1999), p.137

³⁵ Munango, 7 April 2007

29-30 August 1973 election results

Mbukushu

Candidates	Votes
Alfons Mayavero	3 060
Anton Mushambe	2 697
Gerhard Shakadja	1 456
Alexander Mukoya	745
Shoro Kapojojo	575

Sambyu

Candidates	Votes
Dr Romanus Kampungu	2 010
Andreas Kandjimi	1 853
George Hashipara	1 051
Josef Katjotjo	905
Valentinus Shipapo	847

Mbunza

Candidates	Votes
Lorenz Haupindi	2 174
Silas Ndango	1 908
Michael Hausiku	1 731
Voitto Lyevera	1 358
Asser Kavara	951

Source: Kavangudi, September 1973, pp.2-3

The first three persons with the highest votes in each of the electoral areas joined two tribal designated persons and the tribal chief to make up the six members from each tribe. One interpretation of the election outcome is that since the request came from the Kavango Legislative Council, the members of the first Kavango Legislative Council and specifically representatives of the five tribes organised and campaigned for the elections, therefore acting as electoral agents and ensuring that the people in their tribes went to the poles to vote for those people hand picked to stand in the elections.

We were told to go into the election, at that time I was a teacher, I was asked by members of the Mbunza traditional authority as well as members of the Kavango government. I decided to enter as a candidate.³⁶

\Ose kwatu ninkire tuze mehoroworo, posiruwo sina ame mitili nakere, ano mokuninka nge yipo nye naziremo mehoroworo. Nkenye rudi kwa wizire vantu vatundire ko rudi rwa Mbunza kumwe no vantu vemepangero, yipo nye vatu ninkire tu ze me horoworo.\

One question however is, how did the elections in the three tribal electoral areas manage to ensure more than 50% turnout, as indicated by Dierks and Kavangudi on such a short moment of time?³⁷ The electoral success in the three areas lay in the peculiar nature of the Kavango Bantustan political framework. SWAPO was not allowed to participate in elections. The South African and the Kavango administration position towards SWAPO made opposition to the election basically non-existence and those SWAPO supporters or any one who opposed the election risked torture or detention. The other interpretation is that the five tribal authorities played a major role in the election campaign, and the participants were carefully nominated, as Lorenz Haupindi the chairperson of the Kavango Legislative Council from 1973 to 1989 explains:

In Mbunza, western Kavango, the villages were divided...then we participated in the election, we were nominated at Dudu (village). I was a teacher at that time and there were three people nominated by the people in my area. Out of the three people I was elected for the main Mbunza elections, to compete with the other contestants from the other electoral divisions in Mbunza. I

³⁶ Haupindi, 4 April 2007, Lorenz Haupindi was a member of the Kavango Legislative Council from 1973 until 1989.

³⁷ Dierks, Chronology of Namibian History, p.142, and 'Uitslag van die verkiesing', Kavangudi No.4, September 1973.

was then sent to the major election in the entire (Mbunza) land and out of the Mbunza elections I got the highest vote, which is how I got into the Kavango Legislative Council.³⁸

\MoMbunza nomukunda kwadi tetere....makura ose kwa zire mo nye mehoroworo. Apa twa zire moku katu horowora po Dudu pena. Sirowo oso ame ni murongi, kwa zire mo ngano tuvatu mehoroworo....mokuka tumbagura tanko nye tuvatu, makura moku katu horowora nye mowo vatatu yipo naka pwege mo nye. Ame nyame nye va geve nize nye mehoroworo lyo sirongo saMbunza mudima. Ano mehoroworo olyo lyo sirongo saMbunza naka gwene mo mazwi, hawe gomawa tupu, ngwendi nyamwe napitire vakwetu komazwi\

High election turnout can also be interpreted to indicate that there was a force behind the elections. The division of the different villages into nomination district by the tribal authorities and the colonial administration means that the tribal authority did play part in the elections of those people who were meant to participate in the election independently, without the back up or support of the tribal authorities, creating a question how free was the elections? This means that only those allowed (by the tribal authorities and the colonial administration) to participate in the election could stand and no one was else allowed to stand on his own. This made it difficult for independent nominations and elections of people that were not supported by the tribal authorities in other words, free participation in the elections required tribal authority recommendation. This clearly demonstrates the issue of authority and power in the electoral process. The following persons were eligible to vote: a member of the Kavango nation of the age of eighteen and over, a member of the Kavango nation in possession of a registration card issued in terms of the Kavango Nation Registration Enactment 6. of 1972, a person entitled to vote could only vote in his or her electoral division as stipulated on his or her electoral card and his or her conduct shall be in accordance with the relevant laws of Kavango.³⁹

The involvement of the traditional authorities in the election process can be interpreted as follows: the traditional authority leadership was acting as agents of the South African separate developments

³⁸ Haupindi, 4 April 2007.

³⁹ Republic of South Africa Government Gazette, 4 May 1973, vol. 95, Proclamation R.115 of 1973 'Kavango-Declaration of Self-Governing Area and Constitution of Legislative Council, (National Library of Namibia, Windhoek), pp.2-3

policy. The exclusion of the SWAPO party (or any other independent party for that matter) that could express opposition to the policy of separate developments is also questionable. By not allowing opposition parties or individuals to participate in the elections, authorities ignored the elementary of principles and conditions of a democratic electoral process.

Elites and Chiefs

It was clear that the implementation of the plans by the colonial administration was not going to be easy in Kavango. The new form of government was not easily comprehensible, therefore the administration needed to put measures in place to make this a success or at least make it acceptable by the local people. One of the ways to do this was to include from the beginning white officials and people that could make this work.

The role of the educated and church elite in the Council is very important in understanding the question of power and the functioning of the Council especially the second Legislative Council. What is notable is the election. Of the following people in the chamber: Dr Romanus Kampungu (chairman 1970-1975), Rev Bonifacius Haushiku (Vice-Chairman 1972-73) and Rev Nathanael Sirongo (1973-) to the position of Chairman and vice Chairman. People in the Council had hope and faith in the people that were educated and were church leaders to lead them and therefore occupy prominent seats in the Council.

In 1973, the Kwangali tribal authority held two meetings 21st March 1973 and 2nd April 1973 and expelled Dr Romanus Kampungu from the Kavango Legislative Council. As a result of the expulsion he lost his position as chairman of the Council in terms of Regulation 12 (2) of the Proclamation R.196 of 1970 which stipulated that:

A Councillor who is not the Chief Councillor, the tribal authority which nominated him in terms section 9 or the Legislative Council, may for sound and cogent reasons by petition, conveyed through the Minister of Bantu Administration and Development, request the State President to remove him from office and the State President may if he deems fit accede to any such petition. The decision of the State President on such petition shall be conveyed to the Chairman of the Legislative Council who shall immediately advise the tribal authority and the Councillor concerned of the decision.⁴⁰

The Council tried to get the Kwangali delegation to indicate to the Council the reasons for the expulsion of Dr Kampungu but the delegation refused. And as a result the seat of chairmanship became vacant and the Council unanimously pushed and voted for Rev Bonifacius Haushiku⁴¹ as the Chairman, who first refused and said:

Honourable members, I thank you for showing me that you trust me, but you will excuse me if I say what I am going to say. I wish to inform you that although I have been elected I am not prepared to accept. You know that the Act states that if someone has been elected and he does not wish to accept election, he has the right to refuse. I therefore tell you that I am not prepared to be Chairman. I shall try to perform my duties as Vice-Chairman, therefore I ask the whole Council to elect another Chairman. Thank you.⁴²

The Vice-Chairman's point was not accepted by the house and Gregor Linyando of the Sambyu, motivated his point and said:

Honourable Chairman, we know what our purpose is. This is election, even if we decide differently, is exactly the same as always. There is also a law that states that when the nation of a country has decided to nominate a certain person to be their leader, that person must master his strength to act as a leader.....Honourable Chairman, you must please help us even if you are not satisfied and until such time as we can find another educated person....We implore you to do this, honourable Chairman. When you now leave this session, please consider these things and think about your nation and the twenty seven votes in your favour. Please consider this well, because we are under you, under Kavango as members.⁴³

The Chief Councillor Linus Shashipapo added to the motivation:

⁴⁰ Republic of South Africa Government Gazzete, 14 August 1970, vol. 62, No.2270,, Proclamation R.196 of 1970

⁴¹ Kavango Legislative Council,(National Library of Namibia, Windhoek), p.4

⁴¹ Sometimes spelled Bonifatius Haushiku

⁴² NAN, F002-AP 7/3/2, a statement by Rev Bonifacius Haushiku, Kavango Legislatives proceedings of the fourth session of the First Kavango Legislative Council (13 April to 7 May 1973), p.46. After leaving the Legislative Council Bonifacius Haushiku was ordained in the Roman Catholic Church as the first black Bishop in 1979

⁴³ NAN, F002-AP 7/3/2, a statement by Gregor Linyando, Kavango Legislatives proceedings of the fourth session of the First Kavango Legislative Council (13 April to 7 May 1973), pp.47-48

Honourable Chairman, we have not yet replied to you. I agree with the words of the honourable member of the Legislative Council, Gregor Linyando from Sambyu. I wish there were five more persons like him, educated church leaders that would have been better. I refer to what he said about the Chairman and Vice-Chairman. The Chairman has now left, that's why we must now appoint the Vice-Chairman in his place. This is very important....I personally as I stand here, I am saying this, this is the Chairman, the honourable father Bonifacius, that is all. Look for a Vice-Chairman for him.⁴⁴

Rev. Haushiku later accepted his election as the Chairman and Rev Nathanael Sirongo was elected Vice-Chairman of the Council. The persistence of the Council clearly demonstrates the politics of power, education and the church and these members of the Kavango society were perceived as 'qualified' people to lead the Kavango Legislative Council.



⁴⁴ NAN, F002-AP 7/3/2, Gregor Linyando, Kavango Legislatives proceedings of the fourth session of the First Kavango Legislative Council (13 April to 7 May 1973), p.48

Conclusion

The granting of limited authority to the various Legislative Councils in South West Africa in the 1970s should not be misunderstood with independence. In the first phase Kavango as territory was granted home-rule powers in 1970, which meant that the few nominated people into the Council could only recommend to the colonial government. But after 1973, when the territory was granted self-governing status, Kavango Legislative Council was entitled to make its own laws. This chapter has showed that self-rule enabled the few elected and nominated to run the political affairs of their territories, but under the guidance and at the mercy of the South African State President and the government. This chapter had indicated that although, the Kavango gained self rule and self rule meant that the Kavango Legislative Council had powers to make laws, these laws were not allowed to be inconsistent with the Development of Self-Government for Native Nations in South West Africa Amendment Act No 20 of 1973 and other South African laws. In fact Act No.20 of 1973, clearly stated that ‘every bill passed by a legislative Council of a self-governing area shall forthwith, after having been passed, together with such explanation observations as may be necessary ...be submitted to the office of the Commissioner-General to the Minister of Bantu Administration and Development for presentation to the State President for his assent.’⁴⁵

The chapter has demonstrated that by inclusion of the traditional authorities in the Kavango Legislative Council the South African government incorporated these authorities into one administration unit for the entire Kavango. Some of the traditional authority leaders such as Chief Councillor Linus Shashipapo occupied prominent positions in the Executive of the Council.

⁴⁵ Government Gazette of the Republic of South Africa, vol. 94, No.3845 ‘The Development of Self-government for Native Nations of South Africa Amendment Act no.20 of 1973’, (National Library of Namibia, Windhoek),p.20

This chapter indicated that the Kavango homeland political arena was pre-organised to create and ensure predominance of emergent elites and traditional leaders. Either by election or nomination, the system was organised in such a way that it created a new class in which chiefs, headmen and church leaders were bound to the colonial administration through direct financial inducement and status in society. The financial and other benefits offered by becoming a member of the Council brought about opportunities for the few to become financial stable, own expensive houses and stay in the government and created a class of petty-bourgeoisie (see figure 14)

The Kavango homeland was a declared self-ruling territory in 1973 and more defined powers were given to the Council to make laws, have its own constitution, flag and a national anthem. This chapter has indicated that according to the law that governed the homelands, every motion discussed in the Council was to be in parallel with South Africa's colonial policy.

The chapter also demonstrated that the administration framework of the Kavango Legislative Council ensured that the Council adhered to the colonial administration. The fact that the Council was administered by white South African officials ensured that the Council as an extended arm of indirect rule, discussed issues that were considered appropriate and allowed, and nothing was allowed that was in contravention with the colonial administration rule.

The first and the second Legislative Councils discussed various debates and motions. The following chapter looks at selected debates and motions in the Kavango Legislative Council. It also demonstrates the powers and authority of the Kavango Legislative Council and the Executive Council in relation to the colonial administration.

CHAPTER FOUR

THE KAVANGO LEGISLATIVE COUNCIL: SELECTED DEBATES AND POLICIES

Introduction

The chapter is driven, by not only a desire to chart out an unexplored political narrative but to seek answers to several key questions. In its attempt to answer the central question: was the Kavango Legislative Council simply a colonial tool or a real attempt by South Africa to provide for self-governance for the Kavango, the chapter tries to answer this question not just by a descriptive account of the proceedings of the Kavango Legislative Council, but by focusing on selected key issues discussed by the Council: Kavango independence, Kavango identity, the contract labour system, Kavango Education Act and the Turnhalle Conference. By selecting specific debates and motions, the chapter creates a focal point in looking at question of how 'independent' the Kavango administration was in relation to the South African colonial administration and how the Council dealt with the question of authority through these key issues

The Kavango Legislative Council remained silent on some important issues and these will also be discussed with a view to understanding why.

The other dimension of this chapter investigates to what extent the Kavango Legislative Councillors used the chamber as a forum to challenge the South African government.

Defining the Nation

On the 27 October 1972 during the official opening of the special session of the first Kavango Legislative Council, the Commissioner-General for the Native Nations in South West Africa, J.M de Wet stated:

Under the Act on the Development of Home Rule for Native Nations in South West Africa your Legislative Council and Executive Council have been given certain powers so that the Kavango can be ruled by your own government in your country. These powers and abilities embrace the following, the registration of members of your nation, whether they are resident within Kavango or outside the territory, the issuing of a registration certificate to every member of your nation.¹

He further continued,

You also expressed, it was the wish of the government of Kavango that the nation of Kavango should take greater share in the constitution of this Legislative Council and that this should come about by way of an election. These are indeed important decisions of great significance to you as a government and the nation of Kavango. It is a considerable step which you shall be taking towards your ultimate aim, namely eventual independence. The necessary legislation to comply with this request of yours will be presented to Parliament in Cape Town during 1973. Far-reaching powers for you as a Legislative Council are proposed in this Legislation. So for instance you will be empowered to amend existing laws of the Government of the Republic of South Africa which are applicable in Kavango regarding those matters in respect of which your are being granted self-governing powers to enact new laws in their place.²

The request for self-government of Kavango being referred to here by the Commissioner-General was eventually granted by the colonial administration and Kavango became a self-governing territory as from 1973. This step meant that the Kavango territory was then reserved

¹ NAN, F002-AP 7/3/1, National Archives of Namibia, Windhoek, a statement by the Commissioner-General J.M de Wet, Kavango Legislatives Council proceedings of a Special session of the First Kavango Legislative Council (27-31 October 1972), p.6

² Ibid, pp.8-9

for the sole use and settlement by the Kavango people. The Kavango Legislative Council was therefore tasked to determine who the Kavango people were, especially in reference to the fact that these were the only 'legitimate' people to participate in the political activities of Kavango. This was necessitated by the need for political sovereignty of Kavango and the need for elections. During the motivation of the Kavango Nation Registration motion in the Council, Councillor Anton Mushambe, Councillor for Justice and Community Affairs said:

Honourable Chairman, I wish to take this opportunity to explain shortly to the Legislative Council why it is important that the Nation Registration Enactment for Kavango be accepted. All the other homelands of the Republic (of South Africa) and even our neighbours in Owambo, have similar legislation and they can take pride in displaying their documents of citizenship, thereby proving that they are citizens of a certain country with its own nationality and culture. In contrast thereto we, as Kavangos, have no document whatsoever with which to reveal our identity to others.

You are aware of the fact that the Legislative Council of Kavango at present possesses home-ruling powers. The Republic of South Africa has now met us halfway and has given us the choice of whether we wish to continue on the level of home-rule or whether we are prepared to accept the next step, namely that of self-government.

We as a governing body have unanimously decided to accept this challenge and this is the main reason for our gathering here for this special session. The motion regarding our constitutional composition has indeed been accepted earlier during this session. However, much preparation is required before we can become self-governing. First of all it must be determined who the citizens of Kavango are, and this can only be determined after this enactment has been accepted by you as the Government of our country.

The nature of the membership document will be such that from the registration number alone one will be able to determine the following important information:

- a) That the holder therefore is a Kavango
- b) The tribe to which the latter belongs
- c) The name of his/her chief, foreman, ward
- d) The sex of the holder as well as the age

Further more I wish to draw your attention to the fact that on the document which will be issued to every citizen, provision will be made for him to cast his vote. Thereby future elections will be considerably simplified. The State President has given his approval that

this enactment be made applicable outside Kavango as well for those Kavango outside the territory.’³

The speech helps to bring forth the question of evidence in regard to Kavango identity and citizenship in relation to the Council. The Councillor’s statement is ambivalent in the sense that it demonstrated the motivation or the need for Kavango identity and also the fact that this motion was necessitated by external factors such as the need to be like the ‘others’ the Owambos. The Owambo had such legislation in place therefore the Kavangos should have too. Kavango was being granted self-governing status, and the Owambo people were granted such a status earlier. It was a pre-requisite that the people voted members to the Legislative Council and do away with the government appointees system that constituted the first Kavango Legislative Council. It leads one to conclude that the major reason was the ‘need for the people of Kavango to participate’ in the 1973 elections and to be like the ‘others’.

The following question therefore stands out: did the Council present the motion in order to make provision for the legality and authenticity of the 1973 elections? Did the Council discuss the question of identity and citizenship just to make sure that the people of Kavango participated in the elections to be like the ‘others’? The question might not have a clear cut answer but, what is obvious is the introduction of the Nation Registration Enactment in the Council was very much driven by South Africa’s Bantu Homelands Citizenship Act of 1970 which, according to Rogers classified every African a citizen of one of the Bantustans, whether or not he or she lived in a Bantustan.⁴ Since the Kavango was going to attain self-rule status, the South African government in a way minimised its responsibilities for the political aspiration of the people from the various Bantustans, who were deemed ‘citizens’ of self-governing states.

³ NAN, F002-AP 7/3/2, National Archives of Namibia, Windhoek, an introductory speech by the Councillor for Justice and Community Affairs Anton Mushambe, Kavango Legislative proceedings of a special session, Kavango Legislative Council (27-31 October 1972), p.46

⁴ Rogers, Divide and Rule, p.41

The passing of the Kavango Nation Registration Enactment motion by the first Legislative Council during a special session affected the people in various ways. The effect can be classified as social and political. It asked for South Africa to make it a law for all citizens of Kavango to be registered as citizens of Kavango. The enactment of this motion divided the people of Kavango between those on the southern and northern side of Kavango the river. As indicated by the interview with Lorenz Haupindi.⁵ The Kavango people lived on both side of the river, in fact, he said, they used to cross the river anytime they felt like, as the Councillor for Agriculture Romanus Kamunoko of the vaSambyu tribe explained:

If a person living in Angola wishes to come and stay here and to be registered as a citizen of Kavango, then he is not allowed to do so, he must remain in Angola; but he is my brother, what are we to do, how will he be registered? We must bear in mind that he was born in Kavango. If we should cross over to Calai and inspect the office there, we will find where they have been registered, that they are registered as Kavango, because we all live together on the Kavango River.⁶

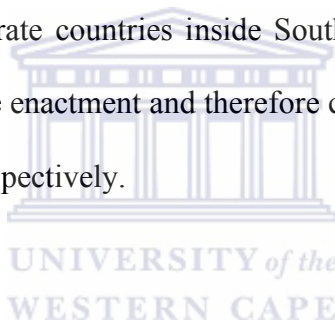
In the past, the Kavango tribes did not recognise the river as a boundary, as Budack and Eckl has indicated.⁷ Chiefs such Chief Himarwa (uKwangali), Chief Mbambangandu (Gciriku) and many other Kavango chiefs and their subjects lived on the northern (Portuguese controlled) and the Angolan side of the river. The enactment ‘officially’ divided the Kavango people into South West African Kavangos and Portuguese/Angolan Kavango people. The enactment therefore made those on the other side of the Kavango river ‘foreigners’. This legislation also did away with the other people from other parts of South West Africa.

⁵ Haupindi, Rundu, 4 April 2007

⁶ NAN, F002-AP 7/3/2, National Archives of Namibia, Windhoek, a speech by the Councilor Romanus Kamunoko, Kavango Legislatives proceedings of the Special session of the First Kavango Legislative Council (27-31 October 1972), p.31

⁷ Budack, ‘The Kavango’, p. 33 and Eckl, ‘Confrontation and co-operation in the Kavango’, p.17

The Kavango Registration Enactment Act made provision for people in Kavango to acquire political rights only in Kavango and nowhere else in South West Africa, a move that classified them as Kavango homeland citizens. From 1974, every one with a 'Kavango' stamped in their reference book (better known as pass book) lost their South West African citizenship. By becoming citizens of Kavango the people relinquished their South West African nationalities and therefore were not an integral part of the whole country. Kavango people could not get work (inside or outside of the homeland) or even a pension without their Kavango identification book. It is clear from this that the question of South West Africa's unity was affected, as Kavango and other homelands could not unite politically. In fact all those homelands that were declared self-governing territories become separate countries inside South West Africa. Those who tried to unite were in direct violation of the enactment and therefore could be prosecuted by the Kavango and South African governments respectively.



The Contract Labour System

The contract labour system in South West Africa was introduced as the colonial government's way to acquire cheap labour for the mines, farms and industries both in South West Africa and South Africa. Contract wages were deliberately kept lower than other wages because of the migratory nature of the system, which meant that by being migrant, the workers could not hold a job long enough to acquire skills that could guarantee a permanent job. The worker's family could not travel with them to their work place to guarantee permanent residence at the work place. The family had to remain behind, this way the government ensured that the worker travelled home at the end of his contract. The contract wages were aimed to supplement subsistence farming in the homelands. Contract labour system had an impact on the worker's social, family and community lives.

The legislation was aimed at regulating, supplying, reproducing and constant production of cheap labour into South Africa and South West Africa. As self-governing homelands, the different homelands in South Africa were officially transformed into ‘appendages of the white run economy to regulate and control the aged, the unemployable and the unproductive.’⁸

Hishongwa and Diescho have written separately on how the contract labour system had a direct effect on the social and family lives of the workers in South West Africa.⁹ They collectively indicated that people went on contract in partially to pay taxes and use a portion of their wages to supplement their subsistence way of life. The Contract labour system broke down family ties, reduced traditional roles and contribution towards family activities. When the men were away on contract, women were then socially obliged to do double work including taking over their husband’s household chores, ‘women were left alone to deal with the problems of caring for their children, themselves and the entire household, which included the care of the domestic animals and subsistence farming.’¹⁰ The children grew up without their fathers and the community was left without manly input on the daily activities. For example, because all men had left on contract, an entire community might be left without any able-bodied men. Only old men, women and children were left to see to the community’s welfare. The subsistence agricultural sector was drained of its labour power. Since labour power was the rural community’s social product, the absence of the men resulted in the exploitation of the others. The contract labour system placed extra burden on the women, children and the entire community in the rural areas. Munango Eliakim explains the pressure placed on man:

⁸ Southall, *South Africa’s Transkei*, p. 208

⁹ N. Hishongwa, *The Contract Labour system and its effect on family and social life in Namibia* (Windhoek, Gamsberg Macmillan, 1992), pp.87-108 and Diescho, *Born of the Sun*, pp.12-34.

¹⁰ Hishongwa, *The Contract Labour system*, p. 95

The man was the pillar of the house, but going on contract demonstrated the powers of the man, it was seen as a must for every man in the village. Those who could not go (on contract) were not regarded as full men....men did not only go on contract for themselves, but for their children, their wives and the entire village... a man was obliged to go, in order to make money to pay taxes, otherwise you had to sacrifice your cattle and if one did not go, you had to pay with your cattle, what was one to use to plough the mahangu fields?¹¹

\Mugara kwa kere ngundi zembo, enye kuza ko kondraka ngau likida nonkondo domugara, oso kwa kere sihepwa sankenye mugara momukunda. Owo ngava diri kuza ko kapi vava tere ko ngo vagara wokuzulilira....vagara ngava zire ko kondraka morwa vana vawo, vakadi novantu navenye womo mukunda.....muntu wakona kuza yipo oka ruganene yimaliwa yoku yafuta mutero, ngano nongombe deni tadi yazi komutero, ano sinene dina zi eyi nomulimisa mahangu\?

This statement signifies the role and the need for the man to go on contract, going on contract was seen as a way to save one's family. It was a man's role to ensure that the family cattle were not taken away as tax payment, which would mean non productivity in the Mahangu agricultural fields, no milk and meat for the family. Apart from financial incentive, the person also earned respect from the community. As indicated by Diescho that 'usually contract labourers who came back with heavy trunks are highly respected, especially if they bring back heavy coats and hats for their fathers, and long, dark, colourful fabrics for their mothers. The whole idea energizes the young men, the sooner they go, the better.'¹² The quote demonstrates that going on contract was perceived as a way in which a man could ensure financial, social stability, respect and status for himself and his family.

The Kavango Legislative Council dealt with the Kavango labour issue in 1974 during the second session of the second Kavango Legislative Council which took place from 26 April to 21 May 1974. The Council discussed and passed the Kavango Labour Capital Act. The Kavango Labour

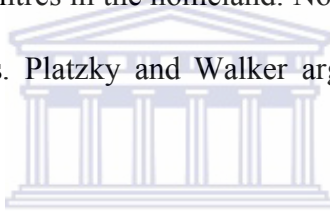
¹¹ Munango, 7 April 2007

¹² Diescho, Born of the Sun, p. 76

Capital Act which was tabled by the Kavango Minister of Justice and Interior, Sebastian Kamwanga aimed:

To make provision for the registration of employers, Kavango employees and to make provision for the installation of district and tribal labour bureaux in Kavango. The bill further aimed to make provision for the control of qualified employees and do away with malpractice of employing foreigners instead of Kavangos.¹³

The Legislative Council passed the Act to control the number of employees that left Kavango to other parts of Kavango. This was aimed to act as a control mechanism that would enable the job provider and the homeland to control and co-ordinate the number of workers into the mines, farms and industries in South Africa and South West Africa. The Act aimed to control the workers from the different tribal centres in the homeland. No one was to be given a job if he was not registered at the tribal centres. Platzky and Walker argued by the introduction of labour bureaux system in the homelands:



The Nationalist government reworked into an increasingly sophisticated and all-embracing method of labour allocation and control...the functions of the network of labour bureaux...was to control the number of people allowed to enter the urban areas for job purposes and to direct labour to those areas and sectors most in need of it: to select, allocate and then eject workers once their jobs were over... With one stamp, the labour bureaux officials could determine where one could work, for how long one could work there, even what kind of work one could do.¹⁴

As a revenue device the Labour Act aimed to ‘determine what percentage of the wages of employed Kavangos was to be returned to the government of Kavango.’¹⁵ This money was then used to supplement South Africa’s financial contribution to the Kavango. By doing away with the employment of foreigners, the Kavango government ensured that only Kavango people were to be given employment and in return, the employee made a financial contribution to the

¹³ NAN, F002-AP 7/3/3, ‘Proceedings of the second session of the second Kavango Legislative Council’, pp.45-46

¹⁴ Platzky and Walker, *The Surplus People*, p.108

¹⁵ Ibid.

government of Kavango. It was clear that the Kavango Legislative Council passed the Labour Act as a way of its obligation towards raising taxes for its work.

The Kavango Legislative Council's debate of the bill did not include discussion on the social impact that the contract system had on the families and communities in the rural areas, but it was more financial driven, but why? It can be assumed that the people in the Council knew exactly the impact the contract labour system had on the African family but paid little attention to these issues. They discussed the financial aspect of the bill, excluded the social and political aspects of the bill.

Munango elaborated on some of the councillor's limitation and how the Council worked:

We (the Kavango Legislative Council members) were not responsible for the tabling of the motions or what was to be discussed by the Council, it was the work of the Council Secretary, he was responsible for what was to be discussed and he would put it in writing and the Council would discuss the motions through the specific minister. Secondly, the people of Kavango were illiterate and lacked knowledge of these things, this is why we discussed the motions using those that were already written by the whites, especially the written work, the Council only adapted these Acts to become Kavango laws or laws that would work in Kavango.¹⁶

\Ose noveta kipasi nyose ngatu di tura po, oyo kwa kere yirugana ya Secretary go Ndango, age yige nga tara asi yinke vana hepa kuliyonga makura tayi tura patjangwa, ano Ndango azo tazi yizogere kupitira mwa ministera ogo yatumbukira. Sauvali, Vantu vomo Kavango kapi vakere noudivi ntani elirongo, yiyo nye ngatu liyongere kupitira moyininke yo vakwetu vazera, unene ko kweyi vatjanga, Ndango azo ngazi yitura tupu yi kare yo vaKavango ndi asi yirugane mo Kavango. \

The statement makes sense in that it illustrates the authority of the Secretary of the Council on the tabling of the motions in the Council. The fact that, Kavango had no written laws, the

¹⁶ Munango, 7 April 2007

South African laws or laws that were applicable to the other homelands were then brought to Kavango and only adapted to make them applicable to Kavango, and secondly, the fact that these motions were discussed and passed as laws by the Kavango Legislative Council, these became Kavangos new laws and rid South Africa from being accountable. A question however needs to be asked here, if the Secretary was responsible for tabling the new laws in the Council, what was the role of the various ministries? who had more authority between the Minister and the Secretary, and how did the council make sure that the motions tabled did not benefit South Africa only?

The point, however, is that the Council did have the power to change the bill if it was considered irrelevant to Kavango, but it did not. One fact, however, may have relevance. The Council's decision to adopt the Kavango Labour Bill on 2 May 1974 which made 'provision for the installation, management and control of labour bureaux and the registration and placing in employment of persons, who look for work by the bureaux' was driven by the need to get as much tax revenue as possible, which meant then sending more people to the hinterland to work in mines and other places, as the employers and employees were then in return paid tax to the Kavango government. Chief Minister Alfons Majavero argued during the tabling of the Amendment Law on the Remuneration and Privileges of the Kavango Legislative Council of 1978,

Mr Chairman, the Government of the Republic of South Africa has said repeatedly that the salaries of the Cabinet and members of the Legislative Council should be met from our own revenue. You will notice that the total estimated expenditure amounts to the sum of R 112 404. The Kavango tax budgeted for 1978/79 is only R12 000, which means that the Government of the Republic of the Republic of South Africa must subsidise this Council with R100 404. Mr Chairman, this is not a healthy state of Affairs and I feel that it is also unfair to the Republic of South Africa's inhabitants. Mr Chairman, I feel that it

is my duty to give consideration to increasing our Labour export which will bring in more revenue and reduce much reliance on financial subsidy from the Republic'¹⁷

The financial benefit to the Kavango Legislative Council was one of the reasons for the passing of the Labour Bill in the Council. As demonstrated by Councillor Alex Kudumo:

Honourable Chairman, after studying this law well, I can see the money issue is imperative. People who employ Kavangos should pay money to the Kavango government as is done by done in other parts of the world. It is the government source of income and it is paid by the people. The more the people, the bigger the revenue of the government will be.¹⁸

The quote helps to conclude that it was the South African colonial administration strategy to ensure constant supply of labourers from the Kavango homeland to South Africa and South West Africa, which in return increased the financial benefits of the Council. In the 1970s, the salaries of the Council members were increased twice, in 1975 and then in 1978.¹⁹ By increasing these salaries, the Government of South Africa used these increments to its own benefit. It put pressure on the Kavango government to release more contract labourer into the mines, farmers. The colonial government justified the need for more labourers by stating that these workers were a source of revenue to the government of Kavango. The need for constant supply of contract labourer from Kavango was emphasized by the Honourable Commissioner of the General J.S de Wet during the official opening of the second session of the second Kavango Legislative Council of Kavango by saying:

Kavango workers are in demand and you know that every male person who is looking for work can be placed in employment. During the past year (1972) 3 351 persons were placed in employment. It has been estimated that these people earned R81 000 for Kavango. Mr

¹⁷NAN, F002-AP 7/3/4, a motivational speech by the Chief Minister Alfons Mayavero, Kavango Legislatives proceedings of the Sixth session of the Second Kavango Legislative Council, National Archives of Namibia, Windhoek, (21 April-3 May 1978), p.142

¹⁸ NAN, F002-AP 7/3/4, a motivational speech by the Councillor Alex Kudumo, 'Kavango Legislative Council, proceedings of the second session of the second Kavango Legislative Council' (26 April-21 May 1974), p.77

¹⁹ NAN, F002-AP 7/3/4, Proceedings of the third session of the second Kavango Legislative Council, (18 April-7 May 1975), pp. 85-87 and Proceedings of the sixth session of the second Kavango Legislative Council, (21 April-3 May 1975), National Archives of Namibia, Windhoek, pp.141-142

Chairman your manpower in Kavango is the most important export article. Retain that source of income like the apple of your eye.²⁰

The request by the Commissioner General was taken up by the Council seriously was indicated by the increase in the export of labourers. The product of the Act led to the establishment of five tribal labour bureaux at Kahenge(Kwangali), Kapako (Mbunza), Kayengona (Sambyu), Ndiyona (Gciriku) and Sitambandimba (Mbukushu) in the Kavango and one district labour bureaux in Rundu. This enhanced control and co-ordination of labourers in Kavango which also led to an increase in the export of labourer into the Police Zone, other parts of the country and South Africa.

One thing that the Labour Act failed to address was the issue of skills. The Labour Capital Act subsection 10 item (e) clearly indicated that the person can only work outside the homeland for a minimum of six months and a maximum of eighteen months only. This section was ambivalent in the sense that it managed to curb long absence from the family, but it too affected their accumulation of skills that could guarantee permanent employment.

The fact that self-rule status granted the Kavango Legislative Council powers to pass laws, the South African colonial administration was in a position to use this move to deny any direct intervention into the labour issues of Kavango. It could defend the South African policies on migrant labour, by making reference to the Labour Acts passed in the different Legislative Councils. The other thing that was certain was that the passing of the Labour Act also contributed to the colonial control of the Kavango homeland. The Act stipulated that white South African magistrates and other official were to be appointed in senior positions to work in the

²⁰ NAN, F002-AP 7/3/4, a the official opening speech by the Honourable the Commissioner General J. S de Wet, 'Kavango Legislative Council, proceedings of the fourth session of the first Kavango Legislative Council' (13 April-7 May 1973), p.31

district and tribal labour bureaux, whilst the Kavango people only worked at such bureaux as secretaries and cleaners in these centres. The fact that the people of Kavango were unqualified worked for the benefit of the colonial government, as these South African officials were in crucial positions to direct the Kavango labour.

A Small Challenge: Pledge by White Officials

On Tuesday 11 May 1976, Councillor Gerhard Shakadya presented a motion entitled ‘Motion on the Pledge by white officials’. It dealt with white South African officials from the Republic of South Africa, who sent to work in Kavango. In motivating the motion, Councillor Shakadya said:

This motion is submitted with the object of requesting the Government of South Africa that white personnel who are sent to Kavango and who are prepared to work amicably with the inhabitants of Kavango, give a pledge that they will assist the Government of Kavango for at least three years. After expiration of the period of three years, and if the person concerned is prepared to work longer in Kavango, and provided the Kavango Government so desires, the period can be extended.

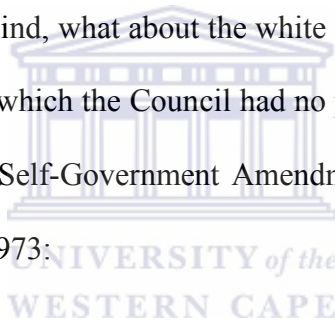
The Legislative Council further requests the Government of the Republic of South Africa that if there are white officials who do not want to co-operate with the Government of Kavango, the Cabinet be permitted to confer with the honourable the Commissioner-General about such person with a view of having such person transferred from Kavango.²¹

The passing of this motion can be regarded as a milestone for the Kavango Legislative Council in its challenge against the Government of South Africa and specifically dealing with white South African personnel who worked in Kavango. One just wonders that since this was ‘a request’, what happened if such ‘request’ was turned down by the Government of South Africa.

The government of Kavango did not have any powers to enforce this. The Government of South

²¹ NAN, F002-AP 7/3/4, National Archives of Namibia, Windhoek, Councilor Gerhard Shakadya motivating the motion on pledge by white officials, Kavango Legislatives proceedings of the fourth session of the Second Kavango Legislative Council (23 April- 13 May 1976), p.115

Africa was at liberty to accept or refuse such a request. However by passing the motion, the Council used it to transfer or remove white officials from Kavango especially those who were suspected of contravening Kavango laws or their employment contracts or job description. Lorenz Haupindi referred to two specific cases that involved a Doctor Kushke, a medical practitioner and Mr Louis Burger, a Director of Education. The Kavango Legislative Council asked the two white South African officials to leave the Kavango, after it was discovered and concluded by the Council that they were not complying with the laws of Kavango and that they mistreated the local people.²² The interviewee considers these two cases, as successes of the Kavango Legislative Council in challenging South Africa's administration of Kavango. However, one question comes to mind, what about the white South African officials who worked in places, organisations or units in which the Council had no power or jurisdiction? For example, according to the Development of Self-Government Amendment Act for the Native Nations of South West Africa, Act No.20 of 1973:



A Legislative Council was not competent in any way to control any military or quasi-military unit or organisation or organisation. Section 5A Act specified that a Legislative Council had no right to appointment, accrediting and recognition of diplomatic and consular officials, and the agreement, control, organisation, administration, powers, entry of and presence of a Police force from the Republic of South Africa, charged with the maintenance of public law and order and the internal security in and the safety of the said area and the territory of South West Africa.²³

Since self-government for the Kavango and other homelands in South West Africa was brought about by this Act, it then meant that this part of the Amendment Act exempted some white South African officials who worked in those specified units or institutions in Kavango from being

²² Haupindi, Rundu, 4 April 2007.

²³ NAN, 'Republic of South Africa, Government Gazette, vol. 94, No. 3845', (Cape Town, 5 April 1973), The National Archives of Namibia, Windhoek, pp 4-6

‘touched’ by the Kavango Legislative Council. Dealing with these officials was out of their hands.

SWAPO

During the ten years of the Kavango Legislative Council, the Council never tabled a motion on SWAPO. But many South African speakers who officially opened the sessions of the Council in the 1970s warned people in Kavango about the dangers of SWAPO. One such speaker was Honourable Raubenheimer, the South African Minister of Water Affairs and Forestry, who at the official opening of the sixth session of the second Legislative Council of Kavango on 23 April 1976 said:

Another matter I wish to discuss with you today is SWAPO. It has been proven time and again that SWAPO aims to seize power by violent means. Have you given thought to what this means? From time immemorial you have been accustomed to a tribal system and you have had your traditional leaders with their councils. It is SWAPO’s objective to destroy the tribal structure so that SWAPO’s leaders may then govern you by violent means...what can SWAPO offer you that you do not already possess? What it will certainly do is to demolish and destroy what you already have... I want therefore to warn you and your people not to yield to pressure from outside to join SWAPO. You are a small nation with pride in its identity and traditions and you can lose your autonomy if you do not reflect soberly and make the right choices.²⁴

The political movement also started gaining support from the local people and was active inside Kavango. The South African military forces were making major patrols in Kavango and established various military bases in the area. Leys and Saul explained the internal activities of the South African Defence force along the northern border with Angola in the 1970s:

The reality, however, was that South Africans harassed SWAPO with sweeping police powers and routine illegal and arbitrary use of force, to the point where any serious internal

²⁴ NAN, F002-AP 7/3/4, Opening address by Honourable Minister A.J Raubenheimer, Kavango Legislatives proceedings of the Fourth Session of the Second Kavango Legislative Council, National Archives of Namibia, Windhoek, (Friday, 23 April 1976), p.12

mobilisation was regularly met with arrest, beating, torture and jailing of so many militants in the leadership...Further from at least 1970, the police Special Branch developed an extensive system of informers who reported on what took place at meetings.²⁵

Why did the Council not pass a motion on SWAPO or even discuss SWAPO in the Council? In 1971, members of the Kavango Legislative Council and the Mbukushu tribal authority (through a petition) expelled Alfons Majavero as chief of the Mbukushu tribe and automatically as a member of the Kavango Legislative Council.²⁶ In his letter to the Honourable J.S de Wet, The General Native Commissioner, Dr Romanus Kampungu accused Alfons Majavero of 'SWAPO tendencies'.²⁷ A petition was written and he was expelled from the first Kavango Legislative Council. He was replaced by Franz Dimbare Nyaku both as the chief of the haMbukushu tribe and Anton Mushambe was nominated to the Executive Council of the Kavango Legislative Council.²⁸ The fact that Alfons Mayavero was suspected to have connections with SWAPO, meant the end of his political career in the Council, but fortunately for him he was next in the Mbukushu throne which automatically meant getting back into the Legislative Council. But what about those elected members, those that did not have any relation with the traditional authorities? One of the interviewees Sikerete explains:

During that time people would inform the authorities and you would be expelled from your work. A lot of people lost their work and even lives. Those who were in the Council

²⁵ C. Leys and J.S Saul, Namibia's Liberation Struggle: The Two-Edged Sword, (James Currey, London, 1995), p.66

²⁶ The name is sometimes spelled Alfons Majavero

²⁷ See BAO, file x210/3, National Archives and Record Service, Pretoria, a letter by Dr Romanus Kampungu entitled 'the following in respect of A. Mayavero', dated 11/12/1971, BAO file x210/3/3/1, the petition entitled 'Petisie vir die ontheffing van sy amp as raadslid: Mayavero Alfons Shoko: U 6/2/3/3, dated 31 December 1972 (Geheim)'

²⁸ After expulsion from the Legislative Council Alfons Mayavero went back to his previous employment in the Language Bureau in Windhoek, but was later re-instated as the chief of the haMbukushu tribe and automatically member of the Kavango Legislative Council, after the death of the haMbukushu tribe and his uncle, Chief Max Makushe. Alfons Mayavero went on to become Kavango's first Chief Minister, see the National Archives of Namibia, Windhoek 'HoofMinister begin sy taak' Kavangudi, January 1974,

were the most affected, if you talked about SWAPO and then you were labelled a terrorist. The government would dismiss you and your life was in danger. But still, this did not stop the people from talking or support the movement, this was done in secret. On SWAPO part, members of the Council were regarded as traitors who worked for the white people, this was why they always discouraged people to support the Council. These activities put the members of the Legislative Council in the middle, SWAPO on one side and the white administration on the other.²⁹

\Vantu uye wina, tava kurogota makura vaku tjide moyirugana, vantu vanzi vazumbanesera mo yirugana nono mwenyo dawo. Ava vakere mo Ndango kwa kere moudigu, sinene a uyunga yokuhama kwa SWAPO makura ta kara terroriste. Epangero ta li kutjida ano eparu lyoge tali kara moudigu. Enye kapi yina kutanta asi vantu kapi ngava uyunga ndi valihamesere kwa SWAPO, enye ngava yirugana moka hore-hore. Ano kombinga zaSwapo kwatere ko owo vakere moNdango asi ngava rukanene nomburu, makura yiyo ngava ninki asi vantu vaha lihamesara mo moNdango, eyi kwaretse po nye vagavi magano va kare pokatji, oku SWAPO ano oku yirumbu.\

Sikerete further indicated that at that time being in the Council was a matter of survival, those who became members of the Council therefore did what was needed to be done to survive.³⁰ And since there were always white South African military personnel present in the Council and the whole Bantustan, discussing SWAPO meant the end of one's political career, loss of employment, torture or even loss of life. One of the reasons for this was fear of intimidation, loss of employment and lives, one was labelled 'a puppet' if found supporting or even talking about SWAPO in the Council, which would make that person's life difficult. The members of the Council could lose their jobs for bringing up the motion on SWAPO in the Council. The Secretary of the Council was a South African and white official and since he was responsible for the tabling of the motions in the Council, a motion like this needed some conviction and whoever brought it up was up for dismissal. SWAPO was also accused of 'wanting to enter Kavango and

²⁹ Sikerete, 3 April 2007

³⁰ Ibid

destroy the tribal system', this created fear amongst the chiefs and the traditional leaders. Those traditional leaders who were suspected of supporting SWAPO were 'dethroned' and faced deportation from Kavango.

One would rightly like to think that, as a law making body, the Kavango Legislative Council was the highest authority in the new Kavango homeland. But then, the members' inability to deal with the most obvious and most talked-about topic i.e. SWAPO creates some questions. Questions such as, if the chamber could not use its given and limited powers, who else would and how was the Councils' silence viewed by the people? The fact that it was never discussed can only mean that it the Council was never allowed to do so and such discussion was outside its given authority. The Secretary (Director) of the Council simply would not allow such a matter to be discussed and as such it was simply not brought up. To some people, the Council's silence on SWAPO was seen as an obvious weakness, as demonstrated by one of the interviewee Nestor Mufenda 'The people knew that the Kavango administration was not in a position to oppose what was offered by the South African Government, they were in a difficult position.'³¹ \Vantu vayi divire asi epangero lya Kavango udigu kunyoka eyi lya geve epangero lya South Africa, awo kwa kere moumaudigu.\ This is illustrative of the limited powers and the dilemma in which the Council found itself, it could not discuss SWAPO in the chamber, but at the same time, one could not help but wonder what the individual members positions were when they found themselves outside the chamber and in their individual capacities. Sikerete sheds some light on this:

It was a matter of survival, on one side, one was told that your SWAPO brothers and sisters in exile were dangerous terrorists and should be reported to the authorities. But on the other side, you were told that you a traitor. What was one to do? We just helped our

³¹Interview by Aaron Nambadi with Nestor Mufenda, Rundu, 3 April 2007

siblings secretly. Most of us were SWAPO supporters, but we were rarely vocal about SWAPO in public.³²

\Ruveze rwina ose kwa kere moudigu, ruha rumwe to zuvhu asi vambavoge owo wovaSWAPO vateroriste. Asi sinene ono vamonono va rapota. Ano koruha rumwe vamba voge asi ove puppet. Yinke no rugana, Yipo nye asi ngatu vatere tupu nye moka horehore. Ose yene-yene kwa kere vaSWAPO mara kapi to yiungunga mombunga.\

People did engage with SWAPO at the same time and when one did, it was a matter of life and death and one needed to make a choice, between loss of life, employment and even intimidation. The Councillors were in a difficult and central position in society. On one side, SWAPO accused them of being sell outs, traitors and on the other hand, the South African military forces. Becoming a Councillor was a tricky move and one had to be extremely careful.

Kavango Education Act

The importance of education can not be overstressed. It teaches society values, moral, cultural norms and prepares the society for work and about life. Schools are organs for education that helps people to fit into the society. Schools prepare children to gain knowledge of their surroundings and the people. In order to do this an education system should adapt to the state of the society. To be really effective the education system should idealize the activities of the society and prepare the learners for a future in their communities. In defining of social education, Brown indicated that:

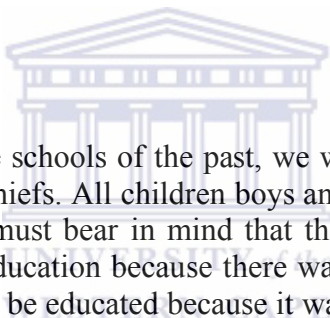
Social education is the conscious attempt to help people to gain for themselves the knowledge, feelings and skills necessary to meet their own and 'others' developmental needs.³³

³² Sikerete, 3 April 2007

³³ C. Brown et al (eds), Social Education: Principles and Practice, (London, The Falmer Press, 1986), p.7

The definition indicates the need to teach children to regard themselves as members of a society. Therefore there is a need for an education system to accommodate the needs of a society in which the education system is implemented. There is a need to base an education system on the culture and customs of a society. This is important because, one, by teaching the learners things that they know and can relate to, helps to create good citizens and members of the society, and secondly, by teaching cultural based education helps to provide continuity, make room for change and preserve societal identity.

This is why when the Education bill was tabled in the Kavangpo Legislative Council, the Minister of Education, Leevi Hakusembe made reference to the past and the importance of customary education:



If we were to have a look at the schools of the past, we would find that the children were educated in the schools of the Chiefs. All children boys and girls, came to the settlement of the chiefs to be educated. We must bear in mind that the children were not taken to the schools of the chiefs for their education because there was sufficient food in kraals of the Chiefs. They were taken there to be educated because it was demanded by (customary) law. They were taught the tribal law and customs so that they would know them when they grow up.³⁴

But in motivating the Education Bill in the Kavango Legislative Council, he said:

Honourable Chairman, I do not find it necessary to explain to the house the absolute necessity for us in Kavango to have our own education law. We are a self governing country and we should have a law. This draft bill ...is a tested education law already in use in many countries for a considerable time and this has now been adjusted in such a way that it will be suited for Kavango...I therefore request that we continue with our proceedings.....We ought not be discouraged . In this bill we must try to find what is applicable to Kavango and what is not.³⁵

³⁴ NAN, F002-AP 7/3/3, the Minister of Education, Leevi Hakusembe, 'proceedings of the second session of the Second Kavango Legislative Council', (6 May 1974), p.158

³⁵ NAN F002-AP 7/3/3, the Minister of Education, Leevi Hakusembe motivating the Kavango education bill, proceedings of the second session of the Second Kavango Legislative Council, (29 April 1974), p.38

The two statements are interesting because they contradict each other in the sense that in the first one the Minister speaks about the importance of customary education, but then in motivating the Education bill, he regards the bill important because Kavango was a self-governing homeland and therefore needed an Act. He also speaks about adapting the draft bill and make it applicable to Kavango. This gives an indication that the bill did not originate from Kavango, but instead it was copied from somewhere else and the Kavango Legislative Council was only required to make the necessary changes to the bill.

The two systems of education differed from each other because the customary education taught customary education which was mainly a social education and the other system was mainly political education. Tribal and customary education was not included in the Kavango Education Act. In fact there no where in the bill was there anything about the Kavango custom and tradition. The Minister of Education, as indicated above, was of the opinion that since the new Education Act was used in other 'countries' there was no need to really explain the Act in detail to the council. He assumed that, the fact that it was used by other homelands should serve as proof that it was going to work in Kavango too. It is surprising that a self-governing homeland with a traditional background could not include any clause dealing with Kavango traditional values. One viable explanation is that, the Kavango administration was used by the colonial administration to instil colonial values amongst its people through the Education system. The fact that the Kavango Education Act was passed in the Council to repeal all the South African Education Acts that were used in Kavango before 1974, does not over look the overlap in its content. The Act aimed to modernize the traditional education and it also gave some form of authority to the Secretary of Education, a white South African official. It gave the said official powers and authority to exercise control over schools. Section nine of the Act clearly stipulated

that ‘the minister of education was required to delegate authority to the secretary of Education to control scholars’ admission and expulsion from schools, it further stipulated that the secretary specifically had the right to refuse admission to a scholar, if that pupil took an active role in politics or is a member of a political a political party or any other organisation’. Section twenty of the Act was interesting as it stated:

No teacher was allowed to take part in the politics of the homeland. In case a teacher does partake in politics, he should resign or face dismissal.³⁶

This clause indicates the political objective of the Act, it supplemented the other colonial administration laws in the control of the political activities of the residents of the Kavango. As a colonial tool, the Act demonstrated the South African colonial administration’s intention to control the teacher and the learners in Kavango.

The fact that the Act gave more powers to the secretary of education to be more involved in the education of the homeland is questionable. It is understandable that there might not have been ‘qualified’ Kavango personnel to occupy such a post. But then again, if the colonial administration really wanted to give powers to the Kavango people, a way around this dilemma could have been found. The colonial administration gave powers to the Kavango government to administer Kavango as a political unit, why did it not just do the same with the education system which would have meant making the Kavango homeland’s education minister the overall accountable, leaving out the secretary of education.

After fifteen days, the Kavango Education Act of 1974 was passed on the 9 May 1974 without major content alterations. The Kavango Education Act was adopted and did not include any

³⁶ Ibid, pp.38-39

form of Kavango traditional education. It leads to deduction that this was just one of the many colonial tools used by South Africa to control Kavango.

The Turnhalle Constitutional Conference

In 1975 an invitation was extended by the South West African Legislative Assembly to the various Homeland Legislative Councils in South West Africa to take part in a conference of ethnic leaders to discuss the future of South West Africa. Colonial South African strategy for continued colonial control had shifted from preparing each homeland for independence to pushing the whole territory into gaining territorial independence, whilst maintaining separate development for the various homelands. The various homeland councils were invited to ‘appoint representatives to take part in the leadership conference’.³⁷ Katjavivi indicated that:

The plan to stage a constitutional conference to discuss Namibia’s fate was shaped by four major factors: the protracted tussle between the United Nations and the South African government over Namibia’s future; Pretoria’s overall policy in relation to the country and particularly its ethnic homelands or Bantustan programme; the changing balance of forces in Southern Africa following the defeat of Portuguese colonialism in 1974, which compelled Vorster to seek a new *modus vivendi* in South Africa’s relations with independent Africa; and the liberation struggle in Namibia itself, led by SWAPO.³⁸

The Conference was highly criticised by SWAPO, calling the conference a ‘farce aimed at the perpetuation of white minority rule under which South Africa domination’.³⁹

The United Nations on the other hand passed Resolution 385, which condemned South Africa for its continued illegal occupation of South West Africa. It demanded that South Africa end its

³⁷ NAN F002-AP 7/3/3, ‘Proceedings of the third session of the Second Kavango Legislative Council’, The National Archives of Namibia, Windhoek, (18 April-7May 1975), pp.105-106

³⁸ P.H. Katjavivi, A History of Resistance in Namibia (London, James Currey, 1988), pp.94-95

³⁹ Ibid, p.95

policy of Bantustans. It set a deadline of the end of August 1976 for South Africa to comply with the United Nations demand.⁴⁰

The Kavango Legislative Council was also invited to the Conference. The Chief Minister of the Kavango Legislative Council, Alfons Mayavero introduced the invitation as a motion:

- Acceptance of the invitation to take part in the consultations between leaders of the various populations groups in South West Africa.
- The Kavango Legislative Council was to send all five ministers to attend the conference.
- The Legislative Council of Kavango further determined that it did not want to create the impression that by its attendance at such a consultative conference it was prepared to relinquish its status as a self government. Nor was it prepared to depart from the road to its independence.⁴¹

The invitation is interesting that it did not leave an option for refusal to attend the Turnhalle Constitutional Conference, which is interesting in the sense that the Kavango Legislative Council did not have any other option but simply to attend. The council deliberated on the motion and decided to send a delegation with a message that the Kavango was not willing to give up its self-governing status.⁴²

In 1976 the constitutional committee of the Turnhalle Constitution Conference issued a declaration on the proposed process of constitutional evolution for the entire South West Africa. It proposed for self-determination and independence of the territory and an administrative structure of the government. The three-tier administrative structure was comprised of the following: at the national level, a National Assembly with members from each ethnic group in

⁴⁰ Ibid

⁴¹ NAN, F002-AP 7/3/3, 'Proceedings of the third session of the Second Kavango Legislative Council', The National Archives of Namibia, Windhoek, (18 April-7May 1975), pp.105-106

⁴² The Kavango Legislative Council sent the entire Cabinet: Chief Minister Alfons Mayavero, Minister Rudolph Ngondo, Minister Sebastian Kamwanga, Minister Leevi Hakusembe, Minister Andreas Kandjimi. The other Councillors were: Councillor Gerhard Shakadja(Mbukushu), Councillor Theodor Kupembona(Gciriku), Councillor Bertwald Ndara(Sambyu), Councillor Antti Kahembe(Mbunza), Councillor Asser Nainkavara(Kwangali) and Simson Aingura (Secretary of the Council) see Du Pisani, *SWA/ Namibia*, p.294

the whole country, one delegate from each of the represented group was to serve on a Ministers' Council, headed by a President appointed by the South African State President. At the second-tier level was the various Bantustans (Representative Authorities) and the third-tier, was that of the local or municipal authorities, responsible for managing urban areas.⁴³

However, the committee did not issue a specific date for the proposed elections of the national government. This created technical and administrative problems for the Kavango Legislative Council.⁴⁴ As a precautionary measure the Kavango Legislative Council requested 'his Excellency the Administrator-General to extend the lifetime of the Second Legislative Council of Kavango by one year.'⁴⁵ The Council indicated that since the election in Kavango were set by the Kavango Legislative Council to be held as from 8-10 August 1978, and the election in South West Africa was still unknown at that time, it was only fair to extend the Council's term of office to avoid a clash with the eventual date of the national election.⁴⁶

In 1980, after the DTA had been installed in the central administration, the Bantustan administrative structures, as well as the white Legislative Assembly and the Coloured Council, were reconstituted as second-tier Representative Authorities.⁴⁷

The fact that, all homelands were asked to put their plans on hold, participate in the Turnhalle conference and wait for the outcome of the Turnhalle Constitutional Conference demonstrates that the homeland governments could not act independently from the South African colonial administration.⁴⁸ The government of Kavango might have succeeded in convincing the colonial administration to keep its self-governing status, but that did not mean that, the Kavango

⁴³ Katjavivi, *A History of Resistance in Namibia*, p.98

⁴⁴ The second Legislative Council was in office since 31 October 1973 and therefore was to be dissolved on 31 October 1978.

⁴⁵ NAN, F002-AP 7/3/3, The Minister of Interior, Aloys Hashipara, proceedings of the sixth session of the second Kavango Legislative Council, (2 May 1978), p.140

⁴⁶ *Ibid*, p.141

⁴⁷ *Namibia The Facts?*, (London, IDAF Publications, 1989), p.25

⁴⁸ Due to the Turnhalle Constitutional Conference between 1977 and 1979, the Kavango Legislative Council did not pass any major laws except individual departmental budget bills.

Legislative Council was at liberty to act on its own (without the approval of the colonial government). On the contrary keeping its self-governing status was only allowed as long as it fell in the whole plan of the colonial administration of the entire territory. Opposition to the South African colonial administration by the homeland governments was permitted only in so far as it has been perceived as compatible with the achievement of the colonial administrations apartheid plans. Thus, while the Kavango homelands was allowed to keep its self-governing status (as per request by the Kavango Legislative Council) in 1976. This request was only approved because by maintaining such a status, it did not constitute any major threat to the plans of the colonial government and the continuing domination of South Africa's apartheid policy in South West Africa.



Conclusion

Some of the bills discussed by the Kavango Legislative Council were a difficult motion to discuss, but at the same time, it was considered necessary by the authority in dealing with the

question of Kavango nationhood and political sovereignty. The Kavango nation needed to be registered to allow the Kavango government to deal with the foreigners and national. This chapter has indicated that due to the need for political sovereignty Kavango people on the other side of the river had to be 'cut loose'. The other aim for tabling of this motion was to allow people to vote and other issues were less important.

This chapter has indicated that the Kavango Contract Labour Act on the other hand, was the Council's way of addressing a financial, social and political question. It was acknowledged that Kavango men who went on contract brought about many changes in the Kavango society, and this affected many women, children and the entire community, but at the same time the as a government, the Kavango government needed to find ways to supplement funding from the Republic of South Africa and by passing of the Labour Act (which facilitated the contract labour system) it was the Kavango government's way of dealing with the question of finance. The South African colonial administration encouraged and used the contract labour system to get able-bodied men to work and benefit the South African and South West African economy, in return it promised huge financial injections to the government of Kavango. Labour Act's main focus was to create ways to enhance and produce more labour to be exported outside the homeland and the fact that no where in the Kavango Labour Act job creation inside the homeland was discussed, serves as an indication that the Labour Act was one of the ways in which the Kavango homeland was used as a labour reserve by both the colonial administration and the Kavango government. By instituting the Labour Act, the Kavango government was able to control the direction and regulate the flow of workers between the homeland and the employee, which in return served as a tool to control the human resources and the financial income for the Kavango government.

SWAPO's clandestine presence in the area was acknowledged by many even those South African political appointees who went to Kavango to officially open the Kavango Legislative Council sessions, but in the same breath, the Council never tabled a motion on SWAPO as a political movement. This chapter indicated that such platform was never provided by the Act that governed the Kavango Legislative Council and the white South African administrators. It is safer to say that it was an illegal and often punishable Act to talk about SWAPO in the chamber. This made formal political opposition to the colonial administration difficult, if not impossible. It became a matter of survival, loss of employment or even death for those who dared to do so. It was noted that although, the council did not provide room for SWAPO discussion, it never stopped people from engaging in this topic. People did speak and come into contact with SWAPO.

This chapter has however demonstrated that although the Council was in a difficult position in opposing the colonial administration of South Africa. At one time it did put in place legislation to do away with white South African officials who did not comply with the work of the Legislative Council and the laws in Kavango. But there were those who were considered 'untouchable' as they worked in institutions or units in which the Council had no power to intervene, such as the military.

The fact that no teacher or learner was allowed to participate in any political activity as stipulated in Kavango Education Act is questionable. It is understandable that the Education Act was tried and had worked in many other homelands, but it did not mean that it could work in Kavango. As a self-governing homeland, at least the Kavango Legislative Council should have embarked upon an education system that was based on the Kavango tradition, norms and custom. The fact that it did not create questions whether it was an independent or dependent system. If this was a self-

governing homeland, it should have at least made provision for the inclusion of such education in the Act. The fact that it did not, is questionable coupled by the fact that the Act seemed to have made provision for the sharing of power between the secretary of education and the homeland minister of education, why? Was it because, the colonial administration wanted to have more control over the education of Kavango or was it because there were no qualified Kavango people to administer the education. Whatever the answer to this question is, this chapter has indicated that the education system was way off from being independent.

The extension of the term of office of the Legislative Council Act of 1978 was a political and a technical Act to avoid clash with plans by the South West Africa colonial administration, but what is of interest is that as from 1977 to 1979, the Council did not pass any major laws, because of its involvement in the Turnhalle Constitutional Conference. The Conference decided to settle for a three-tier government for the entire South West Africa. The homelands were accommodated at the second level of government. This move by the South African colonial government, demonstrates the inferiority of the Kavango homeland (and all the other South West African homelands) as compared to the South West Africa colonial administration. After 1979, the Kavango Homeland government was included in the two-tier Alliance government, which then reduced its functions and power tremendously and as a result Kavango homeland never became independent, until in 1990 when the entire Namibia became independent.

CONCLUSION

The Bantustan policy as implemented by the South African colonial government in South Africa and later in South West Africa (Namibia) served different social, political and economical purposes. After the victory of the National Party in 1948, the colonial government of South Africa embarked upon the strategy of separate development for the different 'native nations'. The Bantustan system introduced the fragmentation of the African majority population in South Africa and South West Africa into groupings along ethnic lines (the 'divide and rule' strategy). The strategy entailed the actual grant of home-rule and then self-determination and eventually independence to the few African ethnic states, the homelands. The introduction of homelands for the majority of the African people promoted controlled political and economic opportunities in the Bantustan peripheries, which could be sufficient to entice an emergent, African beneficiary class into collaborating with South Africa in control and suppression of the subordinated population, without simultaneously providing the class with sufficient muscle to become a significant competitor for power.

Various political, social and economical factors led to the establishment of the Bantustans in South Africa after the National Party's election victory in 1948. Although not at the same level, time and pace, these factors complemented each others in ensuring that the African population in the two countries were divided and ruled along ethnical lines. The colonial government in South Africa and South West Africa sustained a system that provided cheap African migrant labourer to sustain the colonial economy. In both South Africa and South West Africa, the homeland system was a solution to the political question without challenging white domination. Africans could only claim political rights outside South Africa and that is in the different 'native' homelands. The contract labour system in Namibia served to ensure the control and regulation of

migrant labour from the different homelands. It was a system that was justified by the colonial administration as a means to supplement South Africa's financial contribution to the various homelands. 'You provide us with human resources and we give some portion of their salaries to your government'.

This research study examined one of the ten homelands in South West Africa. By critically engaging in the politics of power, composition, legislation and authority of the Kavango Legislative Council, the study focused on the issue of 'who had the power' and how was power diffused between the Council, the traditional authorities and the colonial government of South Africa between 1970 and 1979. This study stops in 1979 because after 1979, the homeland Legislative Councils in Namibia were included in a three-tier national Alliance government under the leadership of Dirk Mudge and the Democratic Turnhalle Alliance. The research study dealt selectively with the following: Kavango identity, Kavango Education, the pledge to white South African officials, Contract labour and the Turnhalle Constitutional Conference tabled, discussed and passed by the Kavango Legislative Council in the political context of the country at that time in order to enhance understanding of the social and political role of the Council.

It is important to recognize that during the open hearings or meetings held by South African officials and the Bantu Affairs Commissioner in the 1960s, some local people at one time did raise reservations about the implementation of the homeland plans in Kavango and the general development of homelands in Namibia. These reservations were mainly based on their past experience with the colonial government in the Kavango. In the end the government of South Africa ignored these reservations and passed the Development of Self-Government for Native Nations in South West Africa, Act No. 54 of 1968, which eventually saw the establishments of the various homelands in Namibia.

In October 1970, the Kavango homeland was given home-rule powers, individuals were nominated into the first Kavango Legislative Council, mainly based on the status in society or position in the traditional leadership. The first Kavango Legislative Council had five departments, headed by one member from each ethnic group and it held three sessions (once per year) until 1972. In 1972, Kavango Legislative Council, through the Executive Council requested the South African government to grant it self-governing status. The request was granted and as a self-government homeland the constitution of second Kavango Legislative Council changed, members were nominated and others were elected.

This study also explored the governance by the traditional authorities before the Legislative Council of Kavango. The fact that traditional authorities were later incorporated in the Kavango Legislative Council changed the traditional authorities. After 1970, the five traditional authorities were incorporated into a ‘modernized’ ethnic government that catered not only for their individual tribes, but for the entire people of Kavango. The five Ministers were elected from the individual traditional authorities to serve on the Executive Council of the Kavango Legislative Council. Collectively as members of the Executive Council, they had to decide for the entire Kavango homeland. The study has demonstrated that by making traditional authorities paid officials changed the whole question of tradition, because traditionally this was not the case, chiefs were never paid. Before 1970, the chief’s subjects worked in the chief’s agricultural fields (Mazanza) as a way of honour, social duty and respect. The chiefs also shared fines with the victims, who brought cases to him to resolve.

This study argues that the granting of self-government by South Africa to Kavango did not mean total independence from the colonial government in fact, there was never a homeland in the whole of South West Africa that was ever independent. Kavango was only granted self-

governing status and as a result the Kavango Legislative Council received limited powers. All the enactments and Acts passed in the Kavango Legislative Council were subject to approval by the South African State President. The request or the granting of a self-governing status for Kavango is debatable. The question, whether Kavango Legislative Council did request such status or whether it was just granted by the colonial administration is questionable. It can however be argued that it was a move to attain South Africa's colonial 'divide and rule' goal in South West Africa. The debatable issue is driven by the fact that the entire Council did not discuss thoroughly or even entirely understand the meaning, the powers and to a certain extent, the politics and status of self-governance. By requesting such a status and for the Kavango government to succeed, it mostly depended on the South African administration to help it. Archival research has indicated that the self-governing status was requested by the Kavango Executive Council, whilst some members of the Legislative Council indicated the Council did not request such status. The fact that the Executive Council of Kavango first engaged in discussion with the South African administration before presenting it to the entire Legislative Council. But then again, the Legislative Council was the highest decision making organ and as such did have powers to override the entire Council.

This study has indicated that the constitution and the positions held by some individuals in the Kavango Legislative Council played an influential role in directing the work of the Council. Dr Romanus Kampungu for example, played a very influential role in directing the Legislative Council, both in his capacity as an educated person and the chairperson of the Council. In fact this study, points to the significant role played by religious and educated elites.

The materialist and financial benefits given to the Kavango Legislative were enormous, especially in comparison to the revenue collected in Kavango. South Africa's huge financial

contribution leaves one with the question, how then, with this in mind, could the Council not support South Africa? Or how could the Council oppose the hand that fed it? At the same time, some interviewees argued that it was a matter of survival for some, whilst for others, it was a matter of sustaining a job. These benefits in a way directed the Council's decisions and acts and its political role in the Kavango homeland. The question whether the Council was driven by these benefits remains a contentious issue today. While SWAPO's made its total opposition of the homelands very clear, at the same time, the Council functioned unopposed by the people inside Kavango including the five traditional leaderships of the different tribes. The composition of the Council, included the five chiefs and other traditional leaders of the traditional authorities, this might have also contributed to the people silence on the matter, as opposition to the Kavango Legislative Council might have been regarded as a direct challenge to the traditional authorities. The question of survival, as indicated by the interviewees, however, brings one to conclude that at that time, the politics of the belly overrode all the other factors. The position of the South African Military forces inside South West Africa had a direct impact on the people's silence of SWAPO and opposition to the Kavango Legislative Council.

The implementation of the homeland system in Kavango came at a time when nationalism in South West Africa was ripe. Time and again, almost every invited South African official who officiated an official opening of the Council spoke of SWAPO's threat to the unity of Kavango and in relation to Kavango as a self-governing state. The self-governing state of Kavango however, was not moved by the politics outside and it went on about normal business, passing acts and submitting these to the South African State President for approval before implementation, without any mention of SWAPO. Which makes one to agree that there were indeed other factors that were not dealt with in the Council, due to the presence of South African

officials and the positions occupied by these officials. In fact all the motions had to go through the office of the secretary of the Council, making it impossible to present a motion that was considered inappropriate by the secretary. As the person who had the final say before a motion was tabled he was in a position to reject or accept any motion. The lack of education and qualifications by the local people, meant that nearly all administrative posts were held by white South African officials, making it almost (if not entirely) impossible for the Council or the individual Councillors to oppose South Africa.

It is important to understand the question of Kavango citizenship in perspective, because before the establishment of Kavango as a homeland and for the sole occupation of Kavango, Kavango people lived on both side of the Kavango River. But immediately after its declaration as a homeland, the Kavango was declared a land that was to be occupied solely by those Kavango people on the southern side of the Kavango River and, unfortunately for those who found themselves on the Angolan side of the river they were classified as foreigners. The study has demonstrated that the Kavango Nation Enactment Act was discussed and passed because other homelands in South Africa and specifically Owamboland (in South West Africa) had similar legislations and therefore the Executive Council stated that there was a need to have such legislation in Kavango, and also to distinguish Kavango national from the others. The second aspect was to allow only Kavango citizens to participate in the election for constitution of the second Legislative Council, which basically dealt with the question of Kavango nationhood and political sovereignty. The Kavango people needed to be registered to allow the Kavango government to deal with the question ‘foreigners’ especially when dealing with issues such as employment provision.

In May 1976, the Council passed a motion entitled ‘motion on the pledge by white officials’, which dealt with white South African officials from the Republic of South Africa who were sent to work in Kavango. This motion was submitted to request the Government of South Africa that white personnel who are sent to Kavango and specifically who were prepared to work with the inhabitants of Kavango, give a pledge that they will assist the Government of Kavango for at least three years. After expiration of the period of three years, and if the person concerned is prepared to work longer in Kavango, and provided the Kavango Government so desires, the period could be extended. This motion further requested the Government of the Republic of South Africa that if there were white officials who did not want to co-operate with the Government of Kavango, the Cabinet could be permitted to confer with the honourable the Commissioner-General about such person with a view of having such person transferred or expelled from Kavango. The passing of this motion can be regarded as a milestone for the Kavango Legislative Council in challenging the government of South Africa and specifically dealing with white South African personnel who worked in Kavango. However, one question is that since this was ‘a request’, what happened if such ‘a request’ was turned down by the government of South Africa. This left the Council powerless. The government of South Africa was at liberty to accept or refuse such any request from the homeland government and there was nothing that the Council could do about it. The Council put this legislation in place and used it to transfer, deport or remove white officials from Kavango especially those who were suspected of not doing what in their contracts or job description. Two officials were later expelled from Kavango by the Council after it was discovered that they contravened this act.

This study has demonstrated that the Kavango Legislative Council was never independent from the South Africa colonial administration. In fact, many of the acts passed were passed on

condition that it was in line with the apartheid ideology. Conditions and legislations were put in place to control the work of the Council. The colonial administration placed administrative staff in key positions to ensure that the Council made decisions and passed acts that were favourable to the colonial administration and anything beyond that was simply not allowed to be discussed, let alone, brought in the Council

Since the establishment of the Kavango Legislative Council nine schools were named after former members of the Kavango Legislative Council. Max Makushe Secondary School, Linus Shashipapo Secondary School, Maria Mwegere Secondary School, Leevi Hakusembe Secondary School, Kandjimi Murangi Secondary School, Andreas Kandjimi Senior Primary School, Romanus Kamunoko Secondary School, Dr Romanus Kampungu Secondary School and Rudolf Ngondo Senior Primary School are all named after prominent members of the Council. The first five secondary schools were named before Namibia's national independence in 1990 and specifically during the Kavango Legislative Council's era and after chiefs and a queen of the five Kavango tribes (Max Makushe, Linus Shashipapo, Maria Mwegere, Leevi Hakusembe and Kandjimi Murangi), and the others after ordinary Councillors who were members of the Kavango Legislative Council. Some schools were named after the country gained independence. The naming of schools before independence can mostly be attributed to the fact that all these schools were approved, built and run by the education department of the Kavango Legislative Council, and it only makes sense that because these schools were build in the five tribal areas, that they were named after the chiefs to honour them and to show respect to the chief. Having been a teacher myself at one of these schools (Kandjimi Murangi Secondary School) one gets a sense that there are no plans now or in the near future to change these names and my understanding is that the question of personal honour to the former chiefs, history, memory,

respect and ethnic pride also plays a major role. The fact that the last four schools i.e. Andreas Kandjimi Senior Primary School, Romanus Kamunoko Secondary School, Rudolf Ngondo Senior Primary School and Dr Romanus Kampungu Secondary School were named after independence also brings fore the question of memory and specifically in relation to how people want or try to remember the people who played some form of role in the history of the Kavango region.¹

In conclusion, the fact that these specific individuals are today recognized to have played a historical role, whilst serving in the Kavango Legislative Council is important.

The fact that schools are still being named after individuals who were members of the Kavango Legislative Council should be understood in a regional and historical context. It says something about memory and homeland history. As for the former Kavango Legislative Councillors who were tribal chiefs, the fact that they led their individual tribes during the colonial era makes them eligible for recognition and respect and the fact that these schools still retain these names, demonstrates some form of respect to these individuals and their traditional leadership.

Lastly, in the 1990s the Namibian government embarked upon a system of decentralization and as a result Regional Councils were established in the thirteen regions of the country with the aim of ensuring regional developments, decentralization and preservation of regional identities. Apart from procedures, legislation, democratic elected government and the fact that the whole country's executive authority is vested in the different ministries and not in these Regional Councils, these Regional Councils seem to have the same function as the former Legislative

¹Andreas Kandjimi Senior Primary School, Romanus Kamunoko Secondary School, and Rudolf Ngondo Senior The Primary Schools were built after independence, whilst Dr Romanus Kampungu Secondary School, was built during 1980s and was formerly known as Rundu Junior Secondary school and only renamed to Dr Romanus Kampungu after the country's independence

Councils. It would however, be interesting to do a comparison study, to indicate the differences and similarities between the former Legislative Councils and the Regional Councils in an independent Namibia. But that remains a future project.



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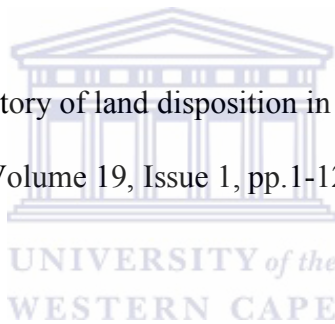
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Appendices



Figure 1 Councillor A. Hashipara (centre) about to board a helicopter (Source: Ministry of Information, Rundu)

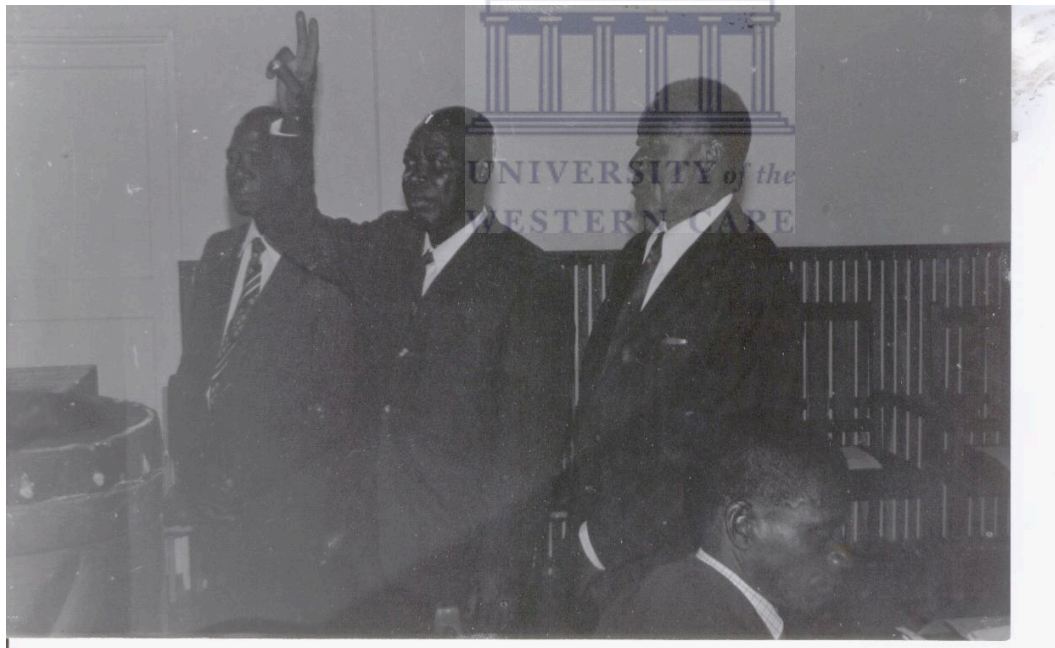


Figure 2 a swearing-in- ceremony, Kavango Legislative Council (Source: Ministry of Information, Rundu)



Figure 3 the Kavango Legislative Council in session (Source: Ministry of Information, Rundu)





Figure 4 Mr J.M de Wet, Commissioner-General of Indigenous people of South West Africa and Mr Alfons Mayavero, Kavango Legislative Council Chief Minister, during the opening of the second session of the first session of the first Kavango Legislative Council, Kavango, Rundu (Source: National Archives of Namibia, Windhoek)



Figure 5 Members of the Kavango Legislative Council welcoming invited guests to the opening of the Kavango Legislative Council session (Source: Ministry of Information, Rundu)

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Figure 6 The Chief Councillor Linus Shashipapo handing over a gift to the South African Minister of Foreign Affairs Dr Hilgard Muller 1971 (Source: National Archives and Records Services, Pretoria)

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Figure 7 Honourable P.W. Botha, The South African Minister of Defence, officially opening the Kavango Legislative Council session, 1975 (Source: National Archives and Records Services, Pretoria)



Figure 8 Dr Romanus Kampungu receiving the mace from the Commissioner-General for the Native Peoples of South West Africa, Mr J.M de Wet, Mr Paulus Munango, the sergeant-at-arms, appears behind Dr Kampungu, (Source: South African Panorama, January 1971, National Library of Namibia, Windhoek)

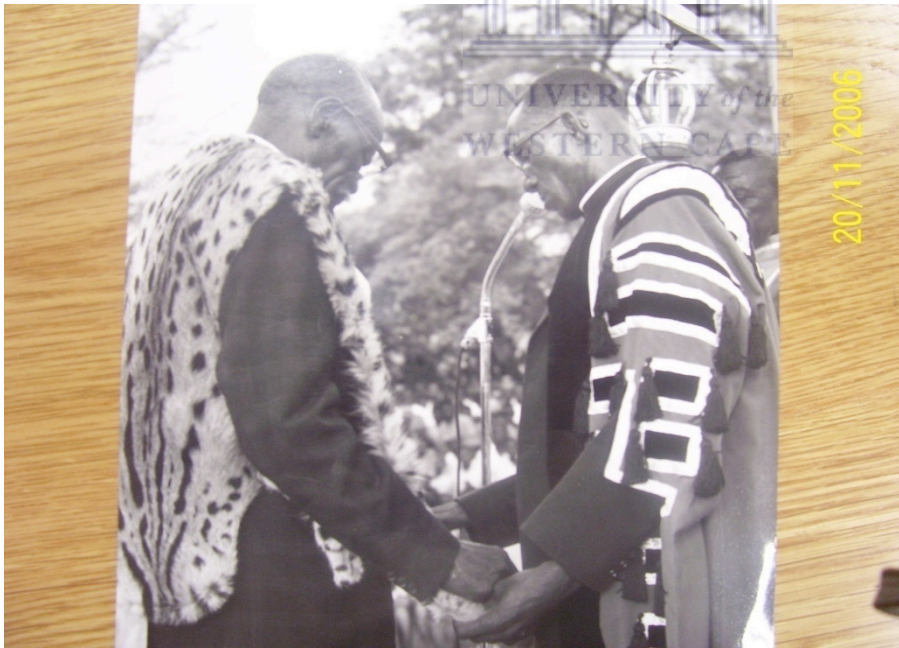


Figure 9 Chief Councillor Linus Shashipapo and Chairman of the Kavango Legislative Council, Dr Romanus Kampungu, 21 October 1970, Rundu, South West Africa (Source: The National Archives and Records Services, Pretoria)

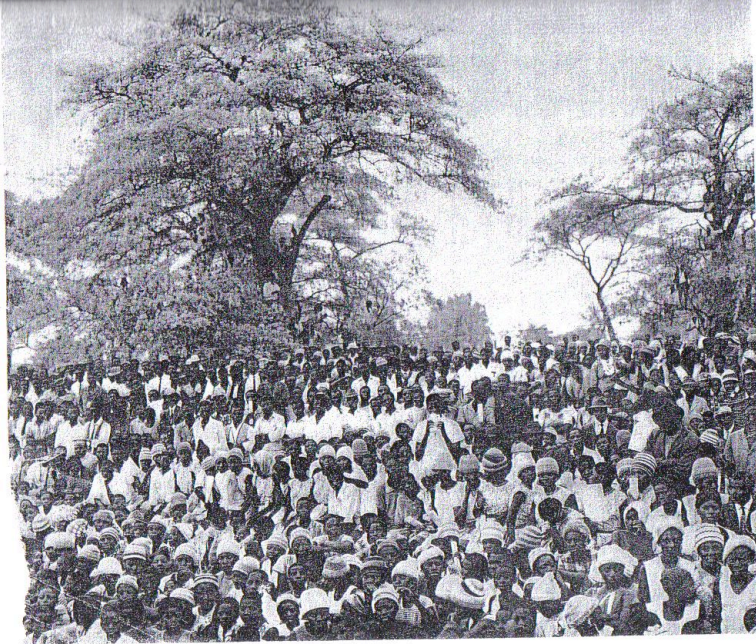


Figure 10 Many People came to witness Kavango receiving its territorial government (Source: South African Panorama, January 1971, National Library of Namibia, Windhoek)

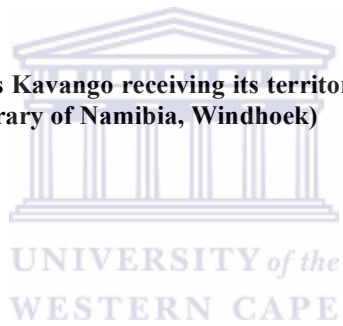




Figure 11 The Seat of the Kavango Legislative Council at Nkarapamwe (Source: Ministry of Information, Rundu, Namibia)



Figure 12 Kavango Legislative Council in session. Behind the Chairman and the Vice Chairman on the podium, were the white South African officials (Source: Ministry of Information, Rundu, Namibia).



Figure 13 Members of the First Executive Council of the Kavango Legislative Council (1970-1972). From left to right Alfons Mayavero, Romanus Kamunoko, Chief Councillor Linus Shashipapo, Alex Kudumo and Elia Neromba (Source: National Archives and Records Services, Pretoria)



Figure 14 Kavango Legislative Council's ministerial residence (Photo Aaron Nambadi, 7 November 2006)