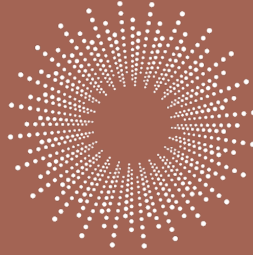


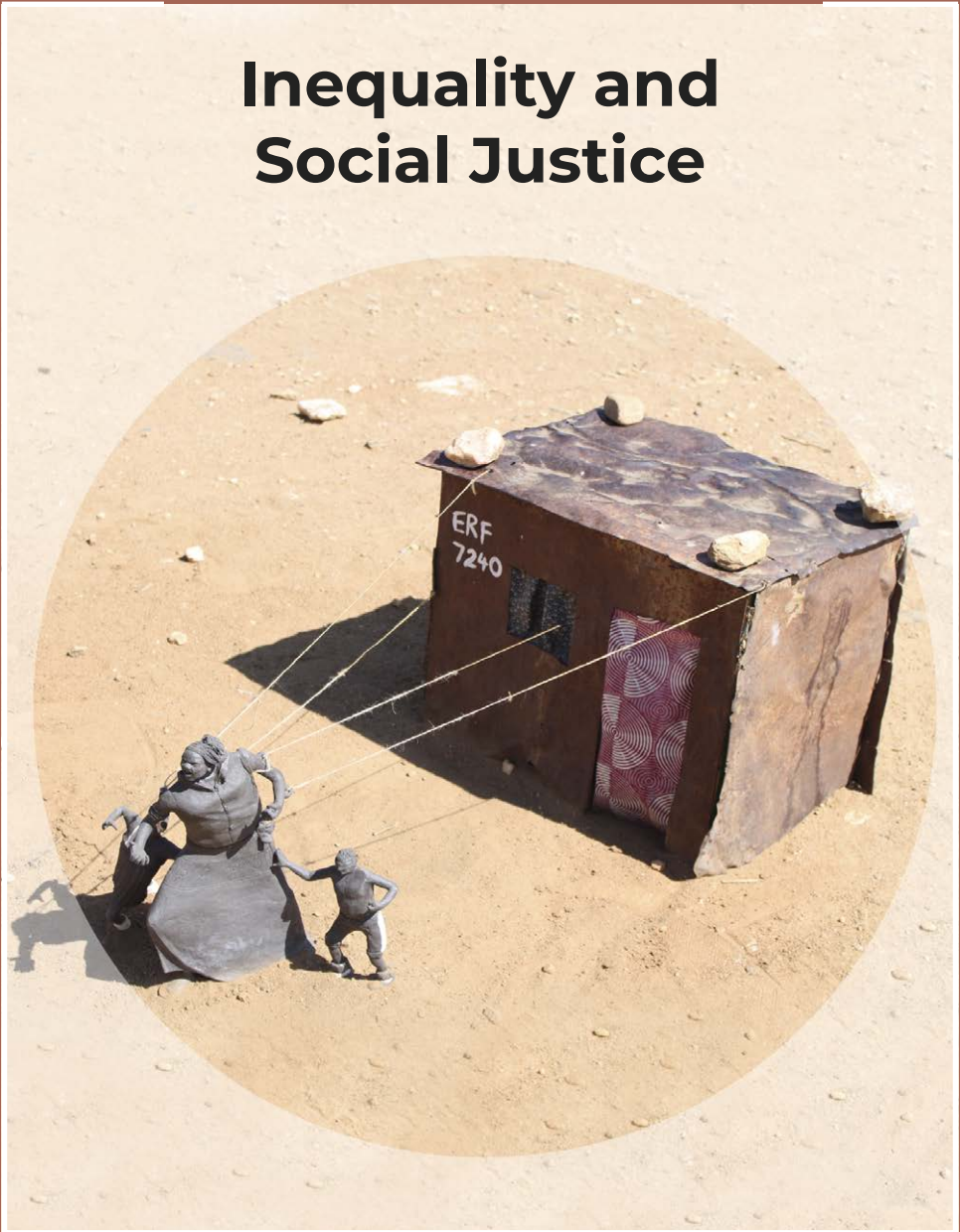
Volume 2

November 2022



Namibian  
Journal  
of Social  
Justice

# Inequality and Social Justice



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[www.namsocialjustice.org](http://www.namsocialjustice.org)

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**FRIEDRICH  
EBERT  
STIFTUNG**  
Namibia Office

## Acronyms and Initialisms

AMCU	Association of Mineworkers and Construction Union
BEPS	base-erosion profit shifting
BIEN	Basic Income Earth Network
BIG	basic income grant
CCN	Council of Churches in Namibia
CEDAW	UN Convention on the Elimination of All Forms of Discrimination Against Women
CSOs	civil society organisations
DSD	Differences of Sexual Development
ELCN	Evangelical Lutheran Church in Namibia
ELCRN	Evangelical Lutheran Church in the Republic of Namibia
ESOP	Employee Share Ownership Plan
FMS	Finnish Missionary Society
GBV	gender-based violence
GDP	gross domestic product
GEWE	gender equality and women's empowerment
GRB	gender-responsive budgeting
GRN	Government of the Republic of Namibia
HDI	Human Development Index
HTA	Hai  om Traditional Authority
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICT	information and communication technology
IFFs	illicit financial flows
ILO	International Labour Organisation
IMF	International Monetary Fund
IMR	International Mineral Resources
IOC	International Olympic Committee

LMS	London Missionary Society
MAWLR	Ministry of Agriculture, Water and Land Reform
MGEPEWSW	Ministry of Gender Equality, Poverty Eradication and Social Welfare
MGEPEWSW	Ministry of Gender Equality, Poverty Eradication and Social Welfare
MPI	Multidimensional Poverty Index
MPUCT	Madhya Pradesh Unconditional Cash Transfer
MTEF	Medium-Term Expenditure Framework
NLF	Namibia Labour Force
NNSCH	Namibian Senior Secondary Certificate Higher-level
NPC	National Planning Commission
NSA	Namibia Statistics Agency
NSSCH	Namibian Senior Secondary Certificate Higher
OECD	Organisation for Economic Cooperation and Development
PDS	Public Distribution System
PIT	personal income tax
RMS	Rhenish Missionary Society
SADC	Southern African Development Community
SEM	structural equation modelling
SEWA	Self-Employed Women’s Association
TAA	Traditional Authorities Act (No. 25 of 2000)
TVUCT	Tribal Village Unconditional Cash Transfer
UCT	unconditional cash transfer
VAT	value added tax
WHO	World Health Organization
WMMS	Wesleyan Methodist Missionary Society
WSWB	willing-seller-willing-buyer



## Editorial

In this edition of the Namibian Journal of Social Justice, we grapple with Namibia's most urgent social justice question, namely inequality. Despite being classified as a higher middle-income country, levels of marginalisation and exclusion in Namibia remain very high. The Human Development Index (HDI) for 2019 was 0.646, ranking at 130 out of 189 countries. The IHDI (inequality-adjusted HDI) falls to 0.418, however, a loss of 35.3% (cf. an average loss for medium HDI countries of 26.3%). This profound level of inequality is consistent with Namibia's unflattering Gini coefficient ranking (a measure of income inequality) of second-highest in the world (Bertelsmann Stiftung, 2022; World Bank Group, 2021; Human Development Report, 2020).

Namibia, like most of southern Africa, is still trapped in an unequal economic development model, and hence displays persistently high levels of inequality. This inequality affects groups differentially, depending on their social class, race, gender, ethnicity and geographic location. The multi-dimensional nature of inequality is revealed in unequal access to productive resources, particularly arable land; unequal wealth ownership; highly skewed levels of income; unequal access

to housing, education, health care and other services; a lack of comprehensive social security coverage; high levels of unemployment, informal employment, and wage inequality; differential and unequal access to labour rights; and persistent racism (World Bank Group, 2021; Martin, 2022; Stiglitz, 2015).

There are additional trends that impact on inequality, for example the growing technological and digital divides that polarise labour markets and exacerbate wage inequalities. Technological advancements in digital innovation, artificial intelligence, robotics, biotechnologies, and satellite technologies find applications in agriculture and manufacturing, and can facilitate mass access to services. However, unequal ownership, access to, and control over such technologies currently exacerbate inequalities (UN, 2020). Poverty and inequalities are also increased by climate change and environmental destruction. Those who contribute least to ecological destruction suffer the greatest losses in livelihoods, incomes, health, education, nutrition, and infrastructure during adverse climate events. Climate change also exacerbates the inter-generational transfer of poverty and inequality (United Nations, 2020). Inequality also affects the resilience of poor and

marginalised groups to mitigate and adapt to climate change (Ahmed et al., 2022).

Through scholarly articles, case studies, opinion pieces, and visual art, various contributors explore different aspects of inequality to comprehend its multiplicity and intersectionality. An overarching theme that emerges out of many of the articles is indifference. As inequality widens, those in power and those who benefit from the status quo remain largely indifferent to it. There is a reluctance to adopt redistributive measures that would promote social and economic justice and that could significantly alter the growing gap between rich and poor.

This volume does not comprehensively cover all aspects of inequality in Namibia. Central themes of racism, climate change, digital divides, unequal technological access, reproductive justice, and the psychological and sociological impacts of various forms of inequality are not fully covered in this edition. These omissions are not by design. Despite appeals, articles on these topics were not submitted. This underscores the need for more research and greater public and policy discourse on the various aspects of inequality. We hope that future editions can overcome such shortcomings and plug the obvious gaps.

## **Background**

Globally, inequality has risen since the 1980. Although much of the focus is on income inequality, inequalities in wealth ownership are much greater. The poorest half of the world's population own only around 2% of the world's wealth, while the top 10% own 76% of all wealth (Chancel et al., 2021). Discussions about inequality by agencies like the International Monetary Fund (IMF) and the World Bank have intensified in recent years, after their neoliberal structural adjustment programmes increased inequalities. Their great concern is the systemic risks inequalities hold for the global economic order (Nunn & White, 2016) – the same order that is responsible for many of the inequalities. Despite the acknowledgement of inequalities, national governments and international institutions make deliberate political choices to pursue economic policies that intensify inequalities (Chancel et al., 2021) and often lead to the net transfer of wealth from the poor to the rich.

Income inequality in the Southern African Development Community (SADC) region can be linked to the extractivist colonial nature of the economies. Most SADC economies rely on reservoirs of cheap raw materials and cheap labour. Despite formal political independence, the erstwhile liberation movements that

currently govern the region have not decolonised the economic structures of the region. The intensification of inequalities and wealth concentration has resulted in the richest 10% earning 60% or more of national income in eight SADC countries. In all SADC countries, the top 1% earn from 14% to 25% of national income. The data also show that between 1990 and 2019, the share of income of the top 1% and the top 10% increased (Martin, 2022), while the share of the bottom 50% fell by more than half, to 5.9%. This raises fundamental questions about the social economic justice commitments of SADC governments and the role they play in the continuance of the colonial and neo-colonial economic structure of the region. The region's greatest inequalities stem from inequalities in wealth ownership, particularly, the ownership of productive assets. Key economic activities gravitate around the minerals-energy complex, which is overwhelmingly foreign-owned and in the hands of transnational companies. In Namibia, for example, the mining industry is 88% foreign-owned (Republic of Namibia, 2021).

Extreme levels of inequality intersect with fiscal austerity (Martin, 2022). There is a danger that cuts in social spending will reverse post-independence social and developmental gains. The government's failure to address inequalities comes at

very high social, economic, ecological and psychological costs that are seldom enumerated. Inequality is a form of structural violence that causes thousands of preventable deaths due to hunger, disease, inadequate health care, crime, interpersonal violence, and gender-based violence (Ahmed et al., 2022).

## Articles in this Volume

### *Intersectionalities: Race, Class, Gender, Ethnicity, Sexuality and Geographic Location*

Multiple forms of inequality and discrimination intersect. These include race, class, gender, ethnicity, sexuality, disability and geographical location. In combination, they produce intersectional identities that, in turn, result in a web of oppression, exclusion, disadvantage and marginalisation of certain population groups. Addressing the complexity and multiplicity of inequalities requires a paradigm shift to an intersectional analysis that describes and accounts for how power and resources are distributed in any given society (Hurtado, 2019; Yuval-Davis, 2015). This section presents four articles that provide insights into how various power matrixes intersect. The discussions explore intersectional relations between social class, geographic location and education; race and gender in sport; and gender and budgetary processes.

### *Education, Class and Inequality*

Historically, Namibia inherited a fragmented education system with vast disparities in quality and resource distribution along racial ethnic lines, a legacy that is still being felt today in post-independence Namibia. Segregated education, whether by class, wealth, ethnicity, gender, region, resources or other forms of privilege and exclusion, is detrimental as it drives a wedge between the haves and the have-nots. For this reason, this chapter on education and inequality is of vital importance.

Taking Namibia's education history into account, in the article "*The Effect of Educational Reform on Inequity Eradication and the Regional Economy in Namibia*", Sartorius von Bach and August Nuppenau analyse Namibian education reform. They focus on the Namibian Senior Secondary Certificate Higher (NSSCH) education level to assess whether it has yielded positive impacts on social justice and regional economic development. The authors unravel the complex relationships of economic development and secondary education. They compare longitudinal NSSCH educational data with economic data to test the nature and strength of the relationship between educational access and socioeconomic variables.

The authors acknowledge the role that education can play in bringing about equity and social justice, but caution that the relationship between education and socioeconomic factors is not linear and monocausal, for it depends on certain historical variables. Their findings show the unparalleled power of education in contributing towards human capital formation and economic development in Namibia. However, the economic impacts at regional level are a mixed bag. The findings disprove the hypothesis that Namibia's education reform improved NSSCH education outcomes and closed the education divides between the historically educationally disadvantaged regions and the historically advantaged regions. This finding, perhaps, calls for ongoing education policy review/reforms and reinvention to align them to the context and situation on the ground. Reducing education inequality is a deliberate political choice and commitment governments should make (Lawson & Martin, 2018). To do this, the authors argue, the government should invest in education and adopt pertinent, binding policy. Funding and political will are needed to achieve and sustain the social justice and equality outcomes that investment in education can yield. Quality education liberates individuals, builds communities, and levels the playing field within society (Walker, 2019), and it follows that investment in quality education will help Namibia close its growing inequality gap.

### *COVID-19 and Inequality*

The COVID-19 pandemic amplified pre-existing global and local inequalities. Globally the pandemic resulted in thousands of preventable deaths due to unequal access to health services and vaccines. Across the globe, poor communities, women and racialised groups were most adversely affected by COVID-19-related income losses, job losses, prolonged illness, and death (Ahmed, et al., 2022). COVID-19 increased the levels of poverty and inequality (Martin, 2022). The great paradox is that in the midst of all this human suffering, the COVID-19 pandemic also created the biggest surge of wealth for a very few. While the pandemic left 99% of humanity worse off, the wealth of the 10 richest men in the world doubled (Oxfam, 2022). In the United States of America, billionaire wealth surged by 70%. Between March 2020 and May 2022, for example, the wealth of billionaire Elon Musk, surged from US\$25 billion to US\$255 billion (Collins, C., 2022).

In Namibia, COVID-19 job and income losses intensified pre-existing poverty and inequality. In his article *The Changing Landscape of Inequality and Poverty in Namibia and the Implications of the Coronavirus (COVID-19) Pandemic*, Blessing Bule Chiripanhura traces the linkages between poverty and inequality. He provides a theoretical and historical overview of the two

concepts and argues that the twin problems tend to reinforce each other. Chiripanhura points out that unequal and limited ownership of resources, information, and political power, and the lack of institutional capacity result in inequality, and that inequality indicates the presence of poverty and deprivation of human development. Poverty and inequality therefore co-exist and are self- and cross-reinforcing. He shows how Namibia, mainly through growth in social expenditure on education, health and social transfers, was able to reduce headcount poverty, but was less successful in reducing inequality. He argues that there was a gradual decrease in income inequality between 2003 and 2015 and that this benefited the second, third and fourth quintiles, who had growing income proportions. Chiripanhura concludes that redistributive measures, mainly income transfers, reduced poverty but failed to reduce inequality to the same degree, and recommends the redistribution of productive resources such as land to address both inequality and poverty.

The linkages between COVID-19, poverty and inequality are further explored by Bruno Venditto, Ndumba Kamwanyah and Christian Nekare. In their article *COVID-19 and Inequality in Namibia: A Vicious Syndemic?*, they argue for a holistic view of COVID-19 and its recognition as a syndemic.

The term ‘syndemic’ alludes to the intersection between biological and sociological factors in all pandemics. The classification of COVID-19 as a syndemic allows for the exploration of interlinkages between health, environmental factors, lifestyles, and genetic factors in determining individual susceptibility to it. The authors link the spread, effects and impacts of COVID-19 to conditions of poverty and inequality, as lockdowns disproportionately impacted on the incomes and livelihoods of informal sector workers and other vulnerable populations. They argue that the gap between rich and poor became more pronounced in Namibia’s third phase of the syndemic when due to inequalities, poor people died because they lacked access to oxygen. The class bias of the State was further exposed by the plethora of task forces instituted to revive the economy. The Task Force on Businesses, the Task Force on the Fourth Industrial Revolution, and the Task Force on Economic Recovery all focused on the formal sector, to the exclusion of the majority of the labour force that are in informal employment. The article concludes that measures introduced to mitigate the impact of COVID-19 were all short-term, and that there is a need for a proactive social protection system to mitigate poverty and inequality in preparation for future pandemics.

### *Mining and Social Justice: Extractivism and the Colonial Trajectory*

Extractivism was central to the colonial project. Its aim was to extract cheap raw materials and cheap labour from territories subjected to colonial conquest. This resulted in centuries of uneven development and under-development that persists to the present. Extraction represents an unequal development model where raw materials are exported from the colonies to feed the colonial centres. For the colonies it meant dispossession for the benefit of mainly transnational corporations from the global North (Randriamaro, 2018). Countries that have an abundance of natural resources are often trapped in the resource curse, or what some call the “paradox of plenty”: despite their natural wealth, they are unable to develop because their economies are based on primary exports. This primary export model distorts the economy due to a lack of vertical and horizontal integration (Acosta, 2013; Randriamaro, 2018). World market price fluctuations also mean that such economies face recurrent balance of payments and fiscal deficit problems (Acosta, 2013). Despite the exploitation and inequalities inherent in the extractivist model, governments, bilateral and multilateral agencies, local and global elites, and the media continue to

propagate false narratives about its developmental benefits when most of Africa bears testimony to the contrary.

Extractivism is often linked to illicit financial flows (IFFs) and environmental destruction. The case study by Jaco Oelofson and an opinion piece by Rinaani Musutua and Rob Parker exemplify both aspects of extractivism. IFFs can be defined as the illicit earning, transfer or utilisation of finance across international borders. This could be as a result of corruption, money laundering, or tax evasion/avoidance. Transnational corporations are often able to perpetrate these financial crimes with the collusion of local partners. Tax evasion and avoidance are often done through transfer pricing, inflated costs of goods and services, under-reporting of production volumes, and underestimation of the value of raw materials extracted. In so doing, companies can shift profits and avoid taxation in countries where such profits are made. IFFs flourish in countries that lack the necessary legal and regulatory frameworks and enforcement mechanisms, have weak governance systems, and operate as secrecy jurisdictions and tax havens (Lemaître, 2018). IFFs deny governments foreign exchange reserves and tax receipts, divert resources from public spending, and deepen inequality (Thiao, 2020; International Monetary Fund, 2021).

In the article *Chrome Miners and Corporate Crocodiles: Illicit Financial Flows, Profit Shifting, and Samancor Chrome*, Jaco Oelofson provides a detailed case study of how IFFs and base-erosion profit shifting (BEPS) increase company profits, deprive the state of much-needed tax revenue, deny workers wage increases, deny communities their share of income, and provide a justification for retrenchments. The case study shows the linkages between IFFs and inequality. It focuses on the legal action a South African trade union, the Association of Mineworkers and Construction Union (AMCU), took against Samancor Chrome. Although the case study is based in South Africa, the practices described occur globally. According to AMCU, the company used mis-invoicing to shift profits from South Africa to tax havens and secrecy jurisdictions to avoid the payment of the 28% corporate income tax rate applicable in South Africa. This profit shifting allowed the company to increase its profits while creating artificial unprofitability to deny workers and surrounding communities their share of income.

An opinion piece by Rinaani Musutua and Rob Parker exposes practices of the Canadian transnational corporation, ReconAfrica in the course of oil drilling operations in Namibia's Kavango Delta. The

authors see ReconAfrica's presence in the area as part of a process of re-colonisation and dispossession as the company is occupying the land of small-scale, indigenous farmers. In their view, the community was denied the internationally recognised right to free, informed prior consent before oil drilling operations commenced. The authors are of the opinion that the company may have failed to get permission to occupy the land from the Communal Land Board, as required by Namibian law. The authors also reference other possible violations of Namibian law, for example, on casual employment, work permits and environmental compliance. In addition to a loss of land, communities are faced with possible contamination of water sources and the destruction of their homes. The authors argue that these practices have largely been ignored by Namibian authorities, while ReconAfrica was hailed as a "life saver" by the Namibian President, despite the company's alleged legal infractions and the negative impacts of its drilling operations on the environment and local indigenous communities.

### *Gender, Sexuality and Women's Rights*

Nashilongweshipwe Mushaandja and Ndeshi Namupala critically take on World Athletics and the western ethos of athletics "for their sustained systemic

exclusion of women, and particularly black women athletes." In their article "*A Feminist Critique of Institutional Racism and Gender Essentialism: In Defence of Christine Mboma and Beatrice Masilingi*," the authors employ a feminist lens to argue that the removal of Namibian athletes Christine Mboma and Beatrice Masilingi from the 400 meter race in the 2021 Olympics in Tokyo, Japan "due to the World Athletics testosterone rule" is nothing but a form of institutional racism and sexism and a long-standing strategy of sports institutions such as World Athletics to subject women athletes, especial black women, to "scientific racism and gender essentialism."

The authors seek to expose the dubious pseudoscientific discourses used to develop very partial stereotypical rules to justify exclusions. They argue that the biological essentialisation of sex has no place in the modern sports arena. Despite recent developments in representation, diversity and equality, longstanding patterns of exclusion-based racism, sexism, stereotypes and other signifiers of exclusion still remain in the sports space (Cunningham et al., 2019; Hindman & Walker, 2020; Wells et al., 2020). Explanations and speculation that distinct physiques and biological advantages allow black sports athletes to excel, and that black athletes rely on animal-like physical strength rather than



intellect and a work ethic are amongst the many examples that confirm the bias against and stereotyping of non-white and non-western sportsmen and -women. According to the authors, the stereotypes reinforce notions of white superiority and black inferiority. They argue that reliance on biased and discriminatory testing regulations have dire consequences beyond sports, for it has the potential to reverse the gains made towards gender equality and non-racism. The golden thread emanating from this article is the critical questioning of the assumption that higher testosterone levels place some women at a competitive advantage similar to men competing against women, and that testosterone is the sole key to athletic success. The rules are demeaning and particularly target black women from the southern hemisphere. The authors see this as a throwback to both the racist colonial history and modern forms of colonisation of black women's bodies. They recommend that sports associations promote transnationalism, transboundary solidarity, social cohesion, and global inclusion.

### *Gender-responsive Budgeting and Gender Equality*

Budgets are not class-, gender- or ideology-neutral. They are an outcome of political choices and reflect the government's key priorities. Gender-

responsive budgeting (GRB) ensures that public revenue and expenditure address gender inequality (Elson, 2003). Government expenditure and revenue generation impact on women, and current austerity budgets have the potential to increase women's workloads and time poverty, and affect the living standards of already poor and marginalised women. In her article *Gender-responsive Budgeting, Gender Equality and the Empowerment of Women*, Lucy Edwards-Jauch reviews the Namibian central government's budgetary allocations towards gender equality and women's empowerment.

The author provides a brief synopsis of gender inequalities in Namibia, particularly multidimensional poverty; access to employment; ownership of productive assets; differences in incomes and wealth; access to social protection; levels of gender-based violence; sexual and reproductive health and rights; and the differential impacts of COVID-19. The author places emphasis on the intersections between gender, race and class by focusing on unemployed women, women in informal employment, and rural women. Through a review of budgetary allocations and revenue generation between 2014 and 2021, the author demonstrates that less than 0.05% of total expenditure was allocated to the programme Promotion of Gender Equality and

the Empowerment of Women in the Ministry of Gender Equality, Poverty Eradication and Social Welfare (MGEPEWS). The author concludes that the Namibian Government's stated commitment to GRB has not cascaded down to most organisations, ministries and agencies that benefit from central government budgetary allocations. The author points out that although women benefit more than men from the public sector wage bill, funds allocated to various gender-related programmes do not suffice to bring about the structural changes that could ensure substantive equality between women and men.

### *Religion and Social Justice*

Influenced by liberation theology and basic humanistic principles, Namibian faith-based organisations, particularly churches, during various periods supported the struggles of the oppressed and exploited. Their pursuit of social justice and opposition to inequality date back to the colonial era. Churches mirrored the apartheid racial divisions in society, and their societal engagements were consequently split along the lines of racial politics. The white churches primarily abided by the colonial ethos of oppression and demonstrated minimal involvement in challenging colonial injustices meted out to the black majority. Most of the black churches aligned themselves with the national liberation ethos

and were therefore viewed as moral agents against oppression, exploitation and human rights violations (Isaak, 2013; Nangolo, 2022). They publicly denounced colonialism, human rights violations, discrimination and the inhumane socioeconomic conditions in which the majority of Namibians found themselves, provided humanitarian assistance to oppressed groups, and supported community development activities in these communities.

Since political independence was attained in 1990 and despite persistent injustices and inequalities, the church has retreated from the public space, primarily due to its historical relationship with the liberation movement (now the governing party, SWAPO) (Horn, 2008; Groop, 2012). Two articles explore this theme from a religious and theological perspective. Both articles implore the faith-based community, and Namibians in general, to intercede in the cause of social justice in Namibia. In *Social Justice as Praxis: A Socio-Religious and Ethical Analysis*, Basilius M. Kasera explores ways in which independent Namibia could concretise social justice to rearrange its social order. The author argues that social injustice "is neither morally neutral nor occurring in a social vacuum." In other words, whether an injustice takes the form of oppression, exclusion, discrimination or direct violence, there is always a

moral context that enables it to happen. Furthermore, the prevailing contextual factors that facilitate injustice must be engaged in practical and tangible ways, in a kind of theological praxis. The author further recommends practical and sustainable safety nets that affirm human worth and true liberty. These include: 1) a guaranteed minimum wage set at a living wage to enable decent living for the least advantaged; 2) quality public healthcare to elevate the human worth of the least advantaged; 3) decent and affordable housing to promote a sense of belonging and safety; 4) skill-producing education to promote self-reliance and productivity; and 5) a universal basic income grant as a key aspect of radically changing socioeconomic fortunes in Namibia.

In the article “The Church and Social Justice in Contemporary Namibia”, Emma N. Nangolo takes the faith-based response to injustice further and implores Namibian churches to reflect on their role and moral responsibility toward the Namibian public, and to reclaim the agential power and moral voice they displayed during the national liberation struggle. She implores the church “to walk in solidarity with the suffering masses and to publicly denounce all forces that perpetuate inequalities and injustice.” Challenging injustice and inequality is the church’s moral and prophetic “mission for the healing of communities.” The author

argues that growing poverty, huge income discrepancies, skyrocketing unemployment, the housing crisis, gender-based violence, and economic mismanagement and corruption are not primers of a good society and are therefore inimical to the church’s teachings of a social justice-driven society. She contends that in the face of all forms of social and economic sufferings affecting the Namibian masses, the church cannot remain silent by relegating its moral obligation to the mere spiritual realm. It is against this backdrop that the article makes a call to action and argues that the church’s involvement in the public space is not only timely, but justifiable.

## Case Studies

### *Land Distribution and Inequality*

Colonial land dispossession, genocide, epistemicide and socialcultural and economic dislocation still shape inequalities in Namibia. Unfortunately, land dispossession did not end with the declaration of political independence. Marginalised and excluded communities continue to experience land dispossession at the hands of local elites and transnational corporations.

In the case study *Inequality and Land in Namibia: White Indifference, Elite Capture and Policy Inadequacies*, Ellison Tjirera argues that after 30

years of independence, colonial land ownership patterns remain undisturbed. Despite two land reform conferences, the land question in Namibia remains largely unresolved. From the statistics he presents, he concludes that voluntary redistributive mechanisms have only served to entrench indifference to persistent inequalities in land ownership. The case study shows that the willing-buyer-willing-seller mechanism for land redistribution has failed.

Resettlement has been the cornerstone of Namibia's land redistribution programme. The government generally purchases land for resettlement purposes through the willing-buyer-willing-seller approach. It also has the option of expropriation (Republic of Namibia, 2020), which it rarely uses. Resettlement was meant to benefit poor, landless people who are not in formal employment (Republic of Namibia, 1998) but, at times, the process has been subjected to elite capture to the benefit of top government officials and politicians (Iikela, 2018). The pace of resettlement is also very slow, and in over 28 years leading up to 2020, the government was only able to resettle 5 338 households out of the 243 000 households initially targeted. This is due to limited budgets and inflated land prices (Mandimika, 2020). Resettled farmers also face overcrowding and a lack of post-resettlement support.

To overcome shortcomings in the resettlement programme, the Namibian Government developed a Draft National Resettlement Policy that proposes four post-resettlement support packages. These include a start-up grant; an infrastructure development and rehabilitation grant; technical support provision; and limited credit facility provision (Republic of Namibia, 2020).

Despite its shortcomings, there are very positive signs that land resettlement can have redistributive effects and positive impacts on the livelihoods and incomes of landless people, the unemployed and other disenfranchised groups. Ellen Albertz in her article *From Farm Workers to Farm Owners: Case Studies from the South* presents two cases of resettlement that benefited former farm workers. The Tani-Huigu Farmers' Cooperative and the Aroab Small Farmers Cooperative both received land and post-resettlement support from the Ministry of Agriculture, Water and Land Reform (MAWLR). As individual farmers, they battled hostile farming conditions in Namibia's arid south, and therefore formed agricultural cooperatives to benefit from their collective knowledge and resources. With regulatory changes they were able access land and post-resettlement support from the MAWLR, which had previously not been available to cooperatives. Land ownership

and cooperative enterprise brought benefits beyond improved livelihoods. The MAWLR demonstrated political will and responsiveness to the needs of landless people. The case studies demonstrate that land resettlement can bring about wealth redistribution and social justice if it can be freed from elite capture.

The restitution and reparations for ancestral land that was dispossessed in the course of colonial conquest have not been addressed through comprehensive law reform to ensure restorative justice. Willem Odendaal's case study on the legal battles for redress of the Hai||om people focus on these questions. In his article *The Tsumib Judgments and their Implications for Asserting Ancestral Land Rights in Namibia*, Odendaal raises the incisive question of whether the current law and interpretations of the law can bring about justice and redress. Odendaal traces the impact of settler colonial encroachment on Hai||om livelihoods and their subsequent displacement, relocation and expulsion from what is now Etosha National Park. Namibia's political independence failed to bring about the restitution of their ancestral land rights. On the contrary, the current government negates such rights and has therefore not enacted the necessary statutory laws to affirm them. The Hai||om approached the courts to seek relief. Their six claims dealt with the ownership, occupation

and use of ancestral land. Due to the lack of enabling legislation, the court ruled that the applicants lacked *locus standi*. The court did not engage in the merits of the case and an opportunity to deliver substantive judgement on ancestral land rights, that could have set legal precedence, was foregone.

### *Measures for Fighting Inequality: Basic Income Grant*

In case studies from three countries, Nkululeko Majozi surveys the impact of the basic income grant (BIG), an unconditional and permanent grant paid to all individuals in society with the aim of closing the inequality gap, by drawing lessons from India, Kenya and Namibia's BIG pilot project experiments. The three countries under the microscope in this chapter all to a certain degree share a longstanding history of grappling with high levels of poverty and income inequality, making the comparison befitting. Basic information and knowledge about the different implementation processes and impacts of the three experiments are not only essential in shaping the ongoing debate about how to fight global poverty effectively but also necessary for the practical and viable implementation of a BIG initiative, especially in countries like Namibia, whose inequalities are deeply rooted in the history of colonialism and oppression.

In his article *Fighting Inequality through Basic Income Support: Lessons from India, Kenya and Namibia*, the author concludes that the BIG pilot studies in all three countries in question yielded positive outcomes in reducing inequality. Some key potentials identified in the study are the increased sense of dignity, self-worth and well-being resulting from having a basic income, including the opportunity and ability to afford and respond to one's monthly basic needs, thus enhancing basic security.

The key lessons and impacts drawn from the three case studies include a sense of being in control of one's life; a drop in household poverty; an increase in economic activity through income-generating initiatives; a reduction in child malnutrition; an increase in household income; positive health outcomes, especially amongst those with chronic diseases; increased school enrolment; a reduction in household debt; a reduction in criminal activities; and a reduction in women's dependency on men for handouts for their economic and social survival.

The evidence from the case studies shows that the implementation of a BIG could offer new opportunities, not only through reducing economic, health, food, and environmental insecurity, but also for global exchange

through collaboration and the sharing of knowledge and ideas, and a shared commitment to fighting inequality and meeting human needs, globally.

### *Eswatini*

SADC governments have signed numerous human rights instruments, but often fall short when they or fellow member states fail to adhere to such human rights obligations or domesticate them (Beyani, 2015). Eswatini, till 2018 known as Swaziland, remains a member of the SADC regional block while its autocratic government continues to violate the most fundamental human rights of its citizens. One year after a brutal crackdown on legitimate political expression, Helen Vale, in her case study *Autocracy and Inequality in the Kingdom of Eswatini*, reflects on the pattern of resistance and repression that has characterised the country's most recent history. The Mass Democratic Movement has appealed to the SADC to intervene to end the repression and to facilitate a transition to democracy. This has not occurred. The majority of SADC citizens and governments remain indifferent or seek to placate the absolute monarch ruling the country. So far, the tragic loss of life and suffering experienced by the citizens of Eswatini has not yielded the desired democratic outcomes.

## Opinion Piece

### *Labour Rights and Inequality*

Labour's share of national income refers to how national income is distributed between workers (wages) and capital (profits). Declines in labour's share of income directly increases income inequality (Erauskin, 2020). The protection of labour rights is central to overcoming wage inequality. Despite progressive labour law, high levels of unemployment, underemployment and informal employment undermine labour rights granted in law. This affects wage inequality (Martin, 2022). High levels of unemployment and power imbalances between capital and labour also undermine the bargaining position of individual workers. It is through collective bargaining that workers are able to assert their labour rights and engage in industrial action to improve their working and living conditions. The right to strike is an essential aspect of collective bargaining and is legally protected. Where this right is violated, workers have recourse to the courts and the Office of the Labour Commissioner to seek relief.

In his opinion piece *From Collective Bargaining to Collective Begging: Namibia's Supreme Court Undermines*

*the Right to Strike*, Nixon Marcus details how a recent judgement by the Namibian Supreme Court rendered the right to strike meaningless. The article demonstrates how ideological persuasions and biases of judicial officers are reflected in the interpretation of the law. In the case of the Shoprite workers strike of 2020, different courts came to different conclusions about how the use of scab labour undermines the right to strike. Markus argues that the Supreme Court demonstrated indifference to power differentials by assuming that non-striking workers acted "autonomously" when they performed the work of striking workers. The court was of the opinion that non-striking workers "volunteered" to do the work of strikers, without considering the coercive effects of economic power. Markus maintains that the court's imperviousness to power imbalances resulted in a ruling that undermines collective bargaining. Since there is no higher court, only a revision of the law that explicitly and unambiguously protects the right to strike from the use of scab labour can effectively restore the right to strike.

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Ndumba Kamwanyah**

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# Intersectionalities: The Effect of Educational Reform on Inequity Eradication and the Regional Economy in Namibia

*H. J. Sartorius von Bach and E. A. Nuppenau*

## **Abstract:**

*Graduation statistics of annual Namibian Grade 12 secondary education were used to link the school graduates' achievements to the political regions' economic development. It is hypothesised that the various pre-independence educational systems caused inequity between political regions' secondary education, bringing about diverse economic prospects. Educational reform was expected to improve academic outcomes, especially within the disadvantaged regions. Two decades of panel data allowed the researchers to simultaneously address complex relationships between regional development, educational levels at high school, and the underlying causalities. Latent variables were used to determine linkages and impacts between these levels and socioeconomic relationships. It transpired that educational reform contributed towards economic development at the national level, while regionally, impacts were sensed only after the new enrolment of primary learners reached the secondary level. Levelling of education systems, especially*

*in the historically disadvantaged regions, positively impacted on the country's economic development.*

**Key terms:** canonical correlation; Namibia; economic development; disadvantaged regions; educational inequality; secondary education

## **Introduction**

In the early years of 1907, access to colonial services (including education) was bound to the inside of the existing German colonial police zone. The defined area outside of a territorial boundary demarcated by a blue line on maps defined exclusions for indigenous people, as the colonial regime deemed education to be unimportant for indigenous people (Miescher, 2012). After World War II, these restricted basic rights for citizens residing outside the police zone were redefined by a second colonial rule to fit the new regime's criteria for developmental efforts. Only after the implementation of the Odendaal Plan was school enrolment allowed for indigenous people

(Mbamba, 1981). However, schools were administered differently on the basis of ethnic groupings, applying different infrastructure provision, which resulted in different outcome levels. Mbamba (1981) determined that this system limited possible educational progress prior to the 1970s. It is therefore not surprising that after independence in 1990, the Government of Namibia set about correcting the past by embarking on several reforms, including an “education for all” system. This was deemed to be necessary because, prior to reforms, “the schools and curriculum were organized and run on a racial basis, that curriculum content and assessment procedures were foreign, and the curriculum materials were mainly examination syllabuses prepared in and by the ruling country” (Njabili, 2004 p. 31).

Namibia decided to take control of its educational destiny when in 1996, school education was reformed with the adoption of the Cambridge Examinations Syndicate system, in order to address injustices (Katjavivi, 2016). Education, as a human right, was regarded as the engine for developing learners and providing multiplier benefits such as poverty reduction, life fulfilment and improved employment prospects, earnings and health care. Such gains called for investing heavily in education, to change the direction and destiny of communities in Namibia.

Following Njabili’s (2004) critical analysis of the Namibian education reforms in post-independence Namibia, and the finding that secondary school acts as the “academic backbone” for life by McManus et al. (2013), this paper took the Grade 12 final Namibian Senior Secondary Certificate Higher-level (NSSCH) results as determinant of secondary higher education performance levels over time (see Mayston, 2013). We hypothesise that investment in education has a direct and lasting positive impact on people’s lives (see Agbor, 2015), and further that policy matters. The NSSCH system was selected as an important yardstick, because most of its components are required for further training and job entry.

The literature supports the view that education levels can strongly and positively contribute towards the human capital of the youth and multiply into economic development, as already discussed as early as in the 1960s by Schultz (1961) and many others. Santín and Sicilia (2015) recently showed that education contributes towards economic status; he showed particularly that a high percentage of public spending reflects a better educated population regarding life opportunities. Research shows that the return on educational investment took the form of economic growth through improved productivity and

increased revenue (see Werner et al., 2019; Aristovnik & Obadić, 2014; Hanushek & Woessmann, 2012; and Gyimah-Brempong et al., 2006). However, disaggregating data from higher educational levels does not always reveal this mono-causality. This opens a debate on how to achieve a more efficient education system and questions the contributing factors and implications of policy (Pearl & Mackenzie, 2018).

When the causality between human capital and economic growth were examined, most studies provided mixed results (see Pegkas, 2014), indicating that emerging evidence in education is also associated with a wide range of non-economic benefits (Pouris & Inglesi-Lotz, 2014), and should be measured as growth, rather than as a direct measure of well-being. Gavurová et al. (2017) found that countries investing in education developed their human capital by reducing social inequalities; they concluded that human parity indirectly allows for economic growth and productivity. However, the literature is limited regarding the simultaneous assessment of contributing factors to both human capital and economic growth. For example, research on Nigeria showed that the poverty rate, unemployment and low income per capita, as well as low education levels, could be attributed to low productivity

growth, but significant educational or health variables explaining growth were not found (see Popoola et al., 2019; Asaleye et al., 2017 & 2018).

This paper attempts to address some of the more complex relationships between economic development and secondary education outlined above. By determining the underlying causalities, we identify significant explanatory variables within the economic system of Namibia. We used regional panel data over the past two decades (see Baharom et al., 2013), applying the canonical correlation method (Pearl & Mackenzie, 2018) to determine causalities between schools' educational achievements as a proxy for human capital formation and the resulting economic status. Based on literature findings, we built a model to determine causalities, which were hypothesised and empirically evaluated.

## **Background**

### *Human capital*

Although the human capital issue is widely researched, the claim that it originates from education to develop skills and improve knowledge for economic growth frequently remains unproven. Certainly, inputs from secondary schools have a role to play in providing literacy and numeracy, which will enable learners to survive in complex technological societies. Already in 1776, Adam Smith recog-

nised the principle that educational and professional achievements in life often depend on (secondary) educational and professional attainments earlier in life. McManus et al. (2013) defined it as longitudinal achievements obtained during high school to continue via higher education up to the ultimate level of specialisation. By way of proof, a study by Hassan and Ahmed (2008) used cross-section panel data<sup>1</sup> regressions, and found positive correlations between economic growth and variables reflecting human capital, such as the literacy rate, average years of schooling, and primary and secondary school enrolment. However, their methodological approach is regarded as narrow, as it rarely sufficiently addresses causalities. Wagner et al. (2010) proposed using latent variable models for such purposes.

Investment in high school education is often found to be a signal to differentiate the most productive individuals from the poorly productive (see Popoola et al., 2019). It can serve to advance increased productivity (Escosura & Roses, 2010; Lee & Lee, 2016) by boosting capabilities. However, the syllogism of what drives and what remains is unanswered. Li et al. (2016) argue that a low rate of investment in human capital can be attributed to the inability to select the right channel of human capital

and public investment to embark on. Literature that indicates that high public expenditure on school education may result in increased educational equality is evenly balanced with literature that indicates the opposite. This may imply that higher investment in public education supports parity. While it might contribute to growth, it may not be dependent on historic characteristics (Schlicht et al., 2010; Stadelmann-Steffen, 2012).

Baharom et al. (2013), which used a dynamic panel system focusing on high school data as a proxy for human capital, showed linkages between human capital and economic growth. Their aggregated country results showed that the pass rate of high school graduates affects national growth, while individual performance is deemed to be insignificant. Findings often depended on the method and approach applied. For example, research on Indonesian secondary school education<sup>2</sup> showed an adverse impact on economic growth (Mendy & Widodo, 2018), while Kasri (2011) showed that secondary school education had a positive effect. The above examples show that model specifications cause different findings, often leading to contradictory understandings of the development effect on economic growth (Wößmann, 2003).

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<sup>1</sup> Relating to sub-Saharan African countries.

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<sup>2</sup> Spending on education in Indonesia is low relative to other countries.

### *Namibian Secondary Education*

At Independence in 1990, Namibian educational reform, based on the Constitution, aimed for regional parity and encouraged higher enrolment of learners. A strategic plan was drafted that aimed for improved quality, equity and efficiency in the education sector countrywide, and the attainment of the educational goals of access, equity, quality and democracy. Significant achievements followed following independence in 1990. Today, over 95 percent of school-age children are attending school, the number of teachers has increased by 30 percent, and over 4 000 new classrooms have been built (Research on Socio-Economic Policy (ReSEP) & UNICEF, 2017). However, because of the inherited regional differences, regional outcomes still differ. Table 1 summaries the regional

learner enrolment numbers over the past two decades.

The NSSCH learner enrolment numbers increased nationally from 866 in 1996 to 16 621 in 2018, of which the northern regions' enrolment showed the biggest increase, from 44 in 1996 to 13 124 in 2018. The growing enrolment numbers clearly required additional classrooms, teachers and infrastructure, and these had the effect of supporting improved education levels 17 years after the reform started. The annual number of NSSCH learners, as a percentage of the regional population, shows that the demography of the regions' residents differs. In 2018, for example, 0.84% of Ohangwena Region residents were Grade 12 NSSCH learners; the percentage in Kunene Region was only 0.07%, but conversely, in Oshana Region, it was 1.23%.

**Table 1** *NSSCH Learner Enrolment*

Region	1996	1999	2005	2009	2013	2017	2018	Learners as % of population in 2018
ǀKaras	49	62	86	143	235	265	339	0.30%
Hardap	46	29	67	90	83	152	178	0.17%
Omaheke	14	15	41	54	58	62	85	0.08%
Khomas	591	640	990	1 250	1 569	1 959	2 040	0.45%
Erongo	63	120	192	203	422	478	624	0.25%
Otjozondjupa	78	115	68	116	137	166	185	0.11%
Kunene	0	0	11	57	55	67	46	0.07%
Oshana	0	0	287	1192	2013	1395	2287	1.23%



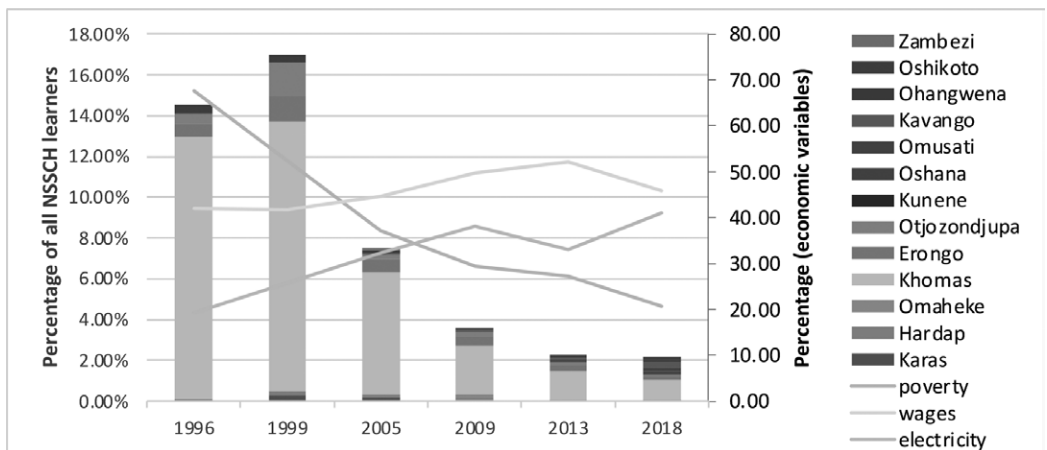
Omusati	0	0	0	1664	2784	3094	3433	1.17%
Kavango / Kavango West & Kavango East	0	54	380	463	873	1 469	1 552	0.66%
Ohangwena	0	0	370	433	1 665	2 156	2 572	0.84%
Oshikoto	25	56	592	836	1 117	1 584	1 845	0.80%
Zambezi	15	13	66	157	376	1 289	1 435	1.46%
National NSSCH	866	1 104	3 150	6 658	11 387	14 136	16 621	Average 0.69%
Namibian population	1.706 mil	1.858 mil	2.032 mil	2.137 mil	2.113 mil	2.369 mil	2.448 mil	

Source: Adapted from National Media Holdings (1996 – 2019) and National Statistics Agency (NSA) (2020)

The educational budget was used not only to improve the facilities, but also to enhance academic achievements. Figure 1 summarises the NSSCH performers during the past two decades. The improved “academic backbone” can be regarded as an outcome of the reform, to allow

for improved learner opportunities and regional parity. Some economic variables, such as poverty, wage dependency, and access to electricity were taken for trend comparison, but also to determine causalities between secondary education and regional development.

Figure 1 NSSCH Top Performers Relative to Economic Development



The figure shows that investment in the NSSCH resulted in differentiation. The trend showed that this measure did not yet correct the inequality within NSSCH performance (see Katjavivi, 2016; Shafuda & De, 2020). In 1999, about 17% of all NSSCH learners could be classified as top performers (those who obtained 40 or more points out of a maximum of 54 points), but this measure had declined to about 2% two decades later. Figure 1 reveals that the supremacy of Khomas Region remained untouched with its outstanding school performance. However, the capital region lost its status of producing the preponderance of top school performers. The question to be asked is how this relates to regional poverty or wage dependency, and how to identify its cause and effect. The paper attempts to address these questions in the following sections.

## Methodology

Iipinge and Likando (2012, p. 8) assessed Namibia's educational reform, starting from the old Cape Education Department Matriculation education system and progressing to its replacement with the new Cambridge system, as having followed a "process of mental decolonization away from the images of an inferior and to separate people which permeated the old curriculum and pedagogy". We applied longitudinal data, comprising individual Grade 12 NSSCH results

from 1996 until 2018, and correlated them with both data of the current education system and the regional Namibian economies. As there are statistical methods which deal with complex situations and go beyond easily observable variables, we rather made use of latent variables through structural equation modelling (SEM) (Bowen & Guo, 2012). With this methodology, we could detect the either weak or strong causalities as a measure for implementation success or failure. We decided to test for these causalities by presenting a case to understand hidden variables describing the progress in development (in our case through high school achievement). We wanted to find causalities between the political regions' economic performance and high school results, following Pearl and Mackenzie (2018). This paper therefore aims to test the most important socioeconomic components in society for example by looking at confounding variables, logics and stochastic *vs.* deterministic elements. It is an attempt to qualify variables of high school education within the Namibian economic context working with causalities as pathways given for analysis.

## Data

We based the analysis on longitudinal panel data (Baltagi, 2008; Manca, 2011; Teixeira & Queiros, 2016) covering education on the one side and

economic status on the other, in our case specifically for education regions.

Note that a learner could score a maximum of 54 points for six subjects. By way of comparison, the basic entrance level to a Namibian university requires a minimum of 25 points. Individual learners' subject results were entered on annual excel sheets and averaged to regional NSSCH education levels over time for the years 1996, 1999, 2005, 2009, 2013 and 2018. As from 2019, the third phase of basic educational changes was implemented, resulting in the phasing out of the NSSCH and the introduction of the NSSCAS (Namibian Senior Secondary Certificate Advanced Subsidiary) level course. The data for 2019 onwards could therefore not be included in these panel data.

All individual and average learners' marks were indexed and also presented as a skewness index<sup>3</sup> to show the regional secondary education levels. Besides learner variables on regional averages, additional regional<sup>4</sup> variables, such as the number of teachers, learner per teacher ratio, number of schools, average teachers' salaries, and various educational budget lines, were collected to describe the secondary education situation in Namibia.

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3 The Gini coefficient was used to show the equity between total marks obtained by students in regions

4 Because of data limitations, Kavango East and West were combined as one region

We obtained economically related data from the National Statistical Agency of Namibia (NSA, 2020). The following variables were collected: (1) regional population size, average regional household size, percentage of households having access to electricity; (2) young citizens (<34 years) unemployed; (3) regional urbanisation %; (4) poverty rate; (5) inequality measure; (6) average regional household consumption; (7) percentage of population formally employed; and (8) regional income tax contribution.<sup>5</sup>

Comparing the baseline at independence (1990) with the current previously advantaged and disadvantaged regions, we hypothesised that the education reform would cause NSSCH level improvement for especially the disadvantaged northern regions, with accompanied improved parity in resources, skills and opportunities. It was a deliberate policy goal to improve the educationally disadvantaged regions, and it could be expected that the intention to correct the imbalances of the past might have a negative effect on the previously educationally advantaged southern regions.

In order to explain the variables, our longitudinal panel data were grouped in the three levels of the educational index

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5 To keep monetary variables comparable, they were deflated in line with the consumer price index.

(low, average and high), respectively, as 1, 2, and 3; additionally, we elected to adopt regional disaggregation. A discriminant analysis was used to find underlying explanatory variables for both school achievement and the regional economic status.

### Regional inequality

For conformity, Mbamba’s (1981) educational classification was used to divide the country into the northern previously educationally disadvantaged regions (Zambezi, Kavango East, Kavango West, Ohangwena, Oshikoto, Oshana, Omusati and Kunene) and the rest of the country. This implies that the other regions can be regarded as more privileged despite containing pockets of disadvantage.<sup>6</sup> Today, many regional high schools only offer limited subject choices, which discriminates against bright learners, for example from

6 Black communities living in historic poverty; black schools having less qualified teachers, smaller variety of subjects offered, etc.

Kunene Region, who wish to attend a prestige government school in one of the better-served regions, such as the capital region, Khomas. However, these learners would not be enrolled in these prestige high schools because learners are still today limited to high schools from the region of their residence.

Cognisance is taken of the fact that Mbamba’s generalisation is not perfect, since educational inequity occurs within regions. Data availability limits the assessment to differences between political regions. The more educationally advantaged regions are taken to be Otjozondjupa, Omaheke, Erongo, Khomas, Hardap and ||Karas regions.

Ranking learners’ average NSSCH marks by region and by year, we could observe changes. Table 2 provides an overview of the changing outcomes, presented as the total average learners’ points obtained for their six subjects.

**Table 2** *NSSCH Learner Performance (Average Total Points Obtained)*

Region (Advantaged)	1996	1999	2005	2009	2013	2017	2018
Karas	14.02	13.92	13.29	10.85	11.22	14.09	11.84
Hardap	15.41	17.83	14.66	16.32	11.96	10.95	9.24
Omaheke	14.71	20.40	13.98	16.96	12.46	12.40	10.82
Khomas	23.02	24.47	21.81	19.42	18.33	16.35	15.74
Erongo	20.94	18.98	18.87	20.54	15.19	15.36	12.81
Otjozondjupa	18.01	21.61	19.60	20.78	19.79	17.30	12.80

Region (Disadvantaged)							
Kunene	NA	NA	6.64	9.25	9.87	9.90	10.91
Oshana	NA	13.12	9.00	7.52	7.89	9.87	9.12
Omusati	NA	NA	NA	7.06	7.24	8.03	8.29
Kavango	NA	9.85	8.58	9.48	9.71	10.47	10.69
Ohangwena	NA	NA	6.86	6.22	6.96	7.07	7.55
Oshikoto	18.32	17.77	8.99	9.07	9.79	9.72	9.51
Zambezi	8.47	25.85	15.47	10.18	11.25	9.38	9.52

It shows, for example, that the 78 learners from the Otjozondjupa Region obtained an average total of 18.01 points per learner in 1996 (refer to Table 1 for NSSCH enrolment figures) to be ranked 3<sup>rd</sup> amongst educationally advantaged regions in NSSCH points obtained, and improved to being ranked in 1<sup>st</sup> place in NSSCH performance with total average of 20.78 points per learner in 2009, when it had 116 learners; conversely, Khomas, the capital region, ranked 1<sup>st</sup> in points obtained in 1996 by its 591 learners, but declined to rank 3<sup>rd</sup> in 2009, and back to 1<sup>st</sup> in 2018, when 2 040 learners were enrolled. Another previously advantaged southern region, Hardap, showed a general decline in points obtained. Although the northern, disadvantaged regions ranked lower throughout for the period under investigation, some of these regions presented significant performance changes over time. For example, the 13 learners of the Zambezi Region obtained a total average of 25.85 points per learner in 1999, ranked first amongst all regions, but declined to an

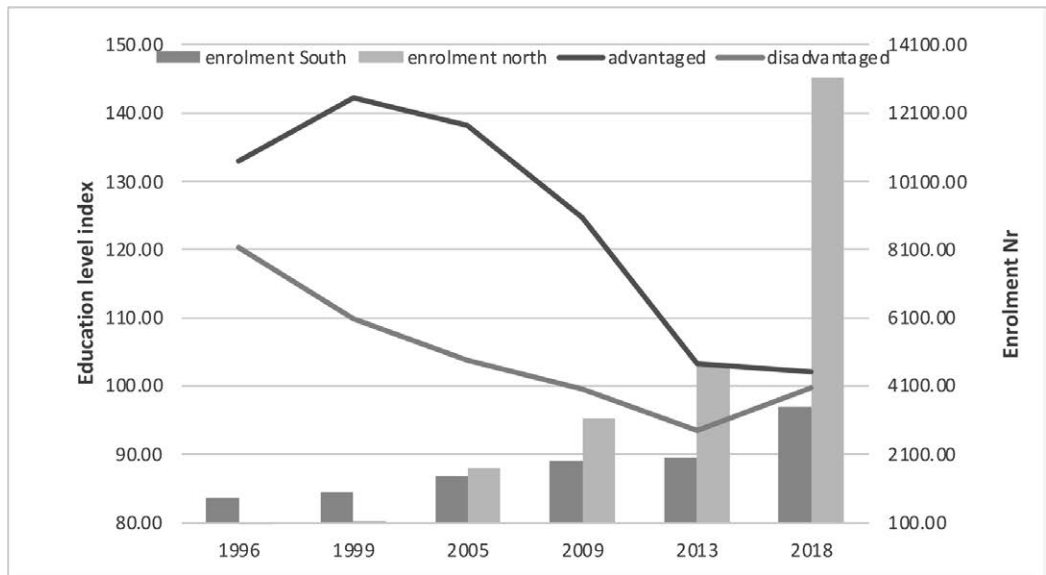
average total points of 9.38, ranking 11<sup>th</sup> in 2017, when 1 289 learners were enrolled. Kavango and Omusati, regions with historically low NSSCH rankings, showed significant improvements after 17 years, but Ohangwena Region had not yet shown any response to the educational reforms.

To further explain the above outcome (since reform implementation), we plotted the NSSCH level and equity compared to learner enrolment and number of teachers over years. Figure 2 shows the changes of weighted performance levels between the historically educationally advantaged southern and disadvantaged northern regions. The educational levels of both groups followed the declining trend; the national weighted average index declined from 132 in 1996 to 100 in 2018. Investigating this trend, we can observe that the southern (advantaged) regions have exhibited a bigger variation in average performance over the years in response to the reforms. However, contrary to the intended relationship,

the recovery of the declining levels only started in 2013. Learner enrolment, especially in the northern regions (see Table 1), has shown a very substantial absolute increase over the past five years,

which followed 12 years after learners entered primary school at the Grade 1 level. The educationally advantaged regions showed insignificant changes in learner enrolment (Figure 2).

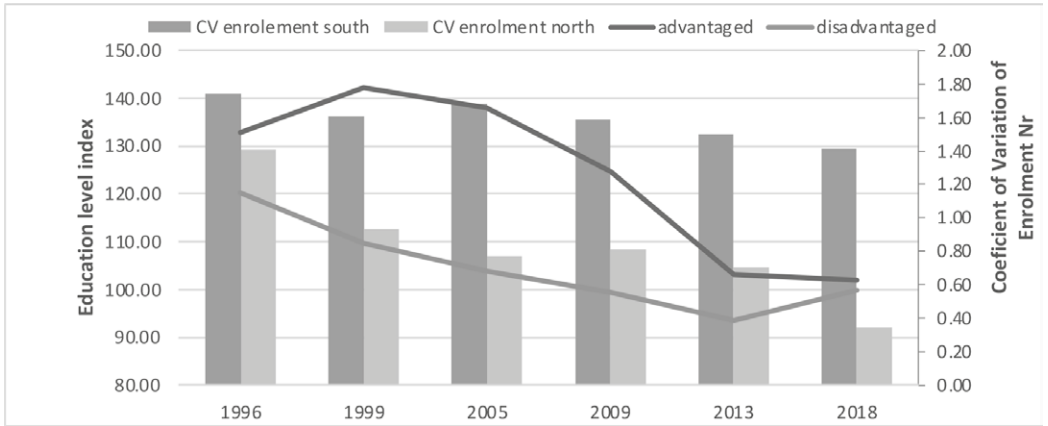
**Figure 2** Higher Secondary Education Levels Relative to Learner Enrolment within Regions



The above relationship can be explained if approached in relative terms. Figure 3 shows the same educational levels but relates them to the coefficient of variation (CV%) of enrolment numbers by regions. It can be observed that while implementing the education reforms over the years, both the northern (disadvantaged) and southern (advantaged) regions

showed greater similarity in terms of learner enrolment by individual regions. Unfortunately, the regional implementation of enrolment numbers was treated differently, as observed from Figure 3, and these practices contributed towards declining NSSCH aggregate educational levels over the years – an unintended result of the reforms.

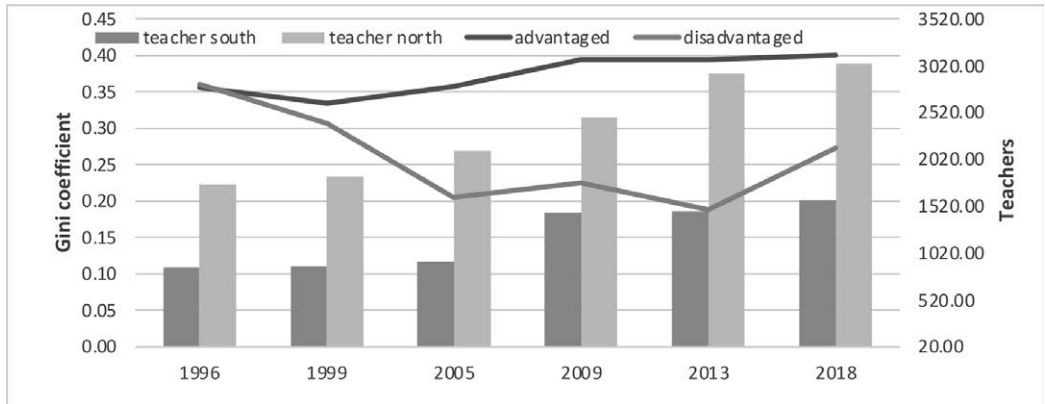
**Figure 3** *Higher Secondary Education Levels Relative to Regional Learner Enrolment Practices*



With the implementation of the reforms, the variation of the learners' educational level by region showed a declining trend in the disadvantaged regions, while the historically advantaged regions showed a small increasing variation in educational levels. The Gini coefficient was used to put a number to the NSSCH inequity. Figure 4 shows that the increasing number of teachers in both historically advantaged and disadvantaged regions apparently contributed towards the differences in academic performance. For the first years until 1999, the calculated weighted Gini coefficient was decreasing, which implied that the variation in average performance

was narrowing. We can observe that the equity of the educational levels in disadvantaged northern regions continued to decrease and moved sideways until 2013, when changes in numbers of primary school enrolment were felt at NSSCH level. When these learners reached Grade 12 in 2013, the variation of the average academic level increased again. The effect of improved access to education on academic levels in the southern regions moved sideways, with a minute widening of NSSCH levels. We can make a case that the decrease in the ratio of learners to teachers for the NSSCH, especially since 2009, has had a positive impact on the recovery and variation in the declining academic levels.

**Figure 4** Higher Secondary Education Equity in Performance Relative to the Number of Teachers in Regions



From Figure 4 it becomes clearer that the economy was in a reconstruction phase after independence, and that the effects on educational outcomes only became apparent after 2013. The presented graphs reveal three distinct phases:

- We can describe the first phase with improving education levels from 1996 to 1999, possibly associated with teacher’s quality promotion through improving wages and salaries since 1994.
- The next phase showed a general decline in academic results and lasted until 2013. It corresponds to a period during which a decision was made to cut teachers’ incentive payments for obtaining further qualifications, such as the Higher Education Diploma.

- The third phase started in 2013, when the educational reforms reversed the decline in performance levels with a slight increase in the levels.

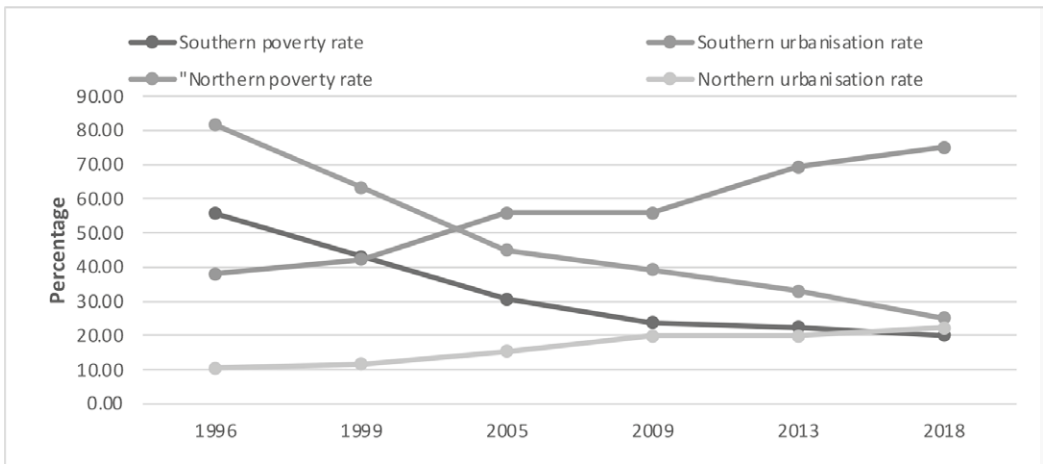
The NSSCH assessment was used to find the hidden causalities between improved household livelihoods and education (see Asaleye et al., 2017; Eigbiremolen & Anaduaka, 2014; Fashina et al., 2018; Popoola et al., 2019). These authors argued that even with high national budget allocation for education, the inability to direct the funds into the right channels for human capital formation can have serious consequences. School graduate outcomes were shown in relation to economic variables such as regional poverty rates, unemployment, and income levels for the historically differently treated regions. Figure 5 shows the poverty rate and the



urbanisation rate. It can clearly be observed that the trends in the regional classifications were similar, but that the response rate to changes was different. For example, the historically advantaged southern regions urbanised slower than the northern regions. It is interesting to

note that the poverty rate reduced more quickly in the previously disadvantaged northern regions than in the southern regions, and that on average, the various regions had reached similar poverty levels after little more than two decades between 1996 and 2018.

**Figure 5** *Higher Secondary Education Equity in Performance Relative to Numbers of Teachers in Regions*



### Causality Analysis

Classical analyses showed that hard explanatory variables can significantly explain education and economic changes. But the question is: Is it only correlation, or is it causality? The standard assumptions of metric statistics characterised all variables, but the power of cause and effect needs scrutinising. These variables are the “easily obtainable” variables for empirical analysis, which in most cases do not depict the full theory to be qualified, i.e., most analysis could not reflect the full and complex theory.

We therefore applied structural equation modelling (SEM).

We apply less stringent assumptions on data and statistical tools, such as “soft variables”. They are variables which are not directly observed, often called “latent variables”, and often used where socioeconomic characteristics are integrated in economic analysis. To explain this application, the least complex model illustrated by Dhrymes (1974) is used. Recently, Voelke et al. (2016) have shown the power of SEM

in time series and panel analysis. We follow that concept and offer a latent variable approach to the above problem of causalities. Equation 1 shows that the exogenous variable  $z$  determines an endogenous variable  $w$ , and that both variables are regarded as not directly observable.

Equation 1:

$$z = \sum \alpha_i x_i \text{ with } i = 1, \dots, n \quad \text{and}$$

$$w = \sum \beta_m y_m \text{ with } m = 1, \dots, m$$

Individually, the indicator variables are indirectly correlated with each other, i.e., if the traditional statistical methods are applied, we could presume causality; but we have complex relationships. The equations seem purely exogenous and determined by  $z$  variables. However, for an in-depth quantitative approach, the magnitude of  $\tau$  requires that it be measured, since  $\tau$  is the driving relationship in the setting (see Equation 2). This concept can be extended to systems of dependent and independent latent variables, which are combined in structural interdependencies. Mathematically, this concept of interdependency and mutual causalities can be presented in Equations 2 and 3, yet it is the first offer of a pathway and reveals a recursive model, while the second equation includes one interactive component ( $\zeta$ , unilateral mono-causality).

Equation 2:

$$w_1 = \tau_{11} z_1 + \tau_{12} z_1$$

Equation 3:

$$w_2 = \zeta_{21} w_1 + \tau_{21} + \tau_{22} z_1$$

Inserting the indicator variables, a structure of observable variables would be obtained.

Equation 4:

$$\sum \beta_{1i} y_{1i} = \tau_{11} (\sum \alpha_{1i} x_{1i}) + \tau_{12} (\sum \alpha_{2i} x_{2i})$$

Equation 5:

$$\sum \beta_{2i} y_{2i} = \zeta_{21} (\sum \beta_{1i} y_{1i}) + \tau_{21} (\sum \alpha_{1i} x_{1i}) + \tau_{22} (\sum \alpha_{2i} x_{2i})$$

The above equations would cause a large correlation matrix, but it would not allow for the identification of structural parameters. We follow Dhrymes (1974) who proposed for a simple model like  $w = Y z$ , a constraint maximisation of  $Y$ , extended to  $\alpha$  and  $\beta$  simultaneously, which he called canonical correlation. Only in cases where the endogenous variable is limited to one (e.g.  $m = 1$ ), the generalised function ( $w = Y z$ ) would be reduced to the standard multiple regression problem, but in the general form the canonical correlation ( $Y$ ) would exhibit the relationship

between latent variables, presented as:

Equation 6:

$$\gamma = \text{cov} [z'w] / (\text{Var} [z] \text{Var} [w])^{1/2}$$

or

Equation 7:

$$\gamma = \alpha' \Sigma_{12} \beta / ((\alpha' \Sigma_{11} \alpha)$$

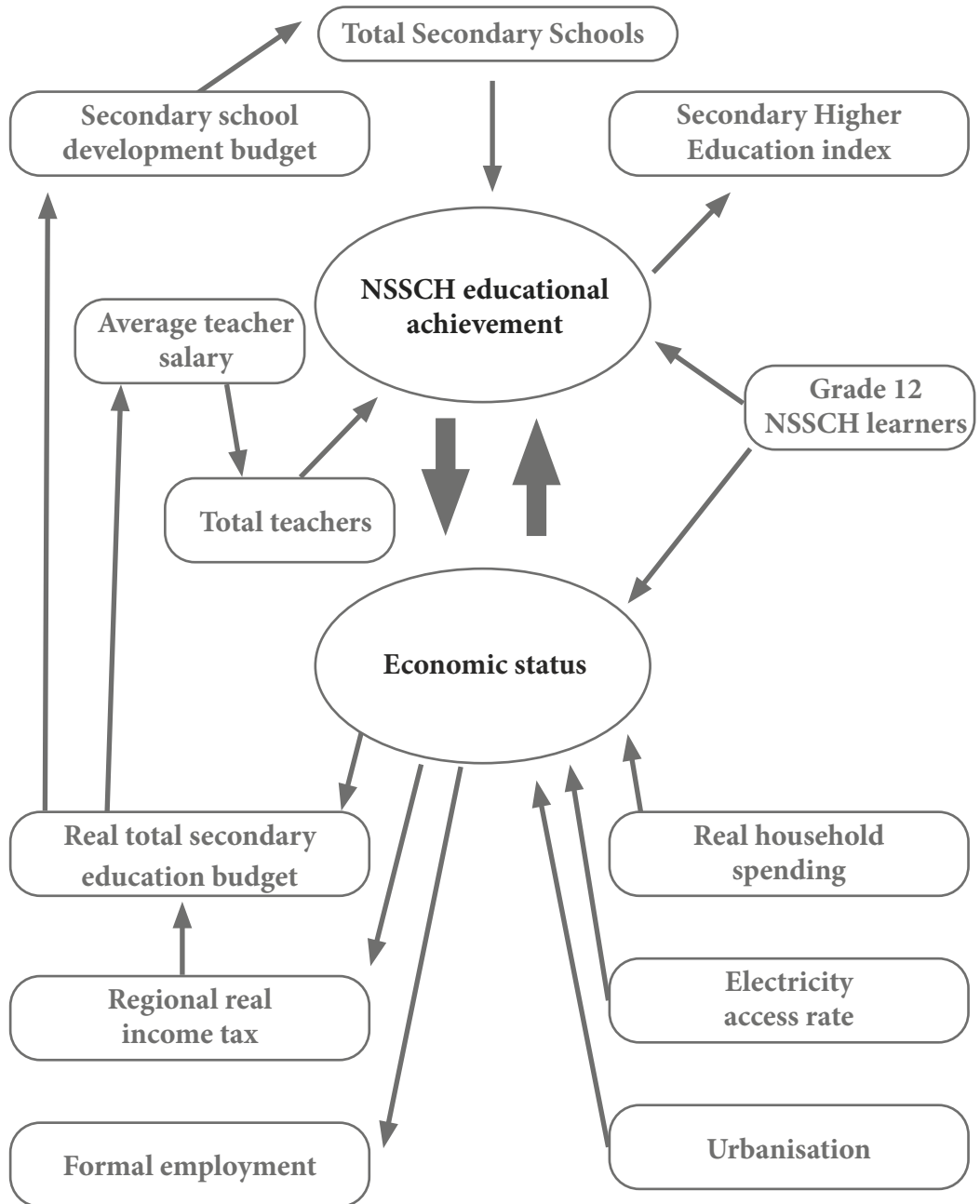
$$(\beta' \Sigma_{22} \beta))^{1/2}$$

where  $\Sigma_{12}$  (variance-covariance matrix) represents  $\text{Cov} [x' y]$  of the observable indicator variables  $x$  and  $y$ , and  $\Sigma_{11}$  and  $\Sigma_{22}$  (corresponding internal variance-covariance matrix) represent the internal  $\text{Cov} [x' x]$  and  $\text{Cov} [y' y]$ , respectively (Granger, 1988). Dhrymes

(1974) proposed maximising the canonical correlation coefficient  $\gamma$  in Equation 7 using constraints to result in a non-trivial solution. We apply this principle using the Stata software (Stata, 2011). Empirical findings from several studies on the implications of human capital on economic growth have been used to guide on building a causality diagram (Figure 6) between schools' educational achievements and the economic status in Namibia. We based the variable selection on the educations-development-logic, classical steps for econometric modelling, and a discriminant analysis to identify explanatory variables.

We start with a diagram as suggested by Pearl and Mackenzie (2018), where causalities are indicated by arrows.

**Figure 6** Proposed Causality Links between Schools’ Educational Achievements and Economic Status in Namibia



Findings of the best fitted model show that “schools’ educational achievements”<sup>7</sup> play a significant role in economic status in Namibia, though resource availability is still unequal by region. Figure 6 presents the causalities of all significant variables selected for the model. From this figure, our latent variable “schools’ educational achievements” is sufficiently characterised by (i) the average teacher’s real salary attracting teachers; and the (ii) the development budget for more schools, while the education level resulted from “schools’ educational achievements”. The model showed a positive causality, such that the “economic status” is characterised by the soft latent variable “schools’ educational achievements”, plus some hard explanatory variables, such as access to electricity and average real household spending. The “economic status” which is characterised by the variables formal employment, the poverty rate, urbanisation, and household annual real income tax, gives significant output. The approach (see Equation 7) was first applied to all regions over the entire period, followed by separate applications on both the historically disadvantaged and advantaged regions.

## Results and Discussion

The model (see Figure 6) provides coefficients between structural and latent variables, using the presented causal links. Statistically, each of the causal links received a significant coefficient, summarised in Table 3. By way of a guide for interpretation: the total number of teachers, the number of secondary schools, and the number of Grade 12 NSSCH learners all characterise the “NSSCH educational achievements” latent variable. This latent variable then characterises the derived secondary higher education index. These variables, however, were characterised by other independent variables. A two-way causality exists between the latent variables “NSSCH educational achievement” and “economic status”. The latent variable “economic status” is also characterised by variables such as the level of real household spending, access to electricity, and urbanisation. The model shows that the latent variable then characterises formal employment levels, the poverty level and the regional amount of real income tax paid.

We found the model as presented in Figure 6 to describe the Namibian causalities between NSSCH achievements (as a proxy for human capital formation) and the resulting economic status. The confounding regional elements discussed above, like the number of teachers and its effect

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7 The latent variable “schools’ educational achievements” recognises the level of educational attainment in a population which is considered an important determinant of economic growth. The definition is equal to The World Bank (2020) measurement, except that it excludes a level of health. The educational attainment in this paper is limited to the results portrayed in the secondary higher education certificate.

on the implementation of reform could equally be included. To determine the effect of the inherited inequality in secondary education, the national educational NSSCH outcome was disaggregated into the historically advantaged and disadvantaged regions, following Mbamba's (1981) classification. Table 3 summarises the results, showing the causalities and the different effects in the three right hand columns.

The results show that the total secondary education budget characterised teachers' salaries more in the historic disadvantaged regions than in the southern regions, and that the opposite is the case for the use of the educational development budget. On aggregate, the development budget has

a positive significant coefficient, while the teachers' salaries have a significant negative coefficient in relation to the total real secondary education budget. Both the development budget and the average teacher salary significantly characterise the number of secondary schools and the number of teachers, respectively. Both causalities show higher coefficients for the historically disadvantaged regions, which correspond with the intention to correct the inequities of the past. The relationship between household income tax, used as a proxy for the national budget for secondary education, showed similar coefficients for all models. This is a confirmation that the formula of allocating funds to the regions followed the same rule.

**Table 3** *Causalities in Namibian Secondary Education*

Variable	Causality	Variable	Coefficient Historically Advantaged	Coefficient Historically Disadvantaged	Coefficient All Regions
Real secondary total budget	→	• Average teacher salary	354.02**	1 167.70***	-177.11
		• Development budget	0.085**	0.069***	0.769***
Development budget	→	• Total Secondary schools	60.11*	182.62**	126.08***
Average real salary	→	• Total teachers	1225.11*	2 210.88***	1769.75***
Real household income tax	→	• Real secondary total budget	1 14.57***	116.62***	115.67***
Total Secondary schools	→	• NSCCH educational achievements	3.81e-08	2.49e-08	3.25e-07
Total NSSCH teachers			3.97e-09	1.22e-09	1.08e-08
Total NSSCH learners			1.89e-10	8.12e-11	5.41e-10
Economic status			-58.947	734.58	457.71
Secondary education level	←	• NSCCH educational achievements	105.34	98.79	101.82
NSSCH educational achievements	→	• Economic status	1.09e-11	-5.02e-12	-1.44e-11
Electricity			4.55e-10	2.33e-10	1.26e-09
Household real spending			6.01e-13	2.47e-13	1.58e-12
Urbanisation			5.48e-10	2.85e-10	1.16e-09
Formal employment	←	• Economic status	69.37***	25.70	45.85***
Poverty level			30.63***	46.37***	39.11***
Regional real income tax			369.60***	234.79***	297.01***
NSSCH learners	←	• Household real spending	0.885***	0.559	0.125
Model fit	Log likelihood		-3 128.56	-3 710.13	-7 085.15
	Chi2		1 185.42	1 383.82	2 333.95
	Probability		0.000	0.000	0.000

Note: Chi2 = 403.11; Probability > Chi2 = 0.000; \*, \*\*, \*\*\* denote 10%, 5% and 1% significance, respectively

*Source: Author's own calculations*

From an historical perspective, the outcome of the NSSCH educational achievements, measured as a secondary education level index, showed that parity was not reached. At the same time, we can state that the historically disadvantaged regions still generate lower educational outputs. The model showed that the level of real household spending, representing the economic status, significantly contributed towards the improving NSSCH levels in the southern regions, while the coefficient was lower and insignificant for the northern regions. The economic status justifies higher levels of formal employment and household income tax for the southern regions than for the historically disadvantaged regions, while we found the opposite for the poverty levels. It is thus clear that the level of economic status between the regional classification is still unequal, but that the causalities between NSSCH achievements, as a proxy to human capital formation, and the resulting economic status, exist. Thus,

we found that “schools’ educational achievements” had a positive effect on the economic status of the citizens of Namibia.

To better understand these newly discovered causalities, the regional classifications were disaggregated into three educational performance levels, namely low, medium, and high. We observe in Table 4 that the high level of achievement of the historically advantaged regions could be correctly classified, and that it has shifted towards the low level since 2013.<sup>8</sup> This implies that although the reform showed results in general, the urbanisation rate and the formal employment rate showed noticeable simultaneous impacts (as confounding). It also points out that different regional response levels have to be recognised in the course of policy implementation.

<sup>8</sup> See the shift from high NSSCH level to low level regional concentrations.

**Table 4** *Correctly Predicted Average Regional NSSCH Achievements during the Reform Period*

Year	No. of Previously Advantaged Regions			No. of Previously Disadvantaged Regions		
	Low level	Medium level	High level	Low level	Medium level	High level
1996		2	4	1	1	1
1999	1	2	2		1	1
2003		1	1		2	1
2009	1		2	1	2	1
2013	2		1	4		
2018	4			2	3	

Source: Author’s own calculations



## Conclusions

The Namibian educational reform of secondary education was assessed, focusing on the NSSCH, to determine whether social justice has been reached. A method was chosen for analysing linkages between cause and effect through causality, providing benefits for policy analysis. The results confirm findings that human capital formation occurs through high schooling, which has a positive effect on the country's economic status; yet overall, for the analysis of the efficacy policy, we need more detailed regional information to account for the effects of discrimination, and the goal of attaining equity. Such a model could then improve the understanding of educational reform on the principles of social justice and the macroeconomic situation in the country.

The empirical results for Namibia's progress in secondary education show that education reform (aimed at righting the wrongs of the past) have resulted in increased learner enrolment numbers, but unfortunately also in declining academic high school achievement levels of the Grade 12 outcomes, which is most pronounced regionally. We combined this with the narrowing of learners' outputs. With these findings, we reject the hypothesis that the reform process improved NSSCH levels, especially in the historically educationally

disadvantaged northern regions. The high school educational reform has not yet attained the results that were hoped for (Katjavivi, 2016). After only 17 years (from 1996 to 2013), a slow recovery of the historically skewed academic levels showed some positive effects.

The reform response was slower than expected in the northern regions but it matched the secondary education levels of the southern regions. However, by disaggregation of the longitudinal data, the findings support global literature in general, and in particular that high school education levels in Namibia contributed towards human capital formation to multiply into economic development. Specifically, since 2013, academic performance levels have shown some revised results that are associated with non-economic benefits by reducing social inequalities, and consequently promoting regional growth and productivity. Although slow, the implementation of education reform partially corrected the inequality of the past. The finding corresponds to other educational reforms, such as those embarked on in Zimbabwe (Kanyongo, 2005). As the change eventually turned to become positive, the paper opens up the question of whether the further revised curriculum in 2019 (Nghipondoka, 2020) will strengthen or counter the observed correction.

As a follow up on policy and for a debate on public spending, it can be tentatively stated that results support Shafuda and De (2020) in the view that that some educational funding was inefficiently directed. Namibia depends on increased educational expenditure to achieve faster economic growth. In particular, an expansionary budget is required for its high school education programmes so that funds are efficiently directed towards school development projects which support the causality between improved academic levels and increased generation of regional income tax. It cannot, however, be assumed *per se* that expanded investment is required in education. As was the case with case studies of other countries (see Chang et al., 2016; Glewwe, et al., 2014), Namibia's first years of implementing its education reform resulted in reduced academic levels. More targeted educational spending could have prevented academic performance from declining from an average index of 132 in 1996 to 100 in 2018. These reduced average academic levels may have contributed to the growth of the youth unemployment rate of 14.2% per annum (see Mwinga, 2012).

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# **COVID 19 and Inequalities**

## **The Changing Landscape of Inequality and Poverty in Namibia and the Implications of the COVID19 Pandemic**

*Blessing Chiripanhura*

### **Abstract:**

*This paper explains how poverty and inequality are related but separate phenomena that exist concurrently in Namibia. The paper mixes a number of approaches to illustrate the links between poverty and inequality, and uses the dependency theory to show how global value chains have entrenched inequality. It argues for the capabilities approach*

*to analyse both poverty and inequality, and sets a political economy approach to understanding the origins of poverty and inequality in Namibia. The paper examines the changing landscapes of poverty between 1990 and 2016 using the existing four waves of the Namibia Household Income and Expenditure Survey. It asserts a conceptual link*



*Photo: Guillermo Delgado*

*between poverty and inequality, arguing that both concepts should be conceived and examined as multidimensional for fuller understanding of the concepts. The overall conclusions are that Namibia has done very well to reduce poverty, but reducing income inequality is much slower and more difficult. It suggests that by tackling different dimensions of inequality, greater equality will be achievable in the future. It concludes by examining how the coronavirus (COVID-19) pandemic probably increased both poverty and inequality.*

**Key terms: poverty; inequality; capability approach; multi-dimensional space; COVID-19**

## **Introduction**

The Namibian economy, like many in Africa, is a dual economy characterised by a developed, largely urban-based formal sector existing alongside a non-formal sector, consisting of subsistence farming and informal sector activities. There is comparatively uneven development between rural and urban areas, a phenomenon that has driven up rural-urban migration and a faster pace of urbanisation. There are more opportunities in urban than rural areas. The set-up of urban areas exhibits the colonial legacy of spacial apartheid. The legacy of colonialism, together with rather archaic urban planning laws, continues to shape the provision of urban housing and services. Poverty

has resulted in passive growth of informal settlements in urban areas. Unequal access to resources continues to keep many black Namibians out of the mainstream economy. High unemployment (especially among women and the youth) perpetuates both poverty and inequality. All three problems have structural characteristics that perpetuate them. The injustices of the pre-independence economy have not been tackled effectively to bring greater equality to the country.

This paper briefly examines the poverty situation in the country. It argues for a multidimensional analysis of both poverty and inequality because this gives a better understanding of the nature and structure of the two phenomena. It presents a conceptual framework that links poverty and inequality in a multidimensional space, and discusses some dimensions of inequality and how they have changed over time.

## **Methodology**

The article is based on official statistics, primarily those generated by the Namibian Statistics Agency, other government departments and international organisations. The sources of data for this article came from the various editions of the *Namibia Household Income and Expenditure Report* between 1990 and 2016.

## Theoretical Approaches

### *The Political Economy of Poverty and Inequality in Namibia*

Poverty and inequality are related dual problems affecting many African countries that tend to reinforce each other. Often, economies experience the triple problems of poverty, inequality and unemployment. Poor people lack the basic and/or socially acceptable assets necessary for quality life. Inequality arises when there are differences in access to social and economic resources, which result in power relations that disadvantage those lacking certain resources.

Sen (1999) and Nussbaum (2000) defined poverty as the deprivation of capabilities. Political economy explanations of poverty (for example Marxist theory) assert that poverty and inequality are direct results of the class system under which capitalism causes the unequal distribution of wealth and income. Explanations grounded in political economy argue that poverty is structural and enhanced by the state through the welfare system which maintains inequality and does not help poor people to become rich, but rather causes them to remain perpetually trapped in poverty because they cannot get a fair share of the existing wealth (Jones & Novak, 1999).

Poverty and inequality can be traced back to colonialism and the international operation of the capitalist system of multinational corporations. According to Acemoglu & Robinson (2017), existing poverty and inequality in developing countries are outcomes of processes that were introduced and maintained over very long periods of time. The colonial system served multinational companies that, according to the dependency theory, extracted natural resources from the colonies for the development of the colonising countries. Timber, iron, gold and other resources were extracted from countries in Africa and Latin America to develop Europe while leaving swathes of poverty and under-development in the colonies.

The economic outcomes of poor countries are dependent on histories carved out by European worldwide colonialism, discrimination and/or apartheid. Extractive institutions set up in countries like South Africa, Namibia, Kenya and Zimbabwe created conditions for discrimination and domination by a minority. The institutions' control of rents and resources (e.g. land and minerals) impoverished those excluded from accessing economic opportunities. Globalisation enhanced the power imbalance and failed to give developing countries any chance to catch up. The new global value system entrenches poverty and inequality



through asymmetric market power, and asymmetric social and political power (Phillips, 2017). Global corporations exploit resources in developing countries and ship out low-value raw materials for value-addition in developed countries. The added value enriches the latter, thus perpetuating global inequality.

In the post-colonial period, the developing economies have remained largely dualistic, with enclaves of prosperity and development (in the formal sector) juxtaposed against large underdeveloped sections (labelled the non-formal sector, consisting of subsistence farming and informal sector activities). Consequently, economic power remained in the hands of a minority that controls the means of production. The enclave theory resonates with situations in South Africa, Namibia and Zimbabwe where white capital (or rather, white South African capital) controls the levers of the economies.

Poverty and inequality in Namibia can be traced to the enduring effects of the colonial system which practised separate development between Africans and Europeans. The annexation of land to create farms for European occupation resulted in commercial land being predominantly occupied by white Namibians. There is racial inequality in the ownership of freehold land despite the existence

of land redistribution policies since independence in 1990 (Melber, 2005). The 2018 Namibia Land Statistics report (Republic of Namibia, 2018) showed that domestic and foreign white citizens owned about 70% of the 40 million hectares of commercial or freehold agricultural farmland, even though whites constitute less than 10% of the population. Unequal access to land meant some communities could not reap the benefits of owning land, like producing food on it, or using it as collateral to access loans. It also caused crowding in communal areas, which reduced productivity. The colonial economy also entailed discrimination in access to other productive resources, like finance, education and training.

The structural disadvantages established by colonialism and apartheid were not fully dismantled after independence, and these have perpetuated poverty and inequality. Unequal market power between black and white Namibians in favour of the latter perpetuates inequality. The dominance of white South African capital in commerce tilts the stakes away from black Namibians. The lack of infrastructure and access to services (e.g. absence of electricity, potable water and roads) in some regions of the country means they lag behind in development. The mindset that richer people deserve better treatment than poorer people is apparent in urban

areas like Windhoek, where services and infrastructure are more developed and well maintained in affluent suburbs than in poorer ones. Such approaches to service delivery entrench inequality.

Poverty and inequality are also caused by differential access to power. Individuals and communities that are more politically connected (or that are at the centre of political power) benefit from state resources, and sometimes from corruption, at the expense of those on the periphery of state power. Unequal access to education and training results in skewed human capital which in turn results in unequal access to job market opportunities. Inefficient labour markets restrict upward mobility of poor households, which causes inequality to remain elevated. Furthermore, innovation and entrepreneurship are also not equally distributed or supported in the economy. These are also linked to unequal access to finance by different groups in the economy. Poor households struggle to generate adequate income to finance consumption and investment. They allocate a larger share of their incomes to consumption, which leaves very little for investment and wealth generation. The World Bank (2022) reported that the top 10% of the Namibian population holds 65.5% of financial assets, and that net wealth inequality (as measured by the net wealth Gini) stands at 76%. Low investment resources reinforce inequality within and between

groups of people or households. Poverty and inequality increase over time as those at the bottom fail to catch up with those at the top.

Another cause of poverty and inequality in Namibia is the geography of the country and climate change. The unforgiving climatic conditions, the localised presence of malaria and other diseases, and the increasing frequency of droughts and floods, all intensify existing poverty and inequality. The same factors also create new poverty and inequality.

### *The Links between Poverty and Inequality*

The relationship between poverty and inequality is not a clear one. Poverty can exist irrespective of the state of inequality, and this gets complicated by the relative nature of poverty. Wolff et al. (2015) questioned if relative poverty is not in fact inequality. Poverty and inequality may coexist and self-reinforce. Poverty exists in both high- and low-income countries (or in high- and low-income regions of a country), causing the quality of life (living standards) to differ. Further, poverty and inequality change at different paces, and sometimes in different directions. One needs to be clear about the conceptualisation of the two terms and the aspects to focus on. Beteille (2003) noted that “the relationship between

poverty and inequality is neither clear nor direct. Poverty and inequality are analytically distinct concepts.” Conconi and Viollaz (2017) stated that although poverty and inequality are different concepts describing (the absence of) well-being, they are intrinsically linked, and poverty is best examined from a multidimensional perspective.

Sen’s (1979; 1989) ‘Capability Approach’ was the first to stress the complexity and multidimensionality of poverty. He argued that people have diverse characteristics and have unequal access to and ownership of resources (or capabilities) like income, education, health, credit, and opportunities. The deprivation of these capabilities is poverty. When a community with largely similar characteristics has differences in access to capabilities, there is inequality in the community, even at very low levels. This is indicated by the growth in the proportion of poorest of the poor households during a time when overall poverty is declining.

Both poverty and inequality can best be understood from a multidimensional perspective. For example, UNDP (2013) examined the multidimensionality of poverty in Namibia by developing an index of multiple deprivation based on 2001 zone-level census data. The index was developed to give a broader overview of poverty, beyond income-based poverty measures. The analysis provided

evidence of the distribution and depth of multiple deprivations across the country in 2001. In addition, Chamboko, Re & Guvuriro (2017) examined the patterns of multiple deprivation in Namibia using the *Namibia Household Income and Expenditure Survey (NHIES) 2009/2010*. They concluded that the multidimensional approach to poverty analysis was necessary for assessing access to utilities and services, giving evidence beyond what one can get from assessing income or consumption patterns.

Inequality can also be explained from a multidimensional perspective. Seth & Santos (2018) explored multidimensional inequality and human development, premised on the capability approach. They highlighted some measures of multidimensional inequality, including the Gender-related Development Index (Anand & Sen, 1995), which was replaced by the Gender Inequality Index (Seth, 2009) in the 2010 Human Development Report; the inequality-adjusted Human Development Index (HDI) (Hicks, 1997; UNDP, 2010); and a family of distribution-sensitive HDIs (Foster et al., 2005). There is limited literature on multidimensional inequality analysis in Namibia beyond the studies by Alkire, Kanagaratnam and Suppa (2021), the NSA (Republic of Namibia, 2021a), Chamboko, Re and Guvuriro (2017) and UNDP (2013).

There are several constraints on human development including limited access to and ownership of resources, information and political power, and a lack of institutional capacity. If these apply differently to people with similar characteristics, inequality arises, and that inequality indicates the presence of poverty in that dimension, which is a deprivation of human development. Inequality arises when there are differences in status, rights, and opportunities of people with certain similar characteristics. Thus, conceptually, poverty and inequality must be considered and examined as multidimensional for a fuller understanding of their evolution in society. Foster et al. (2013) provides a detailed discussion on the practical application of the methods to measure poverty and inequality. Poverty and inequality coexist and are self- and cross-

reinforcing (that is, there are feedback loops within and between them). For example, economic shocks tend to be long-lasting among poor households as they have fewer coping mechanisms.

## Changing Poverty Landscapes

Headcount poverty has been decreasing in Namibia, as illustrated in Table 1. Namibia did well between 1990 and 2020 to reduce poverty, which resulted in the country moving into upper-middle income status. Table 1 puts together poverty statistics from different sources to show the extent to which poverty fell and the indicative journey that lays ahead. The poverty head count measures the incidence of poverty. Severe poverty is a combination of depth of poverty and inequality within the poor (indicating the poorest of the poor).

**Table 1** Summary indicators of poverty (%) in Namibia (2003/04 – 2015/16)

Indicator	2003/04	2009/10	2015/16	Percentage change, 2003/04 to 2015/16
Poverty (headcount)	27.6	19.5	17.4	-37.0
Proportion of poor male-headed households	25.8	17.6	15.8	-38.8
Proportion of poor female-headed households	30.4	22.4	19.2	-36.8
Proportion of poor households in rural areas	38.2	27.2	25.1	-34.3
Proportion of poor households in urban areas	12.0	9.6	8.6	-28.3
Severe poverty	13.8	9.6	10.7	-22.5
-severe poverty in male-headed households	12.9	8.5	9.9	-23.3
-severe poverty in female-headed households	15.1	11.1	11.7	-22.5
-severe poverty in urban areas	6.0	4.4	4.8	-20.0
-severe poverty in rural areas	19.1	13.6	15.9	-16.8

Sources: Namibia Household Income and Expenditure Survey Reports for 2009/10 and 2015/16.

Poverty fell the most between 2003/04 and 2009/10. There were larger declines in poverty in male-headed than female-headed households. Poverty also declined more in rural than in urban areas. Several reasons explain the declining poverty, including growth in social expenditures on education, health and social transfers, growth in human capital and formal employment, migration to urban areas where there are more economic opportunities than in rural areas, and promotion of local entrepreneurship and small and medium enterprises. The operation of foodbanks helped some poor households to access food, which improved their food security and ability to use their incomes for other requirements. The World Bank (2022) asserted that the country's social assistance programmes are pro-poor and reach 41% of the population.

Poverty levels differ between and within regions of the country (Republic of Namibia, 2012; Republic of Namibia 2021a; Alkire, Kanagaratnam & Suppa, 2021). Relative to other regions, poverty has remained high and more severe in Kavango and Zambezi regions (Republic of Namibia, 2012). In addition, the 2015/2016 *Namibia Household Income and Expenditure Survey* (NHIES) shows that poverty varies by the languages mainly spoken in households. These languages mainly differ on ethnic lines, so that it is largely

accurate to say that people who mainly speak a certain language belong to that specific ethnic group, and sometimes geographical location. For instance, people who speak Hai||om (a language on the Khoekhoegowab continuum) largely belong to a specific San ethnic group, the Hai||om. On this basis, we observe that in 2015/16, poverty was highest among households that mainly spoke Khoekhoegowab languages, followed by those that mainly spoke Ruciriku or Rukwangali (people in the Kavango regions), but it was lowest among people who mainly spoke English or German. Language is very important for socialisation, and it influences social capital and network development, which in turn influences how people search for jobs. This means access to the labour market and jobs may be harder and more restricted for people with certain backgrounds and languages.

Poverty also differs between age groups. It tends to be higher amongst children and pensioners than among other age groups. It is higher among those with disabilities, female-headed households, subsistence farmers (in which category women dominate), and pensioners. There is a negative correlation between poverty and levels of education, with poverty highest among those with no education and lowest among those with tertiary education. These and other

characteristics are explored in depth by the National Planning Commission (NPC), the Namibia Statistics Agency (Republic of Namibia, 2021a) and other analysts.

The association between poverty and rural/urban location, main language spoken in the household and region indicates its structural nature. Poverty arises from the society within which people live because of a lack of opportunities and jobs. For example, poor communities tend to lack adequately equipped schools and health institutions. The economic system provides low quality jobs which causes the young and the educated to migrate to urban areas where there are better opportunities and services. Structural poverty is also enhanced by the unequal distribution of economic resources like land and access to capital, thus confining some people to inter-generational poverty.

Policy interventions can help to reduce structural poverty by altering the opportunities available to communities, improving economic infrastructure, and creating conditions conducive for local investment and growth. The redistribution of economic resources like land, access to mineral and fisheries resources, and improved access to capital (e.g. through the provision of small and medium enterprise loans and the promotion of microfinance) can all contribute to

poverty reduction. Such initiatives can also help to reduce the non-structural component of poverty that emanates from households' decisions on resource allocation and exploitation of economic opportunities. We know that education and training are fundamental pillars for building households' capacity to exit poverty. Skills training and employment are critical ladders for climbing out of poverty. If households fail to send their children to school (despite the presence of free primary education since 2013 and free secondary education since 2016), or if dropout rates remain high, households will continue to face restricted opportunities and may not be able to escape poverty. This reinforces the unequal distribution of market returns in the country (World Bank, 2022), which in turn reduces inter-generational mobility.

### **The Macro/Micro Paradox of Poverty**

Poverty analysis in Namibia exhibits a macro/micro paradox where what happens at the national level (declining extreme poverty) is largely not reflected by what is observed at the local level, where the intensity of localised poverty may be increasing. For example, the NSA (Republic of Namibia, 2016) showed that headcount poverty more than halved between 2003 and 2016. However, considering multidimensional poverty (Republic of Namibia, 2021a) regions like Khomas that had the lowest headcount poverty

in 2016 apparently had the highest intensity of multidimensional poverty. This indicates that while on average Khomas Region is prospering and lifting people out of poverty (because it is the prime target of urbanisation), there are pockets of very intense and increasing poverty.

Such a paradox may be a result of several possible factors. The paradox could be a result of both measurement and data problems. Average measures tend to smooth over extreme values. The average measurements at national level fail to account for local outcomes hidden by the averages. Survey data available may be representative at national level, but certainly not at local level. It is difficult to effectively show what is happening to local poverty without detailed micro-level data that aggregate to the national level. The macro results are based on surveys (e.g. household consumption and expenditure surveys) which do not cover all individuals in the economy. There is a need to encourage the collection of micro datasets at consistent periods to fully understand local processes of economic change over time.

### **Other Dimensions of Poverty**

The multidimensional poverty index for 2021 (Republic of Namibia, 2021a) provides a comprehensive

analysis of the dimensions of poverty in Namibia. The report, based on the 2015/16 *Namibia Household Income and Expenditure Survey*, concludes that 43.3% of the Namibian population was multidimensionally poor, with more female-headed households likely to be multidimensionally poor (46%) than male-headed households (41%). There was higher multidimensional poverty in rural areas (59.3%) than in urban areas (25.3%), and multidimensional poverty was highest in the Kavango East, Kavango West and Kunene regions.

Breaking down the multidimensional poverty index into its component units showed the lowest proportions of people that were multidimensionally poor and deprived per specific indicator were reported for information and communication technology (ICT) (that is, the proportion of people from households that did not own or have access to any of these assets: radio, TV, smartphone, or computer, and internet access at home or elsewhere) at 3.1%; and without access to clinics or hospitals, at 8.5%. The highest multidimensional deprivations were for access to and ownership of transport assets (41.2%) and sanitation (40.4%).

The low deprivation of access to ICT implies that only a small proportion of the Namibian population did not have access to sources of information

and current affairs. Assuming that the proportion did not change much between 2016 and 2021, a large proportion of Namibians had access to information on COVID-19, and had access to platforms that allowed them access to education during the lockdown (state of emergency) period. However, other impacts of COVID-19 may have reduced access to ICT, such as job losses, a lack of income, and relocations. It is expected that poverty increased during the pandemic because of these impacts.

## **Inequality and its Dimensions in Namibia**

Namibia has the second highest level of inequality in the SACU region behind South Africa. The World Bank (2022) reported that SACU is the most unequal region in the world. Inequality is often measured using the Gini coefficient of income inequality.

### *Income Inequality*

When inequality is measured using income, tools like the Lorenz curve, Gini coefficients, income shares, and percentile ratios/percentile income distributions can be applied. In some cases, regression analyses can be applied to establish the extent and impact of inequality after controlling for some variables. Some of these measures are discussed next. There are

several sources of data on inequality in Namibia. These include the various editions of the *Namibia Household Income and Expenditure Survey*, *World Development Indicators*, and the *World Inequality Database*.

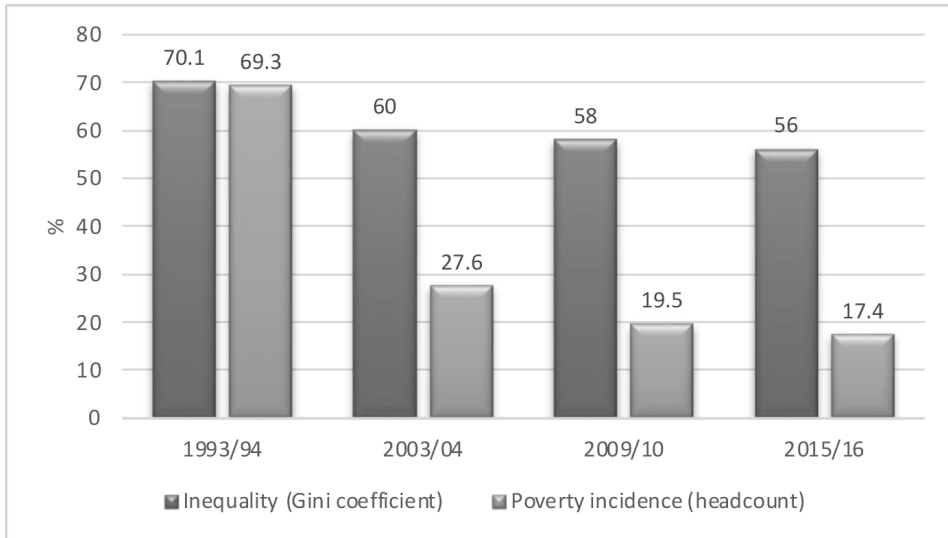
Van Rooy et al. (2006) analysed poverty and income inequality in Namibia using the 1993/94 *Namibia Household Income and Expenditure Survey* and concluded that the national household poverty rate was 52.8%. They found that the bottom 20% of the population accounted for only 2.5% of total expenditure, while the top 20% accounted for 71%. They estimated income inequality to be 0.7.

The NPC (2008) analysed the 2003/04 *Namibia Household Income and Expenditure Survey* and found the Gini coefficient to be 0.63, with variations by sex, age, income source and administrative region. Jauch (2013) examined poverty and inequality and highlighted the persistence of extreme inequality in Namibia. He explored different dimensions of poverty and inequality and linked these with the labour market.

Figure 1 shows poverty and inequality between 1993 and 2016, based on four iterations of the *Namibia Household Income and Expenditure Survey*.



**Figure 1** *Gini Coefficient and Poverty Headcount (%) (1993/94 – 2015/16)*



Source: Author (2022)

Figure 1 clearly shows that poverty has declined over time. Inequality has also declined, but at a more gradual pace. However, the World Bank’s (2022) analysis of inequality showed that between 2000 and 2016, inequality increased in rural areas, but declined in urban areas.

Namibia has achieved more in reducing the level of poverty than it has in reducing inequality. The social transfer measures in place have played an important role in reducing poverty. This has not applied to inequality, because income inequality is caused by the lack of opportunities and capabilities, which cannot be addressed by merely transferring income between income groups.

### **Dynamics of Quintile Income Distributions**

Although the decrease in income inequality has been gradual, it has not been uniformly distributed between income groups. Splitting the Namibian population into five income groups, or quintiles, based on how much income each group commands shows falling proportions of income controlled by the bottom and top income quintiles. The second, third and fourth quintiles have growing income proportions. Table 2 summarises the income distribution by quintile.

**Table 2** *Quintile Income Shares (%) (2003 – 2016)*

<b>Income shares (%)</b>	<b>2003</b>	<b>2009</b>	<b>2015</b>
Income share held by lowest 20%	3.0	3.3	2.8
Income share held by second 20%	5.3	5.7	5.8
Income share held by third 20%	8.1	8.9	9.8
Income share held by fourth 20%	14.5	15.7	17.9
Income share held by highest 20%	69.0	66.4	63.7
Income share held by highest 10%	54.8	51.8	47.3
Income share held by lowest 10%	1.1	1.3	1.0

*Source: World Bank's World Development Indicators*

The income share of the bottom 20% increased between 2003 and 2009, but declined between 2009 and 2015. The income share of the top 20% declined continuously between 2003 and 2015, falling by 5.3 percentage points.

The income share of the fourth quintile increased the most between 2003 and 2015 (by 3.4 percentage points), followed by the third quintile (1.7 percentage points) and the second quintile (0.5 percentage points). The dynamics of income shares show that the redistribution agenda has failed to benefit those in the bottom quintile, whose income share, despite initially increasing, declined between 2003 and 2015.

Another way of analysing income shares is to compare the top and bottom 10% of the population. The income share of top 10% of the population decreased by 7.5 percentage points between 2003 and 2015, while that

of the bottom 10% declined by 0.1 percentage points. These outcomes reinforce the quintile analysis. Overall, income appears to have been distributed from the top and bottom of the income distribution towards the middle, especially the upper middle. Even within the quintiles, there are varying levels of inequalities.

### **Inequality Indicated by Deprivations**

There are various indicators of deprivation that one can examine to gain insight into the depth and extent of inequality. By looking at the proportions of the population deprived of certain services and/or access to infrastructure, one can examine the changing circumstances of the deprived and the not-deprived.

In 2015/2016, about 9% of the Namibian population experienced deprivation of safe drinking water, and nearly 54% were deprived of access to

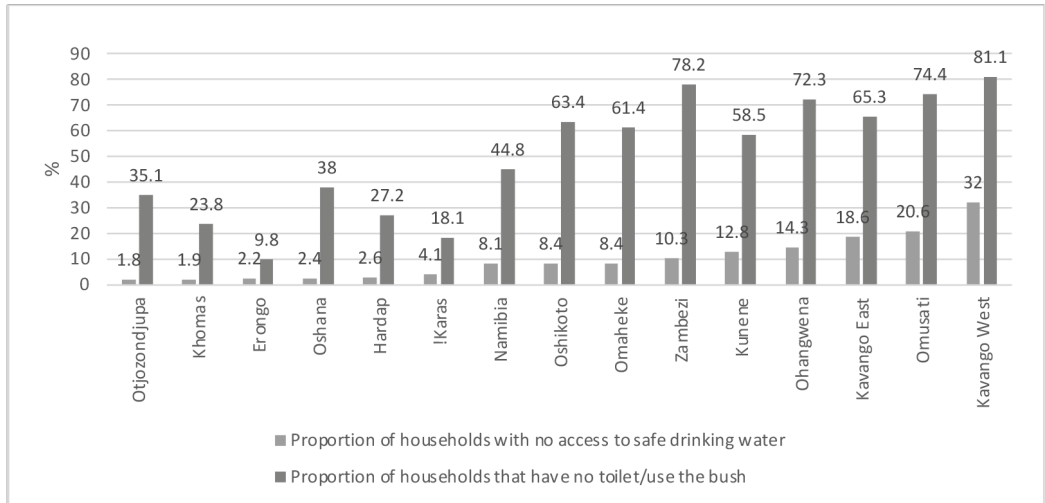
electricity. About 68% were deprived of access to sanitation, which potentially exposed those affected to diseases and environmental pollution. Educational attainment deprivation affected 11.3% of the adult population, while deprivation of educational enrolment affected 6.1% of the population. The latter two deprivations result in reduced access to quality future employment opportunities, and growing inequality when compared with the proportions that had access to enrolment and attainment in education. People with lower educational attainment tend to have limited labour market options, which may limit their ability to accumulate income and wealth over time. This may mean their children start at a lower level compared with their counterparts from high achieving households. This reflects how inequality becomes structural and more challenging to address, even with policies mandating free education in place.

Unequal access to services and/or infrastructure varies across regions. This is because of unequal distribution of resources, and therefore of levels of development. Figure 2 shows examples of regional distribution of lack of access to safe drinking water and toilets.

Otjozondjupa Region had the smallest proportion of households with no access to safe drinking water, while Kavango West Region had the largest proportion of households with no access to safe drinking water. Kavango West also had high headcount poverty.

Erongo Region had the smallest proportion of households with no toilets, and who had to practice open-air defecation; Kavango West region had the largest proportion of households with no toilets. The two deprivations shown in Figure 2 have a generally positive correlation. Poor sanitation can result in water pollution, which in turn adversely affects people's health.

**Figure 2** Regional distribution of households with no access to safe drinking water and toilets, 2015/2016



Source: 2015/16 Namibia Household Income and Expenditure Survey

## Inequality in Labour Market Outcomes

The main asset that poor people have is their labour power. Deploying this allows them to earn income for their sustenance and possibly to invest their way out of poverty. This important exit route from poverty is blocked because of a lack of jobs, which results in high unemployment. Although the published unemployment statistics do not classify people by poverty status, we can deduce that poor people are less likely to have educational qualifications that confer competitiveness on them in the labour market. They are more likely to be unemployed than non-poor people.

There is also inequality between women and men in the labour market, with women being more likely to be unemployed than men. Women and young people are also more likely to be in insecure employment (e.g. part-time and casual employment), which reduces their earning capability. Women tend to dominate employment in low wage sectors (e.g. jobs in supermarkets) and are more vulnerable to replacement by machines (like self-checkout stations). Disparities in wage income contribute the most to inequality in Namibia (62.2%), even though the gender wage gap has reduced over time (from 16.3% in 2003 to 3% in 2016). Furthermore, women face more barriers than men in the

labour market due to discrimination, their reproductive responsibilities, and their unwillingness or inability to travel long distances for work purposes. Because of these factors, poverty remains higher among women and young people. This higher poverty feeds into existing inequality.

### **Poverty and Inequality during the COVID-19 Pandemic**

COVID-19 impacted the Namibian economy in many ways. It resulted in economic contraction (by 8.5%) in 2020, which in turn caused job losses and rising unemployment. Travel restrictions caused the tourism sector to collapse, with reduced bed occupancy and the loss of employment in the accommodation and food services industry. COVID-19 negatively affected household incomes, except for those with pensions and government salaries and grants as the main sources of income. Falling incomes affected household consumption patterns, reduced expenditures on health, education and training, and caused shifts in the housing market. Households that lost jobs and/or income faced greater uncertainty if they had mortgages to service, with some being forced to sell off their homes. The pandemic mostly affected already vulnerable people, which likely widened social gaps and increased already high inequality (NPC, 2021; OECD, 2020).

### **Household Incomes, Cost of Living and Jobs**

COVID-19 changed the way economies functioned. Economic lockdown caused lost incomes for workers. When companies closed because of the pandemic, they could not generate revenue with which to pay wages. Uncertainty caused fewer jobs to be created and/or filled. Some companies retrenched their workers, causing unemployment to increase. The state of emergency hurt low-income earners and informal sector workers the most, and this contributed to pressure to have the control measures relaxed in mid-2020. This is supported by the NPC's (2021) review of the Sustainable Development Goals.

The labour market outcomes of the pandemic show why countries need effective employment regulations and social safety nets to protect workers. For example, a time-limited unemployment benefit system could be developed to cushion workers from the adverse effects of shocks that result in unemployment. The government might incur costs through such a system, but it would yield positive benefits by maintaining workers' incomes and wellbeing, and smoothing household consumption.

With no unemployment benefit system in place, Namibian workers who lost jobs and incomes because of the pandemic had to rely on other

sources of income (e.g. running down savings). Some suffered from food insecurity, while others changed the types and quality of food they ate. Others migrated to rural areas. The government swiftly put the Economic Stimulus Package in place (NPC, 2021) to alleviate the impact of the pandemic on businesses and households, demonstrating that government intervention can indeed help to reduce poverty. Marenga and Amupanda (2021) discussed some of the challenges and successes of the stimulus package and its components, including the lack of an integrated database of grant beneficiaries that is accessible to all ministries.

Given that the impact of COVID-19 on employment and incomes still persists, it is likely that the overall standard of living declined in 2020 and 2021. The NSA's COVID-19 households and job tracker survey report (Republic of Namibia, 2021b) found that the main shock experienced by most surveyed households (59.1%) in the year to March 2021 was the increasing prices of major food items consumed. The second largest shock experienced by households (29.4%) was loss of employment. In addition, 65.4% of the respondents experienced reductions in non-farm family business incomes (Republic of Namibia, 2021b).

## **Skills Training and Unemployment during the Pandemic**

The state of emergency declared in response to the COVID-19 pandemic caused the education and training system to close down almost completely, with some learning continuing online. The closure of all educational institutions hurt children from poor families more than those from rich families. Poor families tend to devote fewer resources to buying educational materials, including books and games, for their children. Children from poor families benefit more from being in school getting instructions from teachers and accessing books and libraries. In the UK, reading and numeracy skills declined during the pandemic (Department for Education, 2021). Although there are not yet any data on these in Namibia, it is also likely that in primary schools, reading and numeracy skills deteriorated, and without catch-up lessons, inequality between poor and rich households' children will get ingrained.

As teaching moved online, access to information and communication technology equipment together with internet data bundles became very important. There was low usage of mobile apps for learning because of connectivity poverty (that is, limited access to the internet, smartphones,

tablets or computers). Although there is very high mobile phone usage in Namibia (2.6 million), the cost of data and calls remains high, and this limits usage by poorer households. In universities, some exams were moved online in response to the pandemic. This was both a blessing (greater flexibility in learning) and a curse (limited information technology skills and a high risk of cheating by some students, with limited capacity for online invigilation). The implications of these impacts will become more evident over time as students join the labour market. Despite the challenges, the pandemic provided an opportunity for the government to use ICT to provide e-books and e-learning materials cheaply to students across the country. Of course, this would require supporting internet and electricity infrastructure.

Although there are no current unemployment statistics, we know from the *Namibia Labour Force Survey 2018 Report* (Republic of Namibia, 2018) that in 2018, the unemployment rate was 33.4%. It was fractionally higher for women (34.3%) than for men (32.5%), and was similar in both rural areas (33.5%) and in urban areas (33.4%). However, youth unemployment was quite high (46.1%) and had been increasing since 2014. Similarly, the number of young people not in employment, education

or training increased between 2014 and 2018. The impact of COVID-19 is expected to have worsened the unemployment situation because of a lack of employment opportunities and the loss of jobs.

### **Other Areas Impacted by the Pandemic with Poverty and Inequality Implications**

The pandemic gives us a chance to understand the social attitudes of the Namibian population and its views about getting vaccinated for COVID-19. The job tracker survey (Republic of Namibia, 2021b) shows that testing for COVID-19 was low in both rural and urban areas (13.4% and 22.9% respectively), in part because of the cost associated with the process. Some households had serious food security concerns and had to change consumption patterns during the pandemic. More rural households (68.7%) than urban households (53.7%) expressed interest in getting vaccinated, although vaccine hesitancy (defined as households that did not think the vaccines were safe, or that they had adverse effects, or who generally did not trust vaccines) was higher in rural areas (67.1%) than in urban areas (63.6%).

In October 2020, more men (54.6%) than women (45.4%) were infected by COVID-19, and there was a higher concentration of cases in urban than

in rural areas (Republic of Namibia, 2021b). The higher concentration of COVID-19 cases in urban areas is a function of population dynamics characterised by rural-urban migration, and therefore higher population density, and relatively poor quality and often crowded accommodation, especially in poorer sections of urban areas. In 2018, it was estimated that about two in five urban dwellers lived in informal settlements (shacks) in urban areas, predominantly so in Windhoek. This was an increase from one in four in 2009 (Cities Alliance, 2009). This means the spread of COVID-19 in urban areas was higher among low-income households, which have poor accommodation and experience over-crowding, than among high-income households. Thus, the spread of the virus is directly linked to poverty and inequality, as was the outbreak of Hepatitis E in 2019. The true extent of the link between the pandemic and poverty will be revealed over time as statistics become available.

A learning point from the pandemic is the need for a revamp of the national housing policy to focus on providing adequate urban housing. The pandemic has shown how the acute shortage of housing and associated services (e.g. potable water, sanitation, street lighting), epitomised by the proliferation of informal settlements, evolves into a public

health issue requiring immediate attention from policy makers and town administrators. While poverty can be restricted geographically to the poorer northern parts of Windhoek, the virus cannot be thus restricted. The wealthier parts of Windhoek will not be safe if a disease ravages the poorer parts of the town unchecked – as indeed, to some degree, was the case with COVID-19. The separation of poorer settlements from richer settlements is common in many towns. It is probably time for a rethink and change to the zoning of urban areas. Central to this should be upgrading of infrastructure, facilities and houses in the poorer parts of towns.

## Conclusion

Several conclusions can be drawn from the discussion in this paper. The paper has briefly summarised the theoretical developments in poverty and inequality analysis, arguing that although separate concepts, they are interlinked and are subject to self- and cross-reinforcement. The paper has developed a theoretical framework to illustrate that poverty and inequality are separate concepts with complex linkages. It has been highlighted that both concepts are also linked to unemployment. The latter places the labour market at the centre of the causes and possible solutions to the twin problems of poverty and inequality. It has been argued that we can learn more about poverty and inequality if



we adopt a multidimensional approach to the analyses.

It has been argued that poverty and inequality in Namibia are largely structural, premised on unequal distribution and access to resources. That 70% of commercial land remains in the hands of about 10% of the population of a distinct ethnicity illustrates that the government has been less successful in bringing about equal access. For the recipients of the land reform, government support will be necessary for a long time until their activities become sustainable. There is a need to alter the structures of resource ownership and capabilities development to broaden the participation of disadvantaged and often poor groups in the mainstream economy. The government's drive towards value addition is an important initiative to hinge into the global value chain. However, this requires significant investment in education and training outcomes. The fact that Namibia spends a great deal on health and education, but that the outcomes are far less impressive, shows that the health and education systems have inherent inefficiencies that are inhibiting progress towards lower poverty and inequality. Improving the quality of education and training will help to improve employability and reduce unemployment.

It has been highlighted that both poverty and inequality decreased between 1993 and 2016. The fall in poverty has been remarkable, driven by the government's social protection measures. In particular, the universal social pension has played an important role in reducing poverty in recipient households. It is demonstrated that income inequality declined more slowly than poverty, and that inequality remains stubbornly high. This shows that the redistributive measures (income transfers) have successfully reduced poverty but failed to reduce inequality. This also indicates that the redistribution of productive resources like land and access to capital has been less successful. Policy makers must enhance the efficiency and effectiveness of the redistribution and usage of productive resources to reduce both poverty and inequality.

It has been highlighted that there is a macro-micro paradox where at national (or macro) level, poverty has been declining but at the local (or micro) level, the intensity has either not changed or has increased. In urban informal settlements, poverty has been shown to have increased, even though the urban poverty rate is lower than the rural poverty rate. This implies that in tackling poverty, the government may need targeted approaches that focus on areas with high intensities of poverty.

Interventions like upgrading informal settlements and providing services can make substantial contributions to poverty reduction.

The paper has argued that the COVID-19 pandemic is likely to have contributed to higher poverty and inequality in the country. However, owing to a lack of data, this could not be definitively shown. It is conceivable that the intensity of poverty and inequality also increased as lockdown measures prevented people from going about their daily routines. It has been illustrated that the severity of poverty increased between 2009 and 2016. The pandemic adversely impacted on household capabilities, and the full scale of the impacts on various economic indicators must still be empirically reviewed when the relevant data become available.

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## COVID-19 and inequality in Namibia: A vicious syndemic?

*Bruno Venditto, Ndumba J. Kamwanyah  
and Christian Nekare*

### **Abstract:**

*Past pandemic experiences in the 20<sup>th</sup> century indicate that diseases overlap with social conditions, particularly when there is a significant contraction in economic activities, resulting in different outcomes for different population segments. On average, this intersection between biological and sociological factors disproportionately hurts the*

*marginalised, further widening existing social inequalities; Namibia is no exception. When Namibia recorded her first two COVID-19's cases on 13 March 2020, as was the case in most affected countries, the science that guided the Namibian Government's policy response was largely based on an infectious disease model. As a result,*



*Photo: Guillermo Delgado*

*mostly medical driven measures, such as social distancing and restrictions on movements, were implemented instead of an integrated approach that focused on both biological and sociological factors. An unintended consequence of these measures, however, was that they also negatively affected domestic economic activities, further aggravating the economic recession experienced in the country since 2016, and ultimately leading to an increase in the country's inequality level.*

*Using a theoretically driven methodology, through a review of existing literature and secondary sources, this paper analyses the relationship between COVID-19 infection and socioeconomic conditions. Working on the basis that COVID-19 should be regarded as a syndemic rather than a pandemic, the paper's aim is to assess COVID-19's impact on the most marginalized and vulnerable section of the population. We argue that for Namibia to combat a syndemic-like situation, COVID-19 measures should have been holistic and directed towards addressing both the biological factors of the pandemic and the existing inequalities. This implies that the approach of concentrating efforts exclusively on health aspects in the medium to long term may be ineffective.*

**Key terms: basic income grant; COVID-19; infectious disease model; inequality; Namibia; syndemic; vulnerable population**

## **Introduction**

On 31 December 2019, a cluster of cases of pneumonia of unknown cause were identified as a novel coronavirus, later dubbed COVID-19, by the World Health Organization (WHO) Country Office in China (Caruso & Venditto, 2022). The virus spread rapidly, and amid the significant public health risk posed to the world, the WHO classified COVID-19 as a pandemic of global concern on 11 March 2020 (World Health Organization, 2020a). As of this writing, the virus's toll is approaching 450 million cases, and it has already caused more than six million confirmed deaths (World Health Organization, 2022). Clearly, this is an outbreak that is prevailing in all peripheries of the earth, overshadowing previous outbreaks. Humanity must therefore live with the reality that the COVID-19 pandemic's effects will be prolonged rather than transitory (Nafula et al., 2020).

**Table 1** *COVID-19 in the world by WHO’s geographic areas (2019–2022)*

Geographic Areas	Quantities		Percentages	
	Cases	Deaths	Cases/World Tot. Cases	Deaths/World Tot. Deaths
Europe	184 618 493	1 894 846	41.2	31.5
Americas	148 322 100	2 652 042	33.1	44.1
South-East Asia	56 285 919	767 165	12.6	12.8
Western Pacific	29 262 597	189 656	6.5	3.2
Eastern Mediterranean	18 088 001	256 368	4.0	4.3
Africa	11 735 419	251 392	2.6	4.2
Area Totals*	448 312 529	6 011 469	100	100
Others	764	13		
Overall Totals	448 313 293	6 011 482		

*Source: World Health Organization (2022) \* To the World Total must be added the cases and deaths that occurred onboard the ships MS Zaandam and Diamond Princess at the beginning of the pandemic.*

With the global economy that is struggling to return to normality, people all over the world are exhausted, having endured several COVID-19 lockdown phases. Preliminary observation, on a global level, reveals intolerable impacts on livelihoods and development across the world. In every country, economic pressure was felt, and is still being felt, from key alignment responses (International Monetary Fund, 2021). Although COVID-19 figures for the African continent seem to be much lower than the initial World Health Organization (WHO) projections, the COVID-19 experience of African countries is a mixed bag (Lu, 2020;

Wangari et. al., 2021; Caruso & Venditto, 2022). Table 1 above shows that Africa’s cases represent just 2.6% and 4.2 % of the total cases and deaths, respectively. Ten African countries are collectively responsible for 73% of cases and 82% of deaths in Africa. South Africa alone, with 3 685 120 total confirmed cases and 99 609 deaths, recorded 31%, and 42% of all reported cases and deaths on the continent, respectively, followed by Morocco (10% of cases, 7% of deaths) and Tunisia (9% of cases, 12% of deaths). Namibia is 18<sup>th</sup> on the world list, with 157 350 cases and 4 014 deaths, as indicated in Table 2 below.



**Table 2** COVID-19 in Africa 2019–2022 at 10 March 2022

Rank (Cases in Africa)	Countries	Cases	Country Cases (% of Total Africa Cases)	Total Deaths	Country Deaths (% of Total Africa Deaths)
1	South Africa	3 685 120	31.4	99 609	41.9
2	Morocco	1 161 776	9.9	16 029	6.7
3	Tunisia	1 017 907	8.7	27 989	11.8
4	Libya	498 839	4.3	6 314	2.7
5	Egypt	492 774	4.2	24 244	10.2
6	Ethiopia	469 007	4.0	7 476	3.1
7	Kenya	323 094	2.8	5 641	2.4
8	Zambia	313 910	2.7	3 959	1.7
9	Reunion	310 181	2.6	680	0.3
10	Algeria	265 297	2.3	3 959	1.7
	Total (Highest 10 African Countries)	8 537 905	72.8	195 900	82.3
11	Botswana	263 950	2.2	2 619	1.1
13	Zimbabwe	239 710	2.0	5 399	2.3
14	Mozambique	225 140	1.9	2 196	0.9
15	Mauritius	169 796	1.4	904	0.4
18	Namibia	157 350	1.3	4 014	1.7
21	Angola	98 806	0.8	1 900	0.8
24	Malawi	85 440	0.7	2 619	1.1
26	Eswatini	69 307	0.6	1 391	0.6
27	Madagascar	63 791	0.5	1 373	0.6
38	Lesotho	32 707	0.3	697	0.3
56	São Tomé and Príncipe	5 939	0.05	72	0.03
	Total (Southern African Countries not in Africa Top 10)	1 147 986	9.8	20 565	8.6
	Total (Other African Countries)	2 049 528	17.5	21 467	9.0
	TOTAL	11 735 419	100	237 932	100

Source: World Health Organization (2022) (adapted)

African governments across the continent have been credited for having acted promptly in enacting countermeasures within their borders at the early stages of COVID-19 detection, in order to restrain widespread disease and its adverse effects (Medinilla et al., 2020; Pilling, 2020). Past experience in dealing with other highly transmissible diseases, such as Ebola, AIDS, and malaria, prompted African states to act responsibly to protect lives (World Bank, 2020a). However, the reality that only 13 % of the African population have been fully vaccinated at the time of writing is cause for concern, because it means that the majority – 87% – remain unvaccinated (African Union, 2022; World Health Organization, 2020b). A continent that's already bruised by myriad socioeconomic hardships and challenges can ill-afford the aggravation of inequality being likely to get worse.

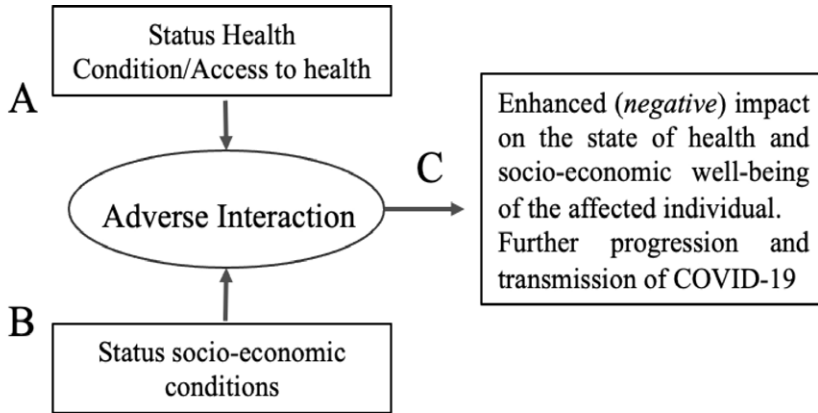
## **Methodology**

Using a theoretically driven methodology of reviewing existing literature and secondary sources (Snyder, 2019), the paper will identify the trends existing studies are pointing to, as well as areas for further research.

## **Theoretical Approach: A Syndemic Interpretation of COVID-19's Impact**

Singer (2009) coined the term 'syndemic' to explain why certain disease clusters affect specific populations or groups. A syndemic occurs when the interaction among health determinants or risk factors – such as social habits, lifestyle, environment, genetics and so forth – cumulatively exacerbate an individual's susceptibility to a disease. This implies that in a given context of high socioeconomic vulnerability, the health measures introduced to address an infection such as COVID-19, particularly, are likely to further increase levels of inequality and discrimination (Horton, 2020). Therefore, a full picture of the COVID-19 infection can only be determined by considering both the health status/access to health care and the socioeconomic status of the affected individuals. As indicated in Figure 1 below, it is the interaction of these two factors – limited access to health care, and meagre socioeconomic conditions – that makes COVID-19 a syndemic condition.

**Figure 1** A syndemic representation of the COVID-19 impact on vulnerable people



Source: Caruso and Venditto (2022)

In other words, unlike a pandemic, which suggests that the infection spreads with the same speed and severity among the population, a syndemic spread as a result of the relationship between the disease and the socioeconomic and health conditions of the population. This interaction therefore strengthens and aggravates the impacts on the most marginalised, and vulnerable segments of the populations, who often live in poverty (Caruso & Venditto, 2022).

Several studies and data on major epidemics indicate that pandemics are in nature not just medical diseases but are also social, in that they have severe negative impacts on a country's economy and the wellbeing of her citizens (Achon et al., 2005; Burns et al., 2006; Thomas et al., 2015). Price-Smith (2009) showed that a low-

severity pandemic influenza could reduce the United Kingdom's gross domestic product (GDP) by up to 1%, whereas a high-severity event could reduce GDP by 3% – 4%. Overall, pandemics raise income inequality by, among other things, diminishing employment prospects among already poor, vulnerable and marginalised people (World Bank 2020a; 2020b). Considering the complexity of economic systems, which nowadays are strongly interconnected, those negative impacts are felt in the short, medium and long term. In the case of COVID-19, the prolonged and multiple restrictions on internal and international movement, and social distancing measures, have had direct costs in terms of labour and productivity loss (Jonas, 2014; Gourinchas, 2020; Carlsson-Szlezak et al., 2020). The costs associated with hospitalisation

and medical expenses, as well as the intangible and less measurable costs linked to individual loss of freedom, must also be considered (Falcone & Detty, 2015; Rubinson et al., 2013). On the other hand, the COVID-19 pandemic has exploited the existing inequalities in human development, increasing the gap between those more able and those less able to cope, and ultimately worsening the imbalances in opportunities, wealth and power across people and countries (UNDP, 2020a). This is particularly evident in the African case where resources are scarce; the welfare state is absent; and the majority of the population is without social protection safety nets (Hamadziripi & Chitimira, 2021). As result, despite the continent's lower statistical incidence of COVID-19 infection to date, the existence of negative multiplier effects caused by the several facets of inequality (e.g., the level of marginalisation and deprivation determined by the extant socioeconomic and human development inequalities) means that the outcomes can be no less disastrous in the medium and long term for the majority of the African countries. Considering a homogeneous, flat reduction of economic indicators in all the regions, COVID-19 and its associated socioeconomic crisis are expected to cause setbacks in the progress achieved in ending extreme poverty in Africa, negatively impacting a region which prior to the COVID-19

syndemic already had the lowest Human Development Index (HDI) (UNDP, 2020a).<sup>9</sup>

The magnitude of these effects is still unclear, but what is clear is that COVID-19 will lead to an increase in global poverty (Corral et al., 2020).

It has been forecast that sub-Saharan Africa, after South Asia, would be most severely affected with the lowest HDI and Planetary Pressure-Adjusted HDI, with the result that “between 26 million and 40 million [are] predicted to be pushed into extreme poverty” (World Bank, 2020a, p. 15).

These projections are corroborated when coupled with the 2010 Multidimensional Poverty Index (MPI)<sup>10</sup> which measures the non-

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<sup>9</sup> The UNDP (2020a) estimated an overall reduction of the Human Development Index (HDI) in 2020 of 0.025 points. The Human Development Index (HDI) and the Planetary Pressure-Adjusted HDI (PHDI) give a more comprehensive representation of the level of inequalities in a country than the GINI coefficient, which only focuses on the income variations (UNDP 2020b).

<sup>10</sup> The Multidimensional Poverty Index (MPI) developed in 2010 by the Oxford Poverty & Human Development Initiative (OPHI) and the United Nations Development Programme (UNDP), provides an international measure of acute multidimensional poverty. It covers over 100 developing countries and complements traditional monetary poverty measures with nonmonetary elements which capture the level of deprivations in health, education, and living standards simultaneously faced by the population. The MPI is based on three dimensions: living standards, health and education, and is the product of the multidimensional poverty incidence (H) and the average intensity of deprivation (A).

**Table 3** *HDI and Planetary Pressure-Adjusted HDI by Regions 2019–2020*

Regions	2019		2020*
	HDI	PHDI	HDI
Europe and Central Asia	0.791	0.728	0.766
Latin America and the Caribbean	0.766	0.720	0.741
East Asia and the Pacific	0.747	0.676	0.722
Arab States	0.705	0.666	0.680
South Asia	0.641	0.622	0.616
Sub-Saharan Africa	0.547	0.539	0.522
World	0.737	0.683	0.712

*Source: UNDP (2020a) \* Projection with a reduction of 0.025 percentage points.*

income-based dimensions of poverty. The MPI indicates that the high levels of extreme poverty currently present in sub-Saharan Africa are the result of both the lack of monetary assets, such as salaries, pensions etc., and nonmonetary assets, such as access to health care, education and basic infrastructure. Extreme poverty usually affects rural areas more than the urban areas. COVID-19 is, however, creating a new category of the poor such as people engaged in informal activities in the urban areas, and living in vulnerable and marginal situations (Sánchez-Páramo, 2020). These new poor, who are more likely to be affected by lockdowns and mobility restriction, are generally employed in lower skilled and less stable jobs, not suited to remote working and less compatible with social distancing (Caruso & Venditto, 2021; Bowen et al., 2020; Hill & Narayan, 2020).

Using migrants and asylum seekers/refugees as a proxy of poor socioeconomic status and poor access to health facilities, several studies indicate that this category was most affected by COVID-19 infections. More than 30 000 respondents from 170 countries around the world were interviewed by the WHO (2020c) to determine how COVID-19 had impacted on their health. The respondents indicated that COVID-19 caused greater levels of depression, fear, anxiety and loneliness. The deterioration of safety, financial and working conditions caused by COVID-19 were identified by most respondents as the primary reason for their suffering from anxiety.

The survey findings were consistent with previous studies indicating that vulnerable individuals living and working in precarious conditions had difficulty adapting to the deterioration

of the socioeconomic conditions (Hacker et al., 2015; Thapa et al., 2018; Winters et al., 2018). On the other hand, Finch and Finch (2020, pp. 6, 7), assessing the correlation between poverty and the rate of incidence and deaths among the lower income groups in the United States, showed that, in the very early stages of the COVID-19 pandemic, "... a larger number of deaths was associated with a larger percent of county residents living in poverty, living in deep poverty", and "counties with higher overall poverty (as reflected in the poverty index) had larger numbers of confirmed cases than did relatively more affluent counties".

Similar findings indicate that individuals living in lower income communities had less access to high quality health care (Lorant et al., 2002; Shi & Steven, 2005; James et al., 2008). Workers with lower levels of education, performing informal and seasonal activities with more precarious contractual positions, did not have the possibility to work from home as workers in high-level jobs did. Therefore, the sharp economic contractions due to COVID-19 infection (World Bank, 2020c) and lockdowns measures have made these vulnerable populations more exposed to the socioeconomic impact of COVID-19. The cyclic interaction between diseases and the social, environmental or economic factors promoted and worsened the disease's

impact on vulnerable and marginalised population groups, leading to the vicious syndemic. Understanding these mechanisms is important both for health and economic policies (Busafero, 2022).

The implications here are that the strategy of focussing efforts exclusively on health aspects neglects other important determinant socioeconomic factors, contributing to the resilience of the COVID-19 pandemic.

### **Socioeconomic Impact of COVID-19 in Southern Africa and Namibia**

From an economic perspective, the COVID-19 crisis has not had the same impact worldwide. Countries who were able to introduce effective and supportive mechanisms to cushion the initial job and earning losses due to COVID-19 measures were (and still are) in a much better position in both weathering the economic recession and benefiting from the recovery that followed once COVID-19 restrictions were lifted (Gros, 2022). On the other hand, analysts and researchers concur that COVID-19 has reversed more than twenty years of Africa's gains in poverty reduction, as noted in the African Development Bank Report (2021, p. 23): "more than 30.4 million African were pushed into extreme poverty in 2020 and as many as 38.7 million could be in 2021... most of the people falling into extreme poverty are

those with lower level of education and few assets ... [in] informal jobs, ... and those already in precarious situations”.

Since the first COVID-19-positive case was recorded on the continent, South Africa and the neighbouring countries have rapidly emerged as the epicentre of the pandemic on the African soil, as indicated by the UN Economic Commission for Africa (UN ECA, 2020). Table 4 below shows that

South Africa, Zimbabwe, Botswana and Namibia have been among the most affected by COVID-19’s economic consequences.

Largely all southern African countries introduced nationwide lockdown measures, albeit in different times and modalities, which unintentionally resulted in local economic shocks which substantially reduced the GDP of the region and individual countries.

**Table 4** *Estimated Real GDP Growth 2019–2022 (%)*

Region/Country	2019	2020*	2021**	2022**
Central Africa	2.9	-2.7	3.2	4.0
East Africa	5.3	0.7	3.0	5.6
North Africa	4.0	-1.1	4.0	6.0
West Africa	3.6	-1.5	2.8	3.9
Southern Africa	0.3	-7.0	3.2	2.4
<i>Angola</i>	-0.6	-4.5	3.1	2.4
<i>Botswana</i>	3.0	-8.9	7.5	5.5
<i>Lesotho</i>	0.6	-5.2	4.1	4.4
<i>Madagascar</i>	4.4	-4.0	3.5	4.5
<i>Malawi</i>	5.7	1.7	3.3	6.2
<i>Mauritius</i>	3.0	-15.0	7.5	6.7
<i>Mozambique</i>	2.3	-0.5	2.3	4.5
<i>Namibia</i>	-1.6	-7.9	2.6	3.4
<i>Sao Tome And Principe</i>	1.3	-6.4	2.1	5.4
<i>South Africa</i>	0.2	-8.2	3.0	1.6
<i>Eswatini</i>	2.2	-3.2	1.4	0.7
<i>Zambia</i>	1.4	-4.9	1.0	1.9
<i>Zimbabwe</i>	-6.0	-10	4.2	3.0
Africa <sup>11</sup>	3.3	-2.1	3.4	4.6

Source: Authors statistics from African Development Bank (2021) \*estimates Dec. 2020 \*\* projected Dec. 2020

11 The COVID-19 omicron variant, first detected in November 2021, is likely to downwardly affect the GDP growth estimates and projections.

Although the region was already experiencing a decline in growth rates, the COVID-19 pandemic simply further heightened the region's economic contraction (UN ECA, 2020). As a result of COVID-19 in 2020, Africa experienced the worst recession in the last 50 years, with the real GDP shrinking by 2.1%. The worst hit economies were those that depend on tourism (11.5% contraction), oil exporting (1.5%) and other resources-intensive economies (4.7%); the economies of non-resources intensive countries only contracted by 0.9 % (African Development Bank, 2021). Southern Africa, with a per capita GDP contraction of 7.0%, has been the African region hardest hit.

### **The Namibian Case**

Namibia has for decades and decades been measured as one of the most unequal societies in the world, with 43.3% of the population being classified as multidimensionally poor by the Namibia Statistics Agency (2021). The country is faced with the “triple challenge” of high levels of inequality, poverty and unemployment – a struggle shared across the African continent. This triple challenge has its roots in colonialism and the apartheid-driven economy, whose legacies still persist. At the dawn of independence in 1990, Namibia inherited widespread imbalances at all societal levels, including in income distribution.

Racialised policies had been so comprehensive that they affected all aspects of social, economic and political life in post-colonial Namibia. These discriminative policies ensured that white Namibians accumulated inter-generational wealth, while the majority of the people, especially black Namibians, remained trapped in a vicious cycle of poverty. Non-white Namibians were restricted in the kind of work they could do, while skilled jobs, which paid higher, were mostly reserved for whites only, which therefore ensured their socioeconomic advancement. Needless to say, the apartheid laws kept the majority of the non-white population poor, entrapping them in slave-like wage work and creating pervasive racial wage inequality that is still evident today. Although there have been significant changes in laws, policies and regulations in post-colonial Namibia, as well as diversification in the economy, an understanding of these injustices is pertinent to understanding the current crisis of inequality and its multidimensional manifestation during the COVID-19 pandemic.

After the first two cases of COVID-19 were recorded on 13 March 2020, the Namibian Government responded swiftly by establishing the National Health Emergency Management Committee, tasked with the responsibility for



tackling the COVID-19 challenge. On 17 March 2020, a State of Emergency was declared, closing all international borders, schools, universities and businesses, as well as locking down all 14 regions after the country had registered sixteen cases in April 2020. The Namibian Defence Force set up a medical facility at the airport as part of the country's preparedness. This proved to be particularly vital considering almost 87% of the cases were imported, with no reported community transmission within Namibia by then. However, as transmission rose internally, the Namibian Government stepped up the COVID-19 measures through public sensitising, social distancing, isolating and quarantining positive cases, contact tracing, testing, and restriction of movement.

In terms of section 29(1) of the Public and Environmental Health Act (No. 1 of 2015), the Ministry of Health and Social Services developed protocols and policies on the handling of deceased remains and the conducting of funerals. For example, the burial of any deceased person whose death was attributed to COVID-19 had to be carried out by the State in accordance with the procedures for a safe burial specified in the regulation and in the directives. In addition, the government established the COVID-19 communication centre to enhance strategic communication and community engagement as

well as to promote public trust. The Ministry of Health and Social Services communicated daily via all media outlets the number of confirmed cases, fatalities, recoveries, and cumulative COVID-19 related hospitalisations.

It is against this background that Namibia's response to COVID-19 was widely praised by other governments and international observers (World Health Organization, 2021). While these measures certainly slowed the spread of the virus, through the impact of COVID-19, the economy of Namibia lost between N\$5.1 billion and N\$7.5 billion in GDP, further widening the already existing social and economic disparities (Julius et al., 2020).

In response to economic losses, on 1 April 2020 the government announced a once-off targeted economic stimulus to offset the negative economic effects of COVID-19 measures.<sup>12</sup> More specifically, the stimulus aimed to support job retention, economic activities and business cash flow. Relief measures were introduced, including wage subsidies for the hardest hit sectors (i.e. tourism, hospitality, aviation and construction); repayment of VAT refunds; accelerated payments of

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<sup>12</sup> The total stimulus and relief package amounted to N\$8.1 billion, comprising N\$5.9 billion as direct support to businesses, households and cash flow acceleration payments for services rendered to the government, and N \$2.3 billion of additional support, guaranteed by the government (Ministry of Finance, 2020, p.2).

overdue and undisputed Government's invoices; a concessional rate for non-agricultural and agricultural loans; a tax-back loan scheme for non-mining corporates; and relaxation of labour regulations to protect jobs (Republic of Namibia, 2020). To support households and enable them to cope with reduced or lost income, a once-off emergency income grant was also made available to Namibian citizens between 18 and 60 years of age who had lost their jobs and were not receiving any other social grants (Republic of Namibia, 2020). No evidenced-based study is available to provide insight into the impacts of the stimulus packages introduced by the Namibian Government, but it appears that they mostly focused on supporting the formal economy, with very little attention given to the informal, and non-VAT, economy (Julius, et al., 2020). Therefore, it is hard to believe that a once off grant of N\$750 paid over three weeks would have been sufficient to sustain those who had lost their jobs or closed down their economic activity in the informal sector.

When Namibia went into a national lockdown on 26 March 2020, many informal and precarious workers found themselves without any means of generating an income. Many of these workers are rural migrant labourers, whose families, especially back in rural areas, rely on them for their survival. As observed by Kuelder (2021), the

COVID-19 pandemic in Namibia is proving to be a virus of inequality, which has worsened the already existing inequities. Kuelder noted that only about a sixth of the 12 thousand Namibian job losses in 2020 could be linked to COVID-19, and that the rest of the retrenchments were caused by other existing economic factors. Considering that the vast majority of Namibians are in a perpetual state of joblessness<sup>13</sup> and without a social protection system (Namibia Statistics Agency, 2019), the COVID-19 pandemic can be said to have exacerbated the interlinked challenges that accompany unemployment. This means that many more Namibians now have to scramble to meet their basic food needs and everyday necessities, and all this is happening within the context of rapid inflation.

The most documented COVID-19-related inequalities occurred during the ferocious third wave, when the country was experiencing an oxygen shortage, which openly exposed the gap between the rich and the poor (Petersen et al., 2021). The poor, who have limited access to oxygen sources outside of government structures, struggled to keep their families alive. The rich, on the other hand, with their resources and alternative connections, easily

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<sup>13</sup> According to the 2018 Namibia Labour Force Survey, released in 2019, the unemployment rate in Namibia stood at 33.4%; 418,674 Namibians are employed in the informal business sector.

secured oxygen to keep their families alive, and some saw this as a lucrative market into the business of oxygen-related products and services to supply the government and people desperate to save loved ones. The nationwide shortage of oxygen especially in state health centres revealed how these facilities that provide life-saving services mainly to the poor have been neglected by the elites who use private facilities.

What must be noted, however, is that when COVID-19 emerged, Namibia was faced with an already weak economy. Although poverty dropped from 23 to 13 percent between 2009 and 2015, income inequality and wealth distribution were still high before COVID-19 hit. Namibia's per capita GDP, which had risen constantly since independence, began contracting in 2016 due to price declines of the main commodities exported, notably diamonds, and the severe droughts that directly impacted on most agricultural output, and indirectly on the provision of water and electricity, which are critical inputs in the mining industry. The decline continued through all of 2019, resulting in the unemployment level being estimated at 33.4% in 2018 (Namibia Statistics Agency, 2019), contributing to a rise in the extreme poverty rate from 15.8% to 17.2%. Income variations, however, do not give a full representation of

how inequality is distributed. The picture is far gloomier, if one takes into consideration the multiple and intersecting forms of inequality and discrimination associated with nonmonetary indicators representing inequalities in the distribution of and access to resources and services. The Namibia Statistic Agency (2021) calculated that in 2016, 44.0% of citizens were experiencing deprivation on non-monetary indicators, leading to an MPI of 0.19. In other words, in 2016 the poor in Namibia faced 19.1 % of all possible deprivations. This implies that the economic crisis unleashed by COVID-19 built on a situation which was already precarious, exacerbating the pre-existing levels of unemployment, inequality and poverty as indicated by the United Nations (UN Namibia, 2021).

After COVID-19 lockdown measures were relaxed, President Hage Geingob introduced a plethora of task forces to revive the economy, including the Task Force on Businesses, the Task Force on the Fourth Industrial Revolution, and the Task Force on Economic Recovery, all focusing on the formal economy and big business. Nothing was specifically proposed for the informal economy, which not only employs the biggest share of the Namibian population but was the sector most severely affected by COVID-19 lockdown measures. Vulnerable workers (women, the youth

and those without college or university education) who lost jobs or income due to the pandemic were hit hard and continue to struggle to return to their previous economic position due to the slow economic recovery. In this context, one would have thought that the COVID-19 pandemic should have provided Namibia, a country with the second highest income inequality in the world, a lesson to equally focus on the more vulnerable and marginalised groups, including creating a task force specifically for tackling the inequalities exacerbated by COVID-19. Marengo and Amupanda (2021) argue that the Namibian government's economic response to offset COVID-19 losses demonstrates that the government has the capacity to address social justice issues in the country. That is true to a certain extent, but we contend that the COVID-19 lockdown and economic response measures have been a continuation of the same neoliberal approaches which have guided Namibian economic policy since independence. In particular, they have primarily been aimed at rescuing big business. If anything, they were reactive and short-term, and did not alter the structure that creates inequalities in Namibia.

Thus, we are arguing that reviving the economy after COVID-19 lockdowns requires economic revival strategies that target the most marginalised

and vulnerable populations in order to increase equality. This can be achieved through equitable and inclusive economic recovery that targets and benefits all, including low-skilled workers and women and the informal sector. In this case the idea of a universal basic income grant (BIG) proposed by the Namibian BIG Coalition is more appealing in that it is a long-term contribution which could address the structural deficiencies in the Namibian economy. The universal BIG – not the transitional basic income grant which will be paid only to existing beneficiaries of the food bank and the marginalised-communities, but a monthly universal BIG of N\$500 per person for people between the ages of 19 and 59 – would be the best way to cushion all the vulnerable, deserving, and intended beneficiaries against persistent poverty in Namibia (Petersen, 2022).

## **Conclusion**

In this paper, we argue that COVID-19 must be considered within a syndemic framework, where biological aspects and social aspects interact, and their interaction at the levels of risk and susceptibility of people and communities is also heightened. In particular, a syndemic approach examines the pathways through which a disease interacts with the social environments, and how its impact on existing social inequality and

injustice contributes to the clustering and interaction of diseases as well as vulnerability. COVID-19 is a disease of inequality, and Namibia's economy has been microwaved by this pandemic. It is also important to consider that this economy was already in a state of vulnerability in pre-COVID-19 times. During this period, the masses have continued to lose their jobs and incomes, and the informal sector has subsided, pushing many people into new pockets of poverty. In order to revamp a post-pandemic economy, Namibia's health interventions must be entwined together with economic recovery interventions that are people-centred. In a civil order, the government should protect households from the impacts of COVID-19, reaching both the existing and the new poor, in particular people in the informal sector, and equally in rural and urban areas. However, the pandemic can stimulate the imagination to respond to emergencies. Therefore, we argue that the pandemic presents an untapped opportunity for Namibia to mobilise for a pandemic fund that can be used to address the logistics of the current and future pandemics. Secondly, the government can use this situation to deliver a digital economy as envisaged under the Harambee Prosperity Plan 1. Doing so will promote Namibia to be among the winning nations as far as the digital economy is concerned. Long-term policy actions are required

to prioritise and put people, labour rights, women and children's rights, gender issues, the protection of the environment, and the promotion of integrity and anti-corruption, at the core of policy responses. In this way, sustainable enterprises and responsible business conduct can be fostered in order to fight COVID-19.

Despite the commendable efforts of the Namibian Government in responding to the pandemic, there is also a need to create a proactive rather than a reactive social protection system. COVID-19 could provide the opportunity to address increasing poverty by expanding social safety nets and making growth more equitable. A comprehensive social protection plan has been proven to be a key developmental tool in drastically reducing poverty and inequality. A nationally implemented universal BIG is recommended as a way to not only provide immediate relief to impoverished households, but to boost economic participation by increasing the spending power of most Namibian consumers. Implementing the universal BIG would serve to address the triple challenges of poverty, unemployment and inequality which have intensified as result of the syndemic effects of COVID-19. Several studies carried out in countries where similar measures are in place, not least in South Africa, clearly indicate that unconditional cash transfers are reasonable instruments

aiming at an immediate reduction of poverty (Haarmann et al., 2009; Widerquist et al., 2013). Such programmes could stimulate aggregate demand, thus impacting on productivity and employment and ultimately influencing both saving and taxation (Smit, 2022). On these grounds, we believe that a universal BIG is the most cost-effective model for an expanded social safety net in Namibia which could help individuals meet their basic needs. A combination of formulas could be put in place to fund the proposed universal BIG, including government tax revenue and proceeds from shared natural resources. It is crucial that Namibia must not lose sight of the relative progresses in poverty eradication achieved since the attainment of independence three decades ago, and that efforts must be stepped up to lift people from extreme poverty and increase the coverage and scope of social protection, to find and uplift the new poor.

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## ***Mining and Social Justice***

### **Extractivism**

# **Chrome Miners and Corporate Crocodiles: Illicit Financial Flows, Profit Shifting, and Samancor Chrome**

*Jaco Oelofsen*

### **Introduction**

In October 2019, the Association of Mineworkers and Construction Union (AMCU) filed an application against Samancor Chrome at the Johannesburg High Court, accusing the company's directors and board members of self-enrichment through corporate corruption, fraud, and profit shifting practices in the form of billions of Rand sent to tax havens overseas (Alternative Information & Development Centre, 2019).

This is a landmark case and deserving of study for a number of reasons. It is one of the only – if not the only – known cases of workers attempting to take their company's senior management to court specifically over profit shifting practices. The testimony provided by an ex-director turned whistleblower also provides a rare inside look at how transnational corporate corruption operates on the 'inside'. However, what is most important for this study is the

fact that the Samancor case yields clear insights on the linkages between the broader issue of profit shifting (and illicit financial flows (IFFs) generally) and inequality at the ground level.

Illicit financial flows and base-erosion profit shifting (BEPS) are often discussed in terms of their effects on tax revenues, development, security and state integrity. In Africa, key efforts led by the African Union and the United Nations to stem this problem, such as the High-Level Panel on Illicit Financial Flows (United Nations Economic Commission for Africa, 2015) have tended to focus on how these outflows influence African countries' prospects for development, act as a component of state corruption, and worsen north-south inequality. However, the Samancor case study demonstrates that the concrete effects of IFFs/BEPS are felt first and foremost by workers and communities at companies engaged in profit shifting.

Because the discourse around IFFs/BEPS so often frames it as a tax problem, we imagine that the solution must lie with tax officials or policymakers' top-down solutions. Here too the Samancor case offers us a glimpse of what bottom-up resistance against commercial IFFs/BEPS might look like from those who stand the most to gain: workers and working-class communities at the coalface of multinational corporate activity.

### **Definition of IFFs and BEPS**

In the most widely accepted definition, an 'illicit financial flow' (IFF) is a cross-border transfer of "money that is illegally earned, transferred, or utilised. If it breaks laws in its origin, movement, or use it merits the label" (Kar & Cartwright-Smith, 2009).<sup>14</sup> The kinds of activities labelled as IFFs are generally broken up into three camps: corporate tax evasion; transfers of the proceeds from criminal activities (such as drug smuggling or arms dealing); and corruption (especially state-related corruption).<sup>15</sup>

The precise definition of IFFs remains contested terrain, partly because the term covers a range of activities which, although interlinked, tend to be dealt with in different contexts: fiscal policymaking, international efforts against organised crime, tax justice campaigns, and so on. As Erskine and Eriksson (2018, p. 6) write: "the IFF agenda is a complex yet young subject, involving several multi-disciplinary strands that have to combine to find effective ways forward." For our purposes, we will be focusing on IFFs related to corporate corruption and tax evasion, including BEPS.

BEPS specifically refers to aggressive tax evasion or avoidance by multinational or transnational corporations. BEPS activities usually fall under the umbrella of IFFs, although this is sometimes contested on the basis that they are often perfectly legal (Chowla & Falcao, 2016, p. 10). In order to avoid confusion, this study will use 'IFFs/BEPS' as shorthand for illicit financial flows specifically linked to the 'licit' (not forbidden, lawful) economy, especially acts of corporate corruption and outflows that can be linked to aggressive tax evasion or avoidance, including profit shifting schemes which may not be strictly illegal, as well as instances of fraud.

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14 A strictly legalistic interpretation of IFFs has been widely criticised and rejected by experts (See Cobham, 2014 and Cobham and Jansky, 2017 for examples). Others, such as the landmark UN/AU High Level Panel Report (2015) place emphasis on the fact that 'illicit' may also include activities which are not strictly illegal, but nonetheless contravene "established norms and conventions."

15 This is most clearly put in the 2015 Report of the High Level Panel on IFFs in Africa (United Nations Economic Commission for Africa, 2015), but this disaggregation can also be found in some of the earliest attempts to understand the problem (such as in Baker, 2005).

## Understanding Existing Linkages Between IFFs/ BEPS and Inequality

In order to understand the existing linkages between IFFs and inequality, it would be instructive to look at the context of the mid-2000s in which the concept emerged. By the time the new millennium was underway, years of relentless financialisation, aggressive globalisation of value chains, and the dominance of neoliberal orthodoxy had fundamentally reshaped the global economy. Most of the developing world had, whether willingly or unwillingly, dismantled their capital controls, trade restrictions, and other protections in order to integrate with global markets. Defenceless, they found themselves plugged into a global economy that moved at frightening speeds and with often devastating effects. Foreign capital surged in to reshape economies, creating dependencies that would lead to crises when these inflows dried up or were destabilised as in the 2008 financial crisis (Bond, 2014). In the developing world, including sub-Saharan Africa, this dependence kept economic policymakers focused on attracting inflows of foreign capital and appeasing colossal multinational corporations while doing their best to avoid capital outflows – the dreaded ‘capital flight’ (Mohamed & Finoff, 2004).

As Kar and Cartwright-Smith (2009) point out, the discourse around

capital flight had a tendency to frame capital outflows as an almost natural phenomenon, a neutral consequence of the actions and policies of developing countries. The fact that the Global South had been unable to effectively mobilise and utilise capital to grow and thrive in the global economy could therefore be attributed to either insufficiently attractive investment environments, or to grand-scale corruption by high-level political officials.

However, it was becoming increasingly clear that the capital outflows plaguing developing countries could not be attributed simply to neutral, rational market actors or to grand-scale corruption. Instead, groundbreaking work by insiders, experts, and activists was showing that the developing world was suffering from a haemorrhaging of capital in the form of unrecorded (hidden) capital outflows, complex tax evasion schemes by huge multinationals, public and private sector corruption, and more.

The usage of the term ‘illicit financial flows’ to describe these activities was popularised by none other than a repentant American businessman-turned-activist, Raymond Baker. In *Capitalism’s Achilles Heel* (Baker, 2005), Baker estimated that, from his experience, the outflows of capital linked to abusive behaviour from powerful tax-evading multinationals

far outstripped the losses attributed to corruption in the Global South. The immediate implication was that these commercial IFFs robbed countries of tax revenues desperately needed for development. A nascent tax and financial justice movement, led by the Tax Justice Network and a host of experts including Baker's own organisation (Global Financial Integrity), subsequently led efforts to identify the enablers of these IFFs, quantify the scale of the losses, and engage in international advocacy (Cobham & Jánský, 2020).

Following these initial efforts, the 2010s saw an explosion of interest in the issue of commercial IFFs from multinational and intergovernmental institutions. In the aftermath of the 2008 financial crisis and a long string of scandals exposing the ties of multinational companies and politicians with tax havens and secrecy jurisdictions, the flaws in the global financial architecture had become impossible to ignore. The Organisation for Economic Cooperation and Development (OECD), an organisation set up to advance the economic interests of its members and a key authority in the development of international taxation architecture, put the issue on their agenda by initiating the BEPS Project, aimed at combating BEPS. The African Union (in cooperation with the United

Nations) in 2012 established a High-Level Panel on Illicit Financial Flows from Africa (hereinafter referred to as the High-Level Panel; also commonly known as the Mbeki Panel after its chair, former South African President Thabo Mbeki). Its brief was to investigate the nature, scale, and impact of IFFs on development in Africa.

The political climax that resulted from this coalescence of activism and international cooperation came in 2015, when the United Nations formally included the combatting of IFFs as one of the targets necessary to achieve the Sustainable Development Goals at the Third International Conference on Financing for Development in Addis Ababa. Cobham and Jánský (2020) write that the work of the High-Level Panel and its report was instrumental in securing the political backing necessary for this objective.

The High-Level Panel and its report had found that illicit financial flows from Africa were a critical issue, occurring on a massive scale and with serious effects on inequality. The report found that:

High and increasing IFFs from Africa impact on development through losses in tax revenue and the opportunity cost of lost savings and investment in various sectors of African economies.

These impacts are of particular policy significance now due to the increased importance of domestic resource mobilisation at a time when the role of official development assistance is declining.

*United Nations Economic Commission for Africa (2015, p. 64)*

The implications of this finding are particularly relevant when read in the light of the COVID-19 pandemic. Before COVID-19, many low-income countries, especially in the Global South, were faced with inadequate funding for vital public services as a result of a combination of mounting debt, pressure from international finance institutions, economic stagnation, and ideological commitments from policymakers. In the wake of the COVID-19 crisis, many countries in the Global South have opted to intensify cuts to public services, with 87% of the International Monetary Fund's loans to these countries calling for the implementation of further austerity measures (Oxfam, 2022a). As a result, the disruptions caused by the pandemic have led to an intensification in inequality as those most reliant on public services have historically been the economically vulnerable working class and unemployed. Oxfam (2022b) famously reported that, throughout the pandemic, a new billionaire was

created every 26 hours, while 160 million people were pushed into abject poverty.

South Africa serves as a clear example of this phenomenon. Since global trade winds stopped blowing in its favour in the early to mid-2010s, the state has been consistently underspending on vital public services such as education and healthcare, following a kind of mild austerity in order to close the budget deficit and reduce the debt-to-GDP ratio (Sibeko, 2019). From 2020, this turned into full-blown austerity. Between 2020 and 2022, the Treasury continued to announce large cuts (in real terms) to many vital public services and social support (namely the COVID-19 relief grant) in real terms.<sup>16</sup> Crucially, this also included cuts to the public sector wage bill, which in effect meant that thousands of vacant posts in education and healthcare (two core 'frontline' sectors during the pandemic) would be left vacant (Forslund, 2021). The unemployed and working class majority are overwhelmingly reliant on public services, especially in the wake of a pandemic, and so the results of these cuts have been predictably devastating.<sup>17</sup>

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<sup>16</sup> Examples and calculations can be found in the February 23 press release by Cry of the Excluded, 2022.

<sup>17</sup> See for example the rise in deaths attributed to severe acute malnutrition, as reported by Maverick Citizen (2022, 29 March).

At the same time, the 2015 High Level Report found that South Africa loses up to 4% of its GDP to illicit financial flows each year, while Global Financial Integrity (2017) estimated losses of up to 8% of GDP. The Davis Tax Committee (2019) estimated that the tax losses from these IFFs amounted to a conservative minimum of R50 bn per year, while the South African Revenue Service Commissioner (2020) stated that over R100 bn was lost to tax evasion each year in general, in part due to BEPS activities. Given the fundamentally clandestine nature of IFFs combined with the systematic underfunding of a South African Revenue Service still recovering from its hollowing out during the State Capture years, the true amount of tax revenues lost to IFFs/BEPS each year would likely dwarf these estimates. If these amounts were reclaimed and used for progressive social spending, then they would at the very least ameliorate some of the most devastating effects of South Africa's inequality.

The 2015 High Level Panel Report also notes the way in which IFFs/BEPS play a role in perpetuating North-South inequality, making Africa a net creditor to the world, and this framing of IFFs/BEPS as a form of continued neo-colonial extraction (put more diplomatically by the AU) is a valuable perspective to explore. However, this aspect of the issue has not been central to IFFs/BEPS advocacy work.

Instead, the framing of IFFs/BEPS and inequality through the issue of public finances or 'financing for development' has been at the core of activism around commercial IFFs. The reason for this might be reflective of the context in which the term originally gained traction; the international tax justice movement's campaign around IFFs/BEPS has been primarily targeted at high-level intergovernmental institutions, hoping to win victories in the form of progressive resolutions, recommendations, and reforms that could then filter down to the national level. This has been strategically advantageous, as this framing of IFFs/BEPS 'softens' the more radical facets of the issue which may lead to a political stalemate at the level of multinational North-South forums.

However, this advocacy focus means that relatively little work has been done on trying to concretise and demonstrate the ways in which IFFs/BEPS impact workers at companies that conduct profit shifting, or how it may impact communities reliant on or affected by those companies' activities.<sup>18</sup> This may partly account for the fact that the movement to combat IFFs/BEPS

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<sup>18</sup> This is not to say that these issues are omitted from the literature. For example, research by Alstadsæter, Bjørkheim, Davies and Scheuerer (2022) has demonstrated that BEPS leads to wage inequalities within companies. The point is that explorations of the ground-level impacts of this aspect are few and far between, relative to studies on the concrete impacts of the development-finance aspect of IFFs/BEPS.



has not found traction in any mass-based movements, despite its relevance to fundamental issues of economic justice. The purpose of this case study is, in part, to attempt to remedy this.

### **Background: A Brief History of Samancor**

Samancor Chrome is a private company registered and headquartered in Johannesburg, South Africa, concerned with the mining and smelting of chrome, and it is the single largest integrated producer of ferrochrome in the world (Samancor, n.d.). It operates six ferrochrome plants and two chrome ore mining complexes situated from one end of South Africa's extractive heartland to the other, with operations in the North-West, Limpopo, and Mpumalanga provinces.

Samancor's history contains many of the key notes in the development of South Africa's political economy. Like many of the other corporate giants that survived the post-apartheid transition, it can trace the roots of its existence directly to South Africa's minerals-energy complex (the term conceptualised by Fine and Rustomjee (1998) to describe the system of accumulation and industrial development that defined the structure of South Africa's economy during the 20th century).

Following the post-apartheid transition and the adoption of the neoliberal Growth Employment and Redistribution Framework in 1998, capital controls were relaxed, and foreign investment reshaped the South African extractives sector. Samancor was first bought out by BHP Billiton and Anglo American in 1998, before being bought out again by a company named Kermas SA in 2005, during a surge of foreign capital investment in the ferro-alloy industry (Basson et al., 2007).

Kermas SA was able to purchase Samancor thanks to a loan provided to Kermas SA's parent company, Kermas BVI.<sup>19</sup> Kermas BVI allegedly received this loan from International Mineral Resources (IMR), a Dutch-registered multinational controlled by three oligarchs from Kazakhstan. In 2009, IMR took effective control of Samancor through a series of actions, including a merger with Kermas' South African subsidiary (Founding Affidavits: AMCU vs Samancor Chrome and Others, [2019]).

This core of this case study concerns events stemming from the Kermas takeover in 2005.

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<sup>19</sup> For clarification, Kermas SA was the direct majority shareholder of Samancor at the time. Kermas SA was wholly owned by Kermas BVI, which was incorporated in the British Virgin Isles and controlled by Croatian businessman Danko Koncar.

## **Trouble at Samancor: Issue Faced by Samancor Workers**

Samancor has an estimated total of well over 6 000 employees spread across its operations (Solidarity, 2017).<sup>20</sup> These are represented by a number of trade unions, including Solidariteit, NUMSA (the National Union of Metalworkers of South Africa), NUM (the National Union of Mineworkers), and the Association of Mineworkers and Construction Union (AMCU), a minority union at Samancor representing 500 members (Founding Affidavits: AMCU vs Samancor Chrome and Others, [2019]).

As part of an Employee Share Ownership Plan (ESOP), Samancor created the Samancor Ndizani Worker's ESOP Trust (Ndizani Trust), which holds an indirect 5.6% stake in Samancor. ESOPs are often found in the South African mining industry, ostensibly in order to create economic empowerment, but practically used as a means of ensuring that companies remain compliant with affirmative action policies (an especially difficult task in an industry described as a “white boys’ club”, where average ownership is at best 39.2% formerly disadvantaged South Africans [AMCU, MINCOSA (Minerals Council South Africa), 2022]). ESOPs rarely involve

actual share ownership by employees, and are generally structured as a trust, with employees being the beneficiaries.

The Ndizani Trust has been one of the major challenges faced by workers at Samancor for a number of reasons. For one, the trust is not accountable, with AMCU being unable to even ascertain the identity of the trustees (Founding Affidavits: AMCU vs Samancor Chrome and Others, [2019]). More relevant to this case study is the fact that Samancor workers have seen very little benefit from their indirect shareholding in the company. AMCU reported that, upon interviewing workers, a number had not received any benefits from the trust at all. Those who had received irregular and infrequent payments, with the largest coming in 2018 after the allegations dealt with in this case study were brought to the fore. The trust was established by means of a loan from Samancor's parent company, Kermas, which was to be paid back with interest (Van der Merwe, 2008), and other workers had further been told that the lack of further benefits was due to the trust needing to use its dividends to pay back this debt (Samancor shop steward, private correspondence, 2020).

However, the key issue facing Samancor workers has been that of looming retrenchments. In January 2020, Samancor issued a notice in

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<sup>20</sup> The exact total is not publicly available, but the true number is likely vastly higher.

terms of Section 189 of the Labour Relations Act (66 of 1995) notifying all employees and union representatives from the smelters that 559 employees are likely to be retrenched (Samancor, 2020). This amounts to a fifth of the entire smelter divisions' workforce. Further warnings of retrenchments were made to over 2 000 workers in the mining division, all of which followed a string of similar notices in the past (Kulkarni, 2020).

In its statement, Samancor cited a number of financial pressures on the company, including increased competition from Chinese ferrochrome producers, the cost of electricity, the increasing cost of production, and “the need to restructure its business to reduce costs and ensure future sustainability”. The key point here is that the company had allegedly reached an unsustainably low level of profitability, and that the cutting of labour costs to ensure its own survival was the most rational option.

At the time of the Section 189 notice, the unemployment rate stood at 30.1% without accounting for discouraged job seekers – the highest in the world (Stats SA, 2020). In these conditions, and taking into account the inadequate nature of South Africa's social safety net, the consequences of unemployment in South Africa are dire – and not just for the unemployed worker. According

to some rough estimates, the average mineworker supports between five and 10 dependents (Chamber of Mines of South Africa, 2016). If all of the possible retrenchments were to go ahead, tens of thousands would be immiserated.

## The Case Against Samancor

When Samancor changed hands in 2005, Kermas brought on board a number of high-level directors and executives in order to manage affairs at the company. Among them was Miodrag Kon, a distant relative of Kermas BVI director Danko Koncar. Kon took a position on the boards of both Samancor and its major shareholder, Kermas SA.<sup>21</sup> From 2006, Kon became increasingly suspicious as he saw Samancor enter into various business agreements that ranged from illogical, to financially detrimental, to legally dubious. These activities were allegedly orchestrated by a group within senior leadership consisting of the Samancor CEO, Samancor and Kermas SA directors, and Kermas BVI group director Danko Koncar.<sup>22</sup>

After voicing his objections to these transactions, Miodrag Kon was finally

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21 Kermas SA was a wholly owned subsidiary of Kermas, and Samancor's majority shareholder. It was through Kermas SA that Kermas allegedly exercised control over Samancor.

22 Koncar is a Croatian businessman with extensive interests in other chrome companies. He was also fined €120 million by Finnish authorities for corporate misconduct in 2020.

dismissed on spurious grounds in 2009. Frustrated with what he saw as an injustice against smaller shareholders, Kon attempted to bring the case to various parties over the following years. After a number of fruitless meetings, Kon met with lawyers of Richard Spoor Incorporated as well as AMCU, who together agreed to take up the case based on the evidence and testimony of Kon. This section will outline allegations of two key schemes paradigmatic of IFFs/ BEPS arrangements, as contained in Kon's affidavits and supplementary evidence.<sup>23</sup>

Prior to 2005, Samancor's chrome products were marketed by means of a joint venture between its former owners. At the time of the sale to Kermas SA, this joint venture took a sales commission of 2.5% for export sales and 2% for domestic sales. However, Kermas SA ended this arrangement in 2005 as part of their acquisition, and instead handed distribution rights to a company named Samchrome, based in the notorious tax haven of Malta. Samchrome was almost wholly owned by Kermas BVI – a fact which, according to Kon, Samancor directors were not aware of.

According to the distribution agreement, Samchrome was able to charge an incredible 9% commission on

Samancor sales. This led to Samchrome becoming incredibly profitable, reporting a \$72.3 million profit in 2006/7. This arrangement was highly suspicious, given that Samchrome's financial information from the same year reported that wages, pensions, social security, insurance and telephone costs were zero. The actual marketing work was instead sub-contracted out to agents, while Samchrome operated seemingly as an empty 'shell' company. It is worth noting that Samchrome was shifted to Dubai during the period under investigation, so as to take advantage of Dubai's 0% tax rate.

The second arrangement concerns a contract between Samancor and a company named RCS Ltd (Malta), signed in 2008 – the same year in which 'RCS Malta' was established. In 2009, RCS Ltd invoiced Samancor for four months of "management services". The total was a staggering amount of over \$1 million per month, paid out by Samancor.

Kon contends that RCS Malta had no employees and provided no services of any substance. Further, the chain of ownership from RCS Malta leads right back to Kermas BVI and Danko Koncar, meaning that Koncar held an undisclosed interest in this contract. Through emails provided by Kon, it would seem that this transaction was initially blocked by the South African

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<sup>23</sup> Some of the documents have been made publicly available, most of which can be found in *The Great Samancor Heist* (van Rensburg, 2019).

Reserve Bank. However, Samancor in the end paid out the \$4 million to an ‘RCS Bahamas’ - the company through which Kermas BVI held an interest in RCS Malta. Kon alleges that this \$4mn was paid out to a bank account based in Jersey, a notorious tax haven and secrecy jurisdiction, so as to avoid Malta’s already low 4% tax rate and avoid further scrutiny by South African authorities.

There are many other, more intricate arrangements in the affidavits, but these two are the closest to textbook case examples of commercial IFFs/ BEPS. Through these two arrangements alone, Samancor’s reported profits were millions of dollars lower than they should have been, given that these arrangements had no commercial substance, and served no purpose other than to shift Samancor profits to companies where the ultimate owner, Kermas BVI, enjoyed direct control and less oversight over the revenue, while enabling them to avoid the 28% corporate income tax rate applicable in South Africa.

Kon’s original estimate was that Samancor might have lost up to \$1.9 billion between 2005 and 2009 from the arrangements and transactions made under Kermas. Worse, both Kon and AMCU believe that many of these arrangements were not halted when Samancor changed ownership to IMR

in 2009. Instead, the new owners may have simply taken over as beneficiaries of these illicit financial flows themselves. For example, following Kermas’ exit, IMR’s wholly owned subsidiary Samchrome FZE Dubai took up the same marketing agreement at the same 9% commission.

Illicit financial flows such as those alleged to have originated (and perhaps still do originate) from Samancor are more commonly dealt with as tax or corruption issues. On what basis have workers then taken up this case? In terms of the legal basis, a provision in the South African Companies Act (2008) allows for a minority shareholder to be granted access to a number of remedial actions in cases where they believe that the company has acted against shareholders’ interests. AMCU is able to take on this case as they represent the interests of minority shareholders through their members being part of the Ndizani Workers’ Trust, which indirectly owns a 5.6% stake in Samancor, and would therefore have a strong and legally sufficient interest in the hidden haemorrhaging of Samancor’s revenue.

At present, the fact that neither AMCU nor Samancor have provided a public update on the status of the case indicates that the matter is fiercely contested and still far from any conclusive outcome. However,

given the weight of evidence provided, in conjunction with a whistleblower testimony, it would seem that AMCU's prospects of success are strong.

### Case Study Analysis

This case has a number of dimensions which deserve to be explored further, but are out of the scope of this paper. This section will instead focus on the aspects of this case related to the core themes of inequality and IFFs/BEPS as introduced earlier.

The core of AMCU's argument in this case has been that these illicit transactions have caused serious losses for Samancor, which may have done long term damage to the company's financial position and created a position of *artificial unprofitability* at the company. The consequences of this have been framed in terms of its impact on the Ndizani Trust because of the necessity of using the Companies Act as an entry point. However, the implications of AMCU's argument are far greater than this.

In their application, AMCU argues that they are taking up this case in the public interest, as "thousands of Samancor employees will benefit as beneficiaries of the Ndizani Trust as well as from Samancor's improved ability to pay higher salaries and/or better benefits" (Mphahlele, Founding Affidavits: AMCU vs Samancor

Chrome and Others, ((2018): 26). The latter is a key point to consider: If we assume that Samancor was right in claiming that its financial position left it with no choice but to consider mass retrenchments in 2020, then would this still have been the case had it not been losing billions of Rand to corporate corruption in the preceding years? Given the scale of the losses, it is difficult to imagine hearing an honest yes. In its retrenchment notices, the company also notes its openness to discuss alternatives. If presented with the alternative of recovering and investigating billions lost to IFFs/BEPS, would the proposed retrenchment of workers instead not become an indefensible choice in collective bargaining processes? Taking up the issue of IFFs/BEPS within the wage bargaining context holds the potential to constitute a powerful challenge to income inequality.

Beyond the issue of income inequality and labour, it must also be noted that companies like Samancor are often expected to invest in community and infrastructure development in order to ensure that communities benefit from fundamentally harmful extractive activities. For example, mining companies in South Africa generally need to design and adhere to Social and Labour Plans, which lay out their commitments and strategy for development and employment in each

respective area of operations. However, there are often cases of mining companies failing to implement or adhere to these Social and Labour Plans, with one of the most notorious cases arising in the aftermath of the Marikana massacre. Investigators found that the mining company Lonmin had only constructed three of the 5 500 houses it had committed to and, when pressed for reasons, Lonmin had argued that it simply ran out of money.

At another part of the investigation into Lonmin, the *Bermuda Connection* report (Forslund, 2015) attempted to look at the affordability of the Marikana rock drill operators' demands on Lonmin. This report found strong indications that Lonmin had been engaged in profit shifting schemes much like those at Samancor, including overly generous sales commissions sent to tax havens, and spurious management fees paid to the ultimate parent company. The focus of the report was on the affordability of wage demands and income inequality at Lonmin, but the findings have just as much relevance for the issue of capital for community and local development. In this case, IFFs/BEPS can be seen as further contributing to the ever-present inequality that exists between the conditions of mine-affected communities and the enormous wealth exported from those same mines.

## **Turning the Issue Upside Down: A Bottom-Up Campaign against IFFs and BEPS?**

The concept of IFFs/BEPS has been a valuable tool in achieving the goals of international tax justice campaigns, fostering cooperation and creating space for progressive reforms that may shift the balance of power ever so slightly away from multinational and transnational corporations. This case study and analysis has hopefully shown that the concept of IFFs/BEPS also relates directly to the interests and struggles of those at the coalface of economic value generation. Dick Forslund provided a useful summary of these linkages in support of AMCU's application:

The case affords the opportunity to widen our view on the effects of BEPS on South Africa. If Mr Kon's allegations are correct and this case is successful, AMCU's litigation will illustrate that the SARS is not the only stakeholder that loses out from illicit outflows and so called tax evasion. Profit shifting is not only evading taxes or eroding the tax base. It also erodes the base for wealth accumulation for historically disadvantaged shareholders and workers and community trusts, workers' pensions, as well as the base for wage increases.

*(Forslund, Founding Affidavits: AMCU vs Samancor Chrome and Others, [2018]: p. 13)*

There is immense potential in bottom-up campaigns against IFFs/ BEPS that can act in parallel with the work being done by high-level campaigners for a number of reasons. Groupings like organised labour are intimately familiar with the activities of multinational corporations on a company-by-company basis, and once capacitated, have the potential to identify and challenge these practices from the inside. IFFs and BEPS are also politically useful concepts to use as leverage into progressive economic reform due to their cross-cutting nature. However, the political terrain, modes of campaigning, and interests of community-based organisations or mineworkers' unions are different from the world of intergovernmental organisations, development forums, and policy briefs in which the IFFs/ BEPS concept has gained traction. Can the work of building a combined campaign be done, without the value of the concept being lost in translation?

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## Extractivism and Dispossession: The Case of Kavango Oil and Gas Exploration

*Rob Parker and Rinaani Musutua*

The “scramble for Africa” at the Berlin Conference of 1884–85 describes powerful European nations dividing Africa between themselves and represents the occupation and colonisation of much of the continent. Even though Africa is no longer made up of a collection of colonial territories, sovereignty is weighed down by the persistent dynamics of neo-colonialism.

Africa’s subordinate position as the supplier of natural resources to former colonial powers and importer of manufactured goods has remained practically unaltered.

Exemplifying this dynamic is Canadian company ReconAfrica, which has a license to explore for oil and gas in an area the size of Switzerland within northern Namibia



*Andreas Hawano in front of his sorghum fields, one part of which was occupied by ReconAfrica without prior warning or notification. Photo by John Grobler, Oxepeckers*

and Botswana, despite having no history of success. ReconAfrica likes to tell investors that the terms of the deal were so favourable as to be “unheard of”.

### **Illicit Financial Flows**

Western extractive corporations are major beneficiaries of Africa’s natural wealth, making super-profits and huge returns on investments from the externalisation of risk and the illicit outflow of money.

The United Nations Conference on Trade and Development (UNCTAD) in Africa produced a report in 2020 which focused on trade mis-invoicing and capital flight. The report states that Africa loses between \$30 billion and \$52 billion per year due to trade mis-invoicing, particularly under-invoicing in the extractive sector (UNCTAD, 2020). Under-invoicing causes African governments to lose billions per year in foreign exchange, weakening tax collection and lowering state expenditure in crucial social sectors.

Extractive companies on the continent have used multiple schemes to achieve tax avoidance which are difficult to detect. Companies would import goods and services from one of their subsidiaries, secure finance from another, and sell upstream to yet another, thus shielding their profits from African governments.

The United Nations Economic Commission Africa team said that other methods include kickbacks and other forms of corruption involving civil servants; criminal activity such as drug and money trafficking and money laundering; and fraudulent commercial transactions such as tax evasion, the distortion of money transfer charges and over-billing.

Former ReconAfrica CEO and Chairman of the Board Jay Park recently left the company. Park was tied to dubious payments in Somalia (Reuters Staff, 2015), Tunisia and Chad (Gerson, 2013) before coming to Namibia.

### **ReconAfrica and the Communal Land Reform Act**

While the company has not discovered oil, and is not likely to, the way they have acted on the ground serves to illustrate how they might behave if they ever reached a stage where profits have to be shared. Their actions illustrate their disdain for the communities in which they operate. Kawe, located in Kavango East Region, was ReconAfrica’s first drill site. Community activists and residents state that no consultations were conducted prior to the arrival of the drill rig. A local farmer, Andreas Mawano, appeared on Sky News and stated that his mahangu field was taken from him and that he was not compensated.

The Mbambi community, who reside in the area of the second drill site, had gathered at the request of the company on 25 January 2020, but ReconAfrica representatives did not show up. Yet early in 2021, the company falsely told the public that they had held all required consultations. Communities are left to wonder how an EIA was approved for drilling without having a critical list of interested and affected parties in compliance with Namibian law.

The families in Mbambi were given no opportunity to protect or defend their land rights or oppose ReconAfrica's illegal acquisition of their customary land. According to a May 2021 statement by the Legal Assistance Centre, ReconAfrica is engaged in an "unlawful occupation" of communal land. The company still has not obtained the rights to occupy the area from the land board. Multiple families are suing the company in the high court of Namibia.

Local communities were dispossessed of their land rights in violation of the Communal Land Reform Act, 5 of 2002 (as amended by the Communal Land Reform Amendment Act, 11 of 2005). Community members had no opportunity to defend their land or oppose ReconAfrica's acquisition of customary land. This represents a blatant violation of the internationally

recognised right to free, informed, prior consent by the local people who are being dispossessed by ReconAfrica.

The company has no right to occupy land at Mbambi village without the ratification of such rights by the Communal Land Board. Any allocation of a customary land right made by a chief or traditional authority has no legal effect unless the allocation is ratified by the relevant land board (section 24 of the Communal Land Reform Act). This was never done. The Act also provides that no person shall, without "written authority of the Chief or Traditional Authority, and ratification by the board concerned" (section 29(4)) "erect or occupy any building or other structure on the commonage" (subsection (a)), or "carry on any activity on the commonage, other than the lawful grazing of stock, which may prevent or restrict the residents of the traditional community concerned from a reasonable exercise of their grazing rights" (subsection (e)).

ReconAfrica promised jobs and development. However, the company provides only poorly paid temporary jobs. Community members have testified that this has created distrust toward Recon Africa within the region.

ReconAfrica ignores Namibian labour law by introducing casual employment. The Labour Act (11 of

2007) does not make any provision for casual employees. The company hires workers for 2 weeks or less and then replaces them with new ones. It appears that ReconAfrica does this to claim that hundreds of Namibians are employed by the company. Given their violations of other laws, the company also has an interest in limiting the number of people who are aware of the full extent of the company's operations.

It is also suspected that ReconAfrica has hired foreign employees who don't have Namibian work visas. In February 2021, the company denied labour inspectors access to the Kawe drill site for inspection and then threatened to sue the labour inspector.

Even though there is compelling evidence of ReconAfrica violating Namibian laws, President Geingob has hailed ReconAfrica as a "lifesaver" for Kavango West and Kavango East regions, which are the poorest in Namibia (Ndjaveru, 2021). The Namibian Government has not put any pressure on ReconAfrica to make it follow the laws of the country and reinvest in the communities in whose territories they operate.

## **Water**

ReconAfrica constitutes a significant threat to water resources, agricultural land, livelihoods and wildlife in the area. If allowed to continue, the

company will severely disrupt the way of life of indigenous people through dispossession and poisoning of their ancestral land and water resources on which they depend for survival.

Onsite visual assessments of the containment ponds have revealed that they had not been lined with appropriate waterproof barriers. No lining or other method of rendering the containment ponds impervious has been made despite the requirement that there should be a double lining system coupled with monitoring. They are therefore in violation of the Environmental Compliance Certificate issued by the Ministry of Environment, Forestry and Tourism. Despite the extensive publicity that ReconAfrica has generated over the drilling of water wells there will be no benefit accrued if the groundwater is contaminated by drilling effluent.

ReconAfrica lacks respect for the indigenous rural people of Kavango East and Kavango West regions whose livelihoods are entirely dependent on access to clean groundwater. It has shown blatant disregard for those directly affected by its illegal operations, which have resulted in the destruction of homes and the displacement of families, and if allowed to continue, will severely disrupt the way of life of local communities.

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## ***Gender, Sexuality and Women’s Rights***

# **A Feminist Critique of Institutional Racism and Gender Essentialism: In Defence of Christine Mboma and Beatrice Masilingi**

*Ndeshi Namupala and Nashilongweshipwe Mushaandja*

### **Abstract:**

*This article is a critical response to World Athletics (formerly the International Association of Athletics Federations) and the western ethos of athletics for their sustained systemic*

*exclusion of women, particularly black women. We make a case in defence of two Namibian athletes, Christine Mboma and Beatrice Masilingi, who were removed from the 400-meter race*



*John Kalunda (also known as Jacky Mabaso) standing in front of his mural painting titled “We are Proud of You” that was produced as part of the #WindhoekMuralProject curated by the ENK Institute of Public Art*

*Photo credit: ENK Institute of Public Art.*



*in the 2021 Olympics in Tokyo, Japan due to the World Athletics testosterone rule. The rule appears to be primarily applied to female athletes from the Global South. This article argues that the testing regulation is demeaning, is based on questionable science, and targets women based on racial and gender stereotypes. We posit the testing regulation to be problematic and demeaning to all women, as it implies that women having high testosterone levels places them at a competitive level similar to that of men, and that testosterone is the sole key to their athletic success. This strategy, which we see as a form of institutional racism and sexism, has been widely criticised in international scholarship, media and other public spheres. Mboma and Masilingi are amongst the black women who have recently been excluded from elite sports and subjected to this kind of scientific racism and gender essentialism. Other athletes include South Africa's Caster Semenya, Burundi's Francine Niyonsaba and Kenya's Margaret Wambui. Caster Semenya, an Olympic athlete, "was subjected to genetic, gynaecological, psychological, and endocrine gender verification" (Swarr et al., 2009). The article will unpack how black gender-non-conforming bodies pose an administrative challenge for institutions such as World Athletics, and how as a result they are othered through overt human rights violations. Our critique of gender essentialism is also extended to racist, sexist, homophobic*

*and transphobic people in the Namibian context who seemed to be offended by witnessing this systemic violence in their performativity of nationalism.*

**Key terms: Sports; gender essentialism, testosterone, sexuality, World Athletics, performative nationalism**

## **Introduction**

The world of sport impacts society in various ways, including by promoting social cohesion and national pride. This has been reflected in the outpouring of national pride after Team Namibia's excellent performance at the 2020 Tokyo Olympic Games in Japan. For a moment, Namibia seemed to have set aside differences and divisions, particularly those based on different economic status, ethnic identity and social values. The focus was specifically on Christine Mboma, Beatrice Masilingi, and their coach Henk Botha. Mboma and Masilingi are from Namibia's northern regions of Kavango East and Zambezi respectively. The athletes, together with their coach, re-established Namibia's presence on the international scene through success in their sport codes, as other athletes such as Frank Fredricks, Helalia Johannes and Johanna Benson, among others, had done before them. We argue that the two athletes and their coach re-energised many Namibians' sense of national identity,

with people from all corners of the country forging a stronger sense of nationhood. The whole nation cheered when the 200m final was broadcast live on television and social media platforms. The jubilation and support for the Namibian athletes were echoed in different parts of the world. The spectacular performances of Mboma and Masilingi led to their becoming targets of discriminatory rules against women athletes. Mboma and Masilingi became the latest victims of the gender verification testing instituted by World Athletics.

In as much as the world of sports encourages nationalism, it also gives insight into issues of sexism, racism and other social injustice such as homophobia. Arguing for diversity from a social justice perspective, we make a case in defence of two Namibian athletes, Christine Mboma and Beatrice Masilingi, who were removed from the 400-meter race in the 2020<sup>24</sup> Olympics in Tokyo, Japan due to the World Athletics<sup>25</sup> testosterone rule. The rule appears to be primarily applied to women athletes from the Global South. This article argues that the testing regulation is demeaning and based on questionable science, and

targets women on the basis of racial and gender stereotypes. We posit the testing regulation to be problematic and demeaning to women. It implies that women with high testosterone levels are at a competitive level similar to men, and that testosterone is the sole key to their athletic success. Mboma and Masilingi are amongst some of the black women who have recently been excluded from elite sports and subjected to this kind of scientific racism and gender essentialism. The article unpacks how black gender non-conforming bodies pose an administrative challenge for institutions such as World Athletics, and as a result, they are othered through overt human rights violations. Our critique of gender essentialism is also extended to racist, sexist, homophobic and transphobic people in the Namibian context who seemed to be offended by witnessing this systemic violence in their performativity of nationalism.

Considering the long history of women's struggle for equal participation in the Olympics and other elite sports arenas, what becomes evident is that these arenas are entangled and implicated in the global "coloniality of sex, gender and sexuality" (Tamale, 2020). In this article, we analyse this struggle from a feminist perspective, particularly as it pertains to black and gender non-conforming women athletes. Methodologically we relied on

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24 The 2020 Tokyo Olympics were postponed and took place in 2021, although they are still referred to 2020.

25 World Athletics was previously referred to as the International Association of Athletics Federations (IAAF). Although some of the sources used referred to the IAAF, for the purpose of this article we will make use of 'World Athletics'.

secondary or desk sources consisting of media reports, journal articles, reports and documents, as well as cultural production such as public art. We present a discursive analysis drawing on feminist perspectives from our respective fields of sociology, cultural studies and performance studies.

### **Gender Essentialism: A Western Construct?**

It is necessary to unpack the idea of gender essentialism, the problem of gender, as a western construct that has been historically enforced through systemic and institutional structures of the state, religion and tradition. Gender essentialism refers to the uninformed assumption that men and women are fundamentally different, based on biology. This theory is responsible for gender stereotypes and hence enforces rigid gender roles as a way of maintaining the patriarchal system. These essentialist notions produce gender binaries through stereotypical ideas such as ‘women are caretakers and men are aggressive’. Such perspectives are usually better understood when placed in their specific historical contexts. That is to say, that gender essentialist perspectives are often entangled with other essentialist ideas such as race, class and sexuality. It is on this basis that feminist scholars such as Narayan (1998) remind us of the similarities between gender essentialism and cultural essentialism.

Narayan writes:

There are a number of similarities between gender essentialism and cultural essentialism. While gender essentialism often proceeds to assume and construct sharp binaries about the qualities, abilities, or locations of “men” and “women,” cultural essentialism assumes and constructs sharp binaries between “Western culture” and “Non-western cultures” or between “Western culture” and particular “Other” cultures.

*(Narayan, 1998, p. 88).*

Narayan’s argument poses an interesting challenge to our point that gender essentialism is inherently a western construct. It does so by reminding us that this dichotomy of ‘the west and the rest’ in itself is a colonial construct which does not always account for what is situated between the two sides. To support our insistence on the point that gender essentialism is a western construct, we draw on Oyèrónké’s (1998) acclaimed theorisation of making African sense of western gender discourses. Oyèrónké writes, “Yoruba kinship terms did not denote gender, and other nonfamilial social categories were not gender-specific either. What these Yoruba categories tell us is that the body is not always in view and on view for categorization” (Oyèrónké,

1998, p. 14). Oyèrónké argues that social hierarchy amongst the Yoruba people of West Africa has always been about relatedness and social relations; reminding us that one's biology was not a determining factor for one's social position.

Oyèrónké's perspective is not to be conclusive for all African contexts. However, in the Namibian context, previous gender studies, notably the work of anthropologist Heike Becker (2000; 2007) have established that religious practices like Christian Evangelism, German colonialism and apartheid regimes, were central in shifting gender dynamics and enforcing essentialist notions of gender. In her 2007 study on tradition and gender, Becker notes that relationships in pre-colonial Owambo, for example, were egalitarian, and that women held positions of influence and power. There were women who occupied leadership roles, including in the preservation of indigenous knowledge. This meant that there was a matrilineal system which afforded women considerable measures of agency, authority, and ownership. Becker highlights how Christianity laid a foundation for concretising rigid roles and stereotypes through their imported systems of social control. Becker notes:

The colonial construction of gender further led to essentialist ideas of gender, as it isolated the

category of 'women' from other social categories such as age, wealth and so forth. It negated social differences between women and between men, which had very real consequences for their power and their identities. The idea was that 'women' were a social category whose place was in the 'tribal areas' producing agriculture or engaged in animal husbandry to subsidise the system of cheap male migrant labour.

*(Becker, 2007, p. 29).*

This historical context tells us that gender essentialism is a global issue that was expanded through colonial modernity, and therefore functions as a device of what feminist author bell hooks called "White-Supremacist Capitalist Patriarchy". While gender essentialism might differ in every other context, it is a practice of sameness that is globally distinctive as a part of what bell hooks also termed as "interlocking systems of domination" (hooks, in Sully, 2018). The Olympics are no stranger to this globalised system of oppression. Abolitionist author Namupa Shivute reminds us that "misogyny was a key cornerstone of the Olympics since its inception in 1896 and no women participation was allowed until 1900. Afterwards, women continued to be unfairly constrained within patriarchal and sexist confines" (Shivute, 2021).

## Gender and Sexual Diversity in Sports

There are many areas of diversity and inclusion that warrant attention in the world of sport. Among them are the diverse forms of sexuality and gender. While sports bodies such as World Athletics, the International Olympic Committee (IOC) and others are content to take positive action around equality in general, there appears to be major hesitancy in taking action related to sexual diversity and gender identity. The world of athletics in particular continues to disadvantage female athletes who do not conform to the idealised standards of femininity and masculinity. Although many of these sports bodies claim to practice diversity, the assumption that individuals must precisely fit into the binary of female and male is contrary to the inclusivity they preach. For individuals to compete as athletes, they must align themselves as female or male. This becomes challenging for individuals with Differences of Sexual Development (DSD), such as Christine Mboma, Beatrice Masilingi, Caster Semenya and others. These athletes are excluded from participating in elite competitive structures of sport due to the non-conformity of gender and sexual essentialism.

Despite their claim to practice diversity and inclusion, institutions such as World Athletics, with

barefaced disregard for the diversity of individuals, enforce discriminatory regulations based on gender and sexual stereotypes. Diversity or inclusion here is used to refer to acknowledging and appreciating a diverse range of differences in terms of gender, sexuality, race, ability and other social relations through inclusion and acceptance. According to According to Brayboy (2003, p. 73, in Spaaij et al., 2018), sports institutions often view diversity as “something that can be implemented without necessarily changing the underlying structure of the institution and its day-to-day operations”. This is reflected in World Athletics justifying their “gender verification” instituted for female athletes especially from the Global South, paying only lip service to the diversity and inclusion which they claim to practise. What we witnessed in the 2021 case of Christine Mboma and Beatrice Masilingi is a tale of World Athletics’ obsession and fixation with policing, controlling and confining gender non-conforming bodies, particularly those of women.

African feminist scholar Sylvia Tamale (2020) makes a compelling argument in her comparison between two Olympic athletes Caster Semenya and Michael Phelps, showing us how they were treated differently even though both their bodies do not fall in the neat lines of gender and sex essentialism. Tamale argues:

“What they share in common is that both are contemporary Olympic athletes whose bodies defy conventional understandings and challenge the normative colonial logics regarding the human body. Beyond that, the two inhabit very different worlds, particularly in terms of race and class. Indeed, there is a world of difference in their sporting experiences. Discourses imposed on Phelps and Semenya by the public and other external entities are also quite different” (Tamale, 2020, p. 100).

While both Semenya and Phelps are treated as “Othered”, as freaks of nature (Tamale, 2020, p. 108), one fundamental difference that Tamale points out is that Semenya, a black intersex woman from rural South Africa, was subjected to testing and hormonal therapy while Phelps, a white American heterosexual male with socioeconomic privilege, was not subjected to these institutional interventions (Tamale, 2020). In order to “...liberate our knowledge production from the pitfalls of European rationality/modernity” (Tamale, 2022, p. 44), we need to revisit African indigenous genealogies of gender while making space to reimagine gender beyond heteronormative thinking. Tamale therefore returns us to ‘Decolonial African Sex/Gender Systems’, referencing previous African studies on gender and sexuality that have demonstrated that African

indigenous concepts of gender and sex were fluid.

## **Institutionalised Racism and Sexism**

Throughout history, athletes, particularly black and female athletes, have faced social and sexual injustices within their various sport codes. At the same time, these athletes are often confronted with similar challenges within the larger society. Sexism, racism and other injustices are endemic in professional sports and daily life. Various scholars (e.g. Lee & Cunningham, 2019; Spaaij et al., 2018) have argued that sport as an institution still reflects and reinforces various hegemonies of oppression and inequality, such as racial, gender, sexual orientation, and social class prejudices. Those prejudices and inequalities have negative effects on sport as a whole (Lee & Cunningham, 2019). Most notable is the overt manifestation of racism and sexism towards two Namibian black female athletes, Christine Mboma and Beatrice Masilingi, who have been victims at the hands of World Athletics and the IOC. The two girls were banned from participating in the 400- and 800-meters races due to their high testosterone levels. For years, World Athletics and the IOC have been accused of institutional racism and sexism due to their mandatory gender testing rule, as we unpack in the following section of this article. This

rule implies that Mboma and Masilingi qualify as female when they are running shorter 100- and 200-metre races, but are not officially female when running distances that are beyond 400 metres. The rule appears to be biased against excelling black and brown women athletes, particularly from Africa and the Global South. The discriminatory rule was seen as unfair as it only applies to some athletes but not others. For example, a New Zealand weightlifting athlete, Laurel Hubbard, was allowed to compete as a female under the rules if her testosterone level was below the given threshold. Hubbard, who transitioned from male to female, competed in the female category and won. When the IOC was questioned about this, they could not pronounce themselves on the issue of transitioning time (Southern Times Africa, 2021).

Institutional racism and sexism are reflected in the World Athletics' mandatory gender testing rule. As Human Rights Watch report puts it, "the fact that there is only such a regulation for women and none for men, means the regulations are intrinsically discriminatory against women. Athletics regulations have resulted in profiling and targeting women according to often racialised gender stereotypes, which has a deleterious impact on all women" (Karkazis, 2020). Inasmuch as sport has the power to unify communities

and even the world, various media have shown us that it has also been used to perpetuate racism, sexism and other social injustices (CNN, 2021; Dzhanova, 2021; Love, 2019). It has been used to privilege some social groups over others.

### **Mandatory gender testing rules in athletics**

For many decades, the world of sport has been subjecting women to exclusionary, restrictive and oppressive systems by regulating their participation in sport. This includes the mandatory gender testing rules targeting female athletes that violate their fundamental rights to dignity and privacy. World Athletics is one of the biggest culprits in violating female athletes' human rights with their DSD testing regulation. With their long history of gender testing, in 2018 World Athletics "revised" regulations that requires the blood testosterone level of female athletes with DSD to be reduced to below 5 nmol/L for a continuous period of at least six months, and thereafter to be maintained to below 5 nmol/L continuously for as long as the athlete wishes to remain eligible (World Athletics, 2018). This applies to female athletes who wish to compete in races over 400 metres or more, and all hurdle races. Such athletes have to change their bodies either through medication or surgery, failing which they must compete as males. The testosterone

rule thus implies that athletes who have testosterone levels above the threshold are male when they run in some races, but female in others.

World Athletics' obsession with testosterone and the supremacy of the male hormone is inherently concerned with the essentialisation of gender and the assumption that testosterone equals power and control, which are the preserve of men in a patriarchal society. World Athletics has been widely criticised for this absurd rule, which is regarded as a violation of the athletes' human rights. Writing in Human Rights Watch, Karkazis (2020) states:

Sex testing regulations, including the World Athletics 2019 regulations and its precursors, and the manner in which they are implemented, including their repercussions, discriminate against women on the basis of their sex, their sex characteristics, and their gender expression. Sex testing violates a range of internationally protected fundamental rights including to privacy, dignity, health, non-discrimination, freedom from ill-treatment, and employment rights. These punitive regulations push them into unnecessary medical procedures that are conducted in coercive environments in which humiliated women are forced to choose between their careers and their basic rights

World Athletics continues to maintain that the rule is a way to “level the playing field”, (World Athletics, 2018). The Court of Arbitration for Sport, while admitting that the rules are “discriminatory”, holds that such discrimination is “necessary, reasonable and proportionate” (Chung, 2019). Besides, the “level the playing field” argument uses the sex binary of male and female, while ignoring the innumerable other natural and environmental factors that contribute to each athlete's relative advantages and disadvantages, from height and lung capacity to coaching and training facilities, none of which are used as a formal basis for separate categories of competition (Krech, 2017).

World Athletics has also been accused of being discriminatory towards women athletes from mostly Africa and Asia when applying the DSD rule. Among those who have been critical of the mandatory gender testing rule are India's Dutee Chand and South Africa's Caster Semenya. The two have been subjected to gender testing and challenged the World Athletics rule through the Court of Arbitration for Sport in 2015 and 2019, respectively. Chand won her case (Krech, 2017), setting a precedent for other athletes who have experienced similar bans. It was expected that Chand's win would show that World Athletics, despite being the duly authorised regulator of



international athletics competition, should not operate unconstrained in policing the boundaries of sex and gender (Krech, 2017). However, Semenya lost her case, allowing World Athletics to continue forcing women with high testosterone levels to take suppressive medication if they want to participate as females in the longer distance track events of 400 metres to one mile, and hurdles events. Other female athletes affected by the rule are Burundi's Francine Niyonsaba, Uganda's Annet Negesa, and Kenya's Margaret Wambui. Some of these athletes' running careers ended due to coerced surgery or medication enforced by the regulation. According to Chung (2019), the treatment of athletes with elevated levels of testosterone in the last decade is not only abusive but also a modern reflection of colonialism that must be considered within the context of racial hierarchies. Chung argued that:

Throughout history, colonists have imposed violence on peoples of the Global South, often patronizingly in the name of care for those they harmed. Female Black bodies, specifically female Black bodies from South Africa, have a long history of violence stemming from the white, male gaze. In the early 1800's a Khoikhoi woman was taken to England from her home of South Africa and given the name Sara Baartman. In

London and later in Paris, she was displayed naked to Europeans who were fascinated with her genitals. When she passed away, her body was dissected and put on display in a French museum. Modern sex testing is strikingly reminiscent of both this fascination with the Black female body and the concept of violence disguised as care.

*(Chung, 2019)*

Mandatory gender testing re-emerged in July 2021 with the cases of the Namibian athletes, Mboma and Masilingi. They were allowed to compete in the 200-metre race, which required quite different preparations at short notice. Furthermore, their case has reopened the debate about DSD athletes, who still criticise World Athletics for infringing on human rights. The athletes have to endure their sexuality being questioned publicly over their higher testosterone levels. Mboma and Masilingi are quoted as describing the ban as “a very bad experience”, “quite disturbing”, “I just don't get it [...] It's very cruel” (Burke, 2021; Ronay, 2021). Affected athletes thus feel discriminated against and struggle with emotional and psychological trauma. The questioning of their womanhood and sexuality and the violation of their privacy are unacceptable. At such a young age, these girls are asked to take hormone-suppressing medications. Ronay

argues: “There is something troubling about asking a woman athlete to take a drug that alters your natural state, affects your mood, interrupts your talent, suppresses what your body does naturally. This solution feels like the wrong side of history. Time will not judge it kindly” (Ronay, 2021).

### **Performativity, Public Discourse, and Nationalist Sports**

The critique of institutionalised racism and sexism also applies to Namibia’s elite institutional cultures. The post-apartheid nation state’s project of nationalism and nation-building and the public discourse that it dominates are characterised by performativity and notions of performance. One literal example of this is how the state uses ‘traditional performances’ for the construction of a national culture that relies on ethnicity (Akuupa, 2015). This ‘Namibianess’ is a form of cultural essentialism in the sense that it does not recognise the colonial roots of ethnic production. Another example of performative Namibianess is the temporary and fragmented moments of unification that were performed as a response to Mboma and Masilingi’s outstanding performances at international meetings. During these moments, various members of the Namibian public experienced this collective euphoria and national pride. The tears of joy as

well as the excitement were refreshing to experience and offered moments of reconciliation for many Namibians during a difficult time in which many were not feeling united due to sustained and growing socioeconomic inequality. Other Namibian athletes who made the nation feel this euphoria were Frankie Fredericks (between 1992 and 2003), Agnes Samaria (in 2002, 2007, and 2008) and Johanna Benson (between 2012 and 2015). The public reaction to these recent exceptional performances by Namibian athletes on the international stage shows us that athletics occupies a special place in forging national unity.

In Namibia, the performativity of the nation tends to be a kind of unity that is euphoric, yet superficial. The ways in which it is embodied can be understood along the two trajectories of euphoria and superficiality. For instance, consider how Namibians from diverse backgrounds collectively celebrated the success both Masilingi and Mboma while also standing in solidarity with them. Countless individuals and institutions were Mboma’s and Masilingi’s cheerleaders, using diverse fora such as social and traditional media and public art to express their appreciation and support. Mboma, Masilingi and their coach Henk Botha became notable and heroic figures; the symbolism of this euphoric moment became part of the visual

register of Namibian iconographies when the Windhoek-based ENK Institute of Public Art curated a mural by local visual artist John Kalunda at a prominent site in the capital city. This piece of public art, created in 2021, reflects the national pride generated by recent athletic victories.

In their curatorial statement posted on the Facebook page, the ENK Institute of Public Art describes the inspiration behind this work of cultural production as follows:

Throughout the pandemic, many forms of routine were taken away from us. However, our focus turned to our television screens as we viewed the electric rise & achievements of our athletics athletes. Christine Mboma, Beatrice Masilingi, along with their tactically gifted coach Henk Botha - gave Namibians the thrills of excellent global achievement throughout the year 2021. And through their achievements, we began to learn that our paralympian athletes that have also been achieving with Ruben Gowaseb, and more recently with Ananias Shikongo”.

*(ENK Institute of Public Art. (2021, 17 November). Throughout the pandemic, many forms of routine were taken away from us. Facebook.*

This note highlights the symbolic and material significance of these recent athletic triumphs. It serves to remind the viewer about the difficult period in which these athletic successes occurred and the possibilities of reconciliation and nation-building that they bring. This difficult period is marked by immense loss caused by the COVID-19 pandemic that claimed so many lives in Namibia, and throughout the world. It is also defined by the sustained socioeconomic inequalities and the widening poverty gap in Namibia. Hence, the exceptional performance of Namibian athletes on an international stage was what the nation needed to feel the spirit of the popular slogan, “One Namibia, one nation!” It is difficult to reconcile this feeling with what we argue to be the superficial performances of nationalism. The complexity here lies in the contradiction that even though Namibians stood in solidarity with the young women athletes who were being systemically excluded based on race and gender, the nation is yet to confront the heteronormative thinking that is rooted in patriarchal nationalism.

To understand other manifestations of performative nationalism, we must pay attention to the body and its politics. We must not only be attentive to what is prescribed for the body but also to how the body reinforces and rehearses that which has been socially constructed. The Namibian publics’

repeated acts of waving the national flag and patriotically singing the national anthem as ways of “showing love” and standing in solidarity with the athletes is caught up in the contradictions that we have pointed out above. One such contradiction is that the sentiments expressed in lines like “*we give our love and loyalty*”, “*beloved land*”, and “*we love thee*” seem limited to occasions on which the national anthem is sung. This is to say that although the love and loyalty extended to Mboma and Masilingi is heartfelt, it is not necessarily reflected in the everyday life of Namibian nationalism. Nationalism does not allow for this imagined love to manifest fully. Another noticeable danger of performative nationalism is the pressure that athletes’ bodies are subjected to. This national and professional pressure to compete and be victorious can be detrimental to the overall health of athletes. We see this pressure as a major contributing factor to the injuries that Masilingi and Mboma recently experienced. For example, Mboma’s injury during a 100 meters race at the 2022 Kip Keino Classic meet in Nairobi, Kenya reminds us of the pressures and risks related to performing sports and performing the nation alike.

Queer theorist Judith Butler (1990) writes, “gender proves to be performative – that is, constituting the identity it is purported to be. In this

sense, gender is always a doing, though not a doing by a subject who might be said to pre-exist the deed” (Butler, 1990, p. 25). Butler’s argument is crucial for this paper in situating what we have presented as performative nationalism in the analysis of public discourse on the politics of international athletics. We draw on this argument to make connections between gender and nationalism as inherently social constructs that are aimed at reproducing repeated acts that uphold the rigid historic binaries of masculine/feminine, national/foreigner, and man/woman, as well as western/Global South. These dichotomies fail to account for the knowledges between and beyond them. The notion of performative nationalism is one that many subaltern communities and oppressed people have grappled with in negotiating their national identities. For example, Murphy (2003) references the term performative nationalism in his review of Amy Baas’ book, which delves into the 1968 participation of African-American Olympic athletes and the racial politics of the time.

### **Intersection between Gender, Race, and Class: The Need for Social Justice in Sports**

Black women athletes continue to suffer at the hands of some of the international sports bodies, particularly World Athletics, who

continue with their overt manifestation of racism, sexism and other social injustices. This has drawn attention to the racial and gender inequalities in the world of sport, which in the past few years has been pledging support in the fight against racism, inequality and other social injustices. Images of sports stars taking the knee, some with fists up, and others wearing clothes or masks with messages about injustices have regularly been seen in some major elite sports leagues. While many of these sports and their stars use their platforms to fight against these injustices, gender and sexual inequalities including homophobia rages on. The social justice protests in sport do not seem to recognise that issues related to racism are intertwined with other social inequalities such as gender, sexuality and nationalities. We argue that dismantling these systemic injustices requires that cognisance be taken of the fact that various ‘isms’ that affect society also affect sport, and that this does not mean that they cannot be highlighted and challenged. Sport has long been “used” as a platform for social justice, for communicating matters of racial injustice, and for promoting social change.

These global injustices exist on a local level; therefore, we have included a discussion on performative nationalism in this article. We posit that there is a need to understand the experiences of

Mboma and Masilingi in relation to ongoing feminist struggles for gender and sexuality justice in Namibia. Contemporary feminist movements in Namibia are becoming increasingly aware and prominent through regular protests and other ways of organising against the national crisis of sexual and gender-based violence. This is also a response to performative nationalism’s inability to take drastic measures to address the sexual violence and GBV in the country. There is a need to connect these multiple feminist struggles – for example, the reproductive justice movement working towards the decriminalisation of abortion legislation, the #ShutItAllDownNamibia movement against femicide, sexual violence and GBV, and the struggles for queer rights – both at home and in the wider world as a way of generating solidarity and working across difference. These are all local struggles that are embedded in this global crisis of race, class, gender, and sexuality. We argue that it is possible to transform international sports platforms and to work towards the fair and just inclusion of gender non-conforming bodies without subjecting them to inhumane treatment. This will require that international sports bodies learn from feminist, decolonial and anti-racist entities that are at the forefront of not only dismantling “White-Supremacist Capitalist Patriarchy”, but also imagining new relational ethics.

## Conclusion

Because sex and gender are so complex, there are certainly no easy answers when it comes to who should compete on women's teams. The takeaway is that this dominant tradition of fitting everyone into two categories, male and female, is impossible in both sports and in everyday life. Using arbitrary definitions of femininity and racial stereotypes (Karkazis, 2020) to profile athletes works against the effective promotion of a genuine consideration of diversity and equality in the world of sport. World Athletics can provide a space where athletes such as Mboma and Masilingi can thrive without conforming to the idealised standards of femininity and masculinity. They can invoke significant diversity and inclusion issues in practice as an institutional value. This article has offered a feminist discursive analysis of institutional racism and gender essentialism and how they play out on the international stages of athletics. We have discussed in particular how the institutional system in the world of sport deliberately controls the participation of black women, consequently violating their human rights. The article also goes beyond a critique in that it hints at and mobilises a social justice framework in both nation-building and international sports. It adds to the limited scholarly contributions in sports and feminism in Namibian studies.

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# Gender-responsive Budgeting, Gender Equality and the Empowerment of Women

*Lucy Edwards-Jauch*

## **Abstract:**

*Although Namibia has promulgated very progressive laws in support of gender equality and the empowerment of women, there is still a big gap between formal equality as provided for by the law and substantive equality. Substantive equality is demonstrated by key indicators like the incidence of multidimensional poverty; access to employment; ownership of productive assets; differences in incomes and wealth; access to social protection; levels of gender-based violence; sexual and reproductive health and rights; and the differential impacts of COVID-19. Budgets reflect governments' social, economic and political priorities and provide the fiscal means through which they can address such inequalities. The Namibian Government has expressed its commitment to gender responsive budgeting to narrow inequalities between men and women, and to address women's needs. This article reviews the central government's budgetary allocations towards gender equality and the empowerment of women between 2014 and 2021. It uses a mixed method approach that combines statistical data with qualitative interviews. A feminist*

*approach towards budgeting was used to track, analyse and assess how gender responsive budgets are. It found that although women are involved in the budget process, gender responsive budgeting has not been implemented by all organisations, ministries and agencies (OMAs) that benefit from central government fiscal allocations. There are many budgetary allocations that contribute towards gender equality and the empowerment of women, but they are not specifically tagged as such and are therefore difficult to discern. Where gender-specific allocations are made, they are often not sufficient to address the gender issues highlighted in the article or to overcome the gap between formal and substantive gender equality.*

**Key terms:** gender-responsive budgeting; gender equality; empowerment of women; budgetary processes; budgetary allocations

## **Introduction**

Gender-responsive budgeting (GRB) is not about creating separate women's budgets, but about ensuring that national

budgets reflect the government's stated commitment to gender equality. Gender should therefore be considered at all levels of the budgetary process, including collection and expenditure allocations (Elson, 2003). The Namibian Government expressed its commitment to GRB through cabinet decision No.2<sup>nd</sup>/11.03.14/007 (Republic of Namibia, 2019c). Despite this commitment, a review of the Namibian Medium-Term Expenditure Framework (MTEF), budget statements, and accountability reports from 2014 to 2021 shows that gender is not mainstreamed in budget votes. Most OMAs do not review gender issues in their sectors or assess if allocations reflect serious commitment to gender goals or the gender impacts of budgetary decisions. This article provides a short synopsis of gender issues in Namibia and then analyses central government's budgetary allocations between 2014 and 2021 towards gender-related issues, and assesses the extent to which the government's stated commitment to GRB is translated into practice through expenditure allocations and revenue generation that promote gender equality and women's empowerment (GEWE).

Although the Namibian Government has made expenditure allocations towards GEWE throughout the period under review, these allocations have at times been difficult to identify because they have not been coded in

accordance with their expected gender responsiveness or anticipated gender outcomes. International organisations like the UN provide technicist approaches that can improve policy and institutional frameworks for the implementation of GRB, but despite such technicist managerialism, political questions of allocative choices in the budgetary process remain, and these are not class, gender or ideologically neutral. To overcome some of the structural inequalities will require far-reaching measures, and the current austere fiscal policies are more likely to exacerbate inequalities and make greater demands on women's unpaid social and reproductive labour.

## **Methodology**

This article is based on mixed methods consisting of both quantitative and qualitative methodologies.

### *Review of Literature*

International and local literature on GRB was reviewed.

### *Secondary Analysis of Budget Information*

A secondary analysis was performed of all Namibian National Budget Statements (Republic of Namibia, 2015b; Republic of Namibia, 2018f; Republic of Namibia, 2019b; Republic of Namibia 2020b; Republic of

Namibia, 2021d); Medium Term Expenditure Frameworks (Republic of Namibia, 2015b; Republic of Namibia, 2018 f); Accountability Reports (Republic of Namibia, 2015a; Republic of Namibia, 2017; Republic of Namibia, 2018b; Republic of Namibia, 2019a; Republic of Namibia, 2020a; Republic of Namibia, 2021b); and Namibia's Fiscal Strategy (Republic of Namibia, 2018g). Statistical reports were subjected to gender analyses to ascertain the percentage of public expenditure allocated to gender-related programmes. Official statistics were also used to ascertain women's share of the public expenditure wage bill.

### *Primary Data Collection*

Key informant interviews were conducted with civil society organisations (CSOs) that represent women or work towards gender equality and the empowerment of women. Most were concerned about gender-based violence (GBV) and assessed budgetary allocation towards combatting GBV and the provision of services to the survivors of GBV. The assessments gauged CSOs perceptions on the adequacy of budgetary allocations, the effectiveness of services, how services support equality, efficiency and transparency, and the impact of the services provided.

### *Limitations*

The most significant limitation on the research was the lack of gender-disaggregated data. Crucial aspects of GRB could not be calculated due to the absence of gender-disaggregated statistics. These include the effects of fiscal policy on women's reproductive labour due to the absence of time-use surveys. Women's share of public procurement, too, could not be calculated due to the same statistical deficiency. Apart from women's share of the public sector wage bill, no other gender-disaggregated beneficiary analyses could be conducted due to the lack of gender-disaggregated statistics and reporting.

### **Theoretical Framework**

This article applies a feminist lens to budgeting by using a GRB approach. GRB ensures that public revenue and expenditures address gender inequality (Elson, 2003). It should be preceded by a gender analysis in order to identify the gender gaps national budgets should address (European Institute for Gender Equality, 2019). The pioneering work on GRB done by Elson (2003, 2006) and Sharp and Elson (2012) still form the conceptual basis for analysing the gender responsiveness of national budgets. Sharp's classification system denotes different categories of gender-related expenditure, namely gender-specific allocations that specifically target women,

girls, boys or men; expenditure that promotes gender equality in the public service with regards to employment opportunities; and participation in budgetary decision-making. Elson’s analytical framework uses seven tools to assess GRB. These include gender-aware policy appraisals, beneficiary assessments, gender-disaggregated public expenditure incidence analysis, gender-disaggregated revenue incidence analysis, gender-disaggregated analysis of the impact of budgets on time-

use, gender-aware medium term macroeconomic policy frameworks, and gender-aware budget statements. This article uses a combination of these conceptual frameworks.

Initial conceptual frameworks by Elson (2003, 2006) and Sharp and Elson (2012) were further developed to facilitate practical application of GRB. These include the UN Coding System and Gender Equality Markers that allow for the classification of expenditures

**Table 1:** *UN Gender Equality Marker Codes for Budget Tracking*

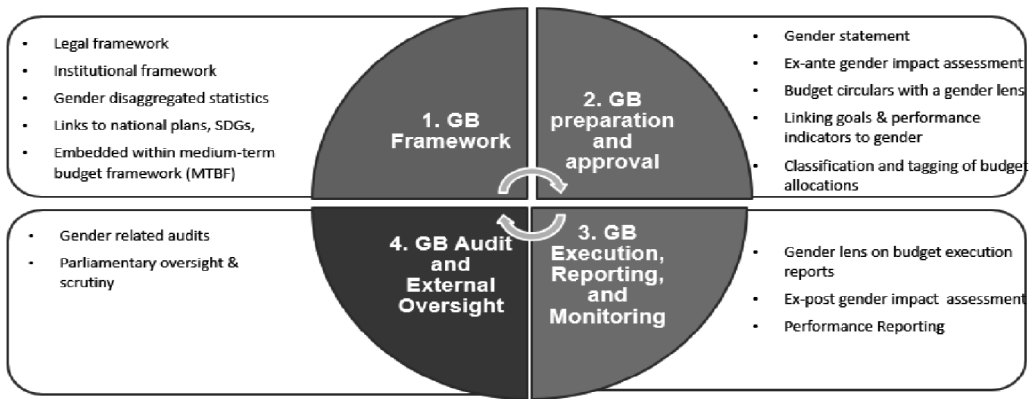
General Definition	Coding Abbreviation	Considerations
Not expected to contribute to gender equality/women’s empowerment	<b>GEM0</b>	There is no consideration of gender equality issues and there are no results relating to gender equality or women’s empowerment / rights
Contributes to gender equality/women’s empowerment in a <b>limited way</b>	<b>GEM1</b>	There is limited consideration of gender equality/women’s empowerment. For example, there may be a gender analysis or some collection/analysis of sex-disaggregated data, but no or limited gender equality results (minor to the overall objectives of the initiative).
Gender equality/women’s empowerment is a <b>significant objective</b>	<b>GEM2 or GEM2a</b>	These are usually considered gender equality ‘mainstreamed’ initiatives or initiatives that make a substantial contribution to gender equality/women’s empowerment. There is at least one high-level result related to gender equality placed at the outcome rather than output level. Criteria that must be met to be given this code can include: <ul style="list-style-type: none"> <li>• gender analysis has been done;</li> <li>• gender analysis has informed the results;</li> <li>• there are explicit high-level results that narrow gender inequalities or support the rights of women and girls.</li> </ul>
Gender equality/women’s empowerment is the <b>principal objective</b>	<b>GEM3 or GEM2b</b>	Gender equality objectives are the primary intended result(s) of the unit of analysis. Narrowing gender inequalities, transforming gender norms, or strengthening the empowerment of women and girls is the main reason the initiative is being undertaken. A key question is: would the activity have been undertaken without this gender equality objective?

Source: United Nations (2018)

according to their expected gender responsiveness and gender impacts (United Nations, 2018) (see Table 1) as well as the Holistic Approach to Gender Responsive Budgeting of the International Monetary Fund (IMF) (see Figure 1).

Through the use of these practical approaches, gender-related expenditures can become more transparent, as they assist in quantifying expenditures that support GEWE. The IMF holistic model illustrated in Figure 1 below sets out the legal, administrative, institutional and procedural prerequisites for GRB.

**Figure 1** IMF’s Holistic Approach to GRB



Source: International Monetary Fund (IMF) (2021)

## Synopsis of Key Gender Issues that Budgets Should Address

### Context

Gender inequality in Namibia is located within the triple challenge of poverty, inequality, and unemployment. Namibia has made significant legal and policy reforms to address GEWE. Most of these reforms attempt to address formal gender inequality, but not substantive inequalities which are reflected in the statistics on women’s

unemployment, productive asset ownership, and high levels of GBV. Inequalities are deeply rooted in the social, economic and cultural structures of the country that law reform alone cannot resolve. There is a need for far-reaching structural interventions that address the social and economic bases of inequality.

### Legal and Policy Reforms

Namibia has ratified a number of international instruments and

protocols aimed at GEWE. These include: the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (United Nations, 2020b); the Beijing Declaration and Platform of Action; the UN Convention on the Rights of the Child; the UN Convention on the Rights of Persons with Disabilities; the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa; the African Charter on the Rights and Welfare of the Child; the Protocol to the Convention Against Transnational Organised Crime to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; the SADC Protocol on Gender and Development; and the ILO's Equal Remuneration Convention, 1951 (No. 100) (Republic of Namibia, 2014b; Legal Assistance Centre, 2017b).

To increase women's political representation in decision-making, Namibia passed the Local Authorities Act (23 of 1992) that provides for at least 30% women's representation on party lists at local government level. The Traditional Authorities Act (17 of 1995) calls for affirmative action in traditional leadership. Although there are no legislated mandatory quotas for representation at national level, there is 42% women's representation in the National Assembly. However, at 14%, women are grossly underrepresented in the National Council (Republic

of Namibia, 2021c). At the local government level, women constitute 48% of elected representatives. Civil society organisations have lobbied for an amendment to the Electoral Act (5 of 2014) to secure mandatory 50:50 zebra party list provisions, but the recommendation was rejected (Legal Assistance Centre, 2017a).

Legislation in Namibia aimed at improving women's levels of employment, income, livelihoods and living conditions includes:

- Nature Conservation Ordinance (4 of 1975)
- Social Security Act (34 of 1994)
- Co-operatives Act (23 of 1996)
- Agricultural (Commercial) Land Reform Act (6 of 1996)
- Affirmative Action (Employment) Act (29 of 1998)
- Communal Land Reform Act (5 of 2002)
- Labour Act (11 of 2007)
- Flexible Land Tenure Act (4 of 2012)
- Public Procurement Act (15 of 2015)
- Business Intellectual Property Authority Act (8 of 2016)
- Namibia Industrial Development Agency Act (16 of 2016)
- Access to Biological and Genetic Resources and Associated Traditional Knowledge Act (2 of 2017)

- Nature Conservation Amendment Act (3 of 2017)
- Microlending Act (7 of 2018)
- Public Enterprises Governance Act 2019 (1 of 2019)

Other policies and programmes that promote employment, entrepreneurship and income generation include:

- Harambee Prosperity Plan
- National Development Plan 5
- Namibia Decent Work Country Programme 2019 to 2023
- National Gender Policy and Plan of Action
- National Women Economic Empowerment Framework
- Namibia Co-operative Policy
- Namibia Agriculture Policy
- National Land Policy
- Credit Guarantee Scheme
- Affirmative Action Loan Scheme
- Green Schemes
- Water Supply and Sanitation Policy
- National Rural Development Policy
- Namibian Youth Credit Scheme

*(Legal Assistance Centre, 2017b; United Nations Human Rights Council, 2021a, 2021b; Republic of Namibia, 2017, 2020d.).*

## **Structural Barriers to Gender Equality**

Legal measures provide a basis to claim certain entitlements, but they do not in themselves address the structural

bases of persistent inequalities that are steeped in deeply patriarchal, neo-liberal and neo-colonial economic and cultural systems. The structural barriers to gender equality are still immense. Female-headed households have a higher incidence of multidimensional poverty (46%) than male-headed households (41%) (Republic of Namibia, 2021a). Women have lower labour force participation rates (56.1%) than men (63.3%) (Republic of Namibia, 2018a), and they face higher levels of unemployment, particularly in the 15–24 age group. Furthermore, women make up 61.2% of all vulnerable workers. Many vulnerable workers are own account workers who perform unpaid family labour, mainly in the subsistence agricultural sector. A total of 57.7% of Namibian workers are in informal employment (men 54.1%; women 61.2%). There is also a gender wage gap of 14.2% (Republic of Namibia, 2018a). Women's care work is not accounted for and is rendered invisible in the National Accounts. Wage disparities and gender income gaps result in women having less access to disposable income and savings. They also have less access to social security because more women are employed in the informal economy or are unemployed. To such women, social protection coverage is either non-existent or low. Only 24.8% of women with new-born babies receive maternity benefits (United Nations Women, 2021).

The socioeconomic impact of COVID-19 increased women's vulnerability to pre-existing inequalities, and this exacerbated impacts on their lives and livelihoods.

Women own fewer productive assets than men. Women own only 23% of commercial farmland and 28% of communal land rights (Republic of Namibia, 2018c). Fewer women get land for resettlement than men, and resettled women are disadvantaged in post-resettlement support (Legal Assistance Centre, 2017a). While gender balance is one of the resettlement selection criteria, women face impediments to obtaining land. Female workers in the commercial agriculture sector lack tenure security and they can be evicted at will (Edwards-Jauch, 2018).

The socio-economic impact of COVID-19 increased women's vulnerability to pre-existing inequalities and exacerbated their impact on the lives and livelihoods of women and adolescent girls. Women have less access to disposable income and savings because of wage disparities and gender income gaps. They also have less access to social security. Consequently, they are less able to absorb pandemic-related economic shocks (United Nations, 2020a). In addition, women are more affected by pandemic-related job and income losses because they are over-represented in the worst-hit economic sectors like

tourism, food and beverages, retail, and the informal economy. They also constitute the majority in high-risk sectors such as health care (ILO, 2021). Women's unpaid care work increased during the COVID-19 pandemic as they had to care for out-of-school children during lockdowns. Moreover, their care burden for the sick increased when health resources were diverted to the COVID-19 response and when hospital services were overwhelmed. The Namibian Government responded to income losses with income support measures like the Emergency Income Grant and employee salary protection programmes. No gender markers were developed for these support measures. GBV increased during the COVID-19 pandemic period as some women were trapped in homes with their abusers, and support services were not available (United Nations, 2020a). The Windhoek City Police reported an increase in calls to report GBV cases in April 2020 (Amnesty International, 2021).

Women's sexual and reproductive health is challenged by disproportionately high levels of new HIV infections amongst young women, teenage pregnancies, and complications resulting from unsafe abortions. About 26% of teenage girls start childbearing by the age of 18, and 33.3% by 19 years. Teenage pregnancies act as an impediment to girls realising their full potential and



are often associated with dropping out from school and low wages in adulthood. This can lead to a cycle of female poverty and undermines GEWE (Republic of Namibia, 2018d). The restrictive Abortion and Sterilisation Act (2 of 1975) is a threat to maternal health as many are forced into unsafe and illegal abortions. Namibia does not explicitly ban sex work, but other laws, for example the Combating of Immoral Practices Act (21 of 1980), are used against sex workers, who have no legal protection against abuse. In general, Namibia takes a heteronormative approach to gender, and LGBTIQ+ persons are invisible with regard to the law. The Births, Marriages and Deaths Registration Act (81 of 1963) provides for alteration of the sex of a person in the birth register, and this can be applied in cases of gender conversion. There is, however, no specific constitutional protection for sexual orientation or the legal recognition of same-sex unions, nor does the law protect the rights of LBGTIQ+ persons (Legal Assistance Centre, 2017a).

Women and children face extremely high levels of sexual and gender-based violence. Some forms of violence, like sexual harassment, are so normalised, that they almost appear natural (Edwards-Jauch & Namupala, 2017). In addition, certain harmful gender norms and practices create violent and traumatic experiences for women (Edwards-Jauch, 2016). In Namibia,

33% of women aged 15–49 experience some form of GBV, and 28% of women and 25% of men between the ages of 15 and 49 felt that physical violence was justified as a disciplinary tactic (Herestofa, 2021).

To address GBV, the government has passed the following:

- Combating of Rape Act (8 of 2000)
- Combating of Domestic Violence Act (4 of 2003)
- Criminal Procedure Amendment Act (24 of 2003)
- Witness Protection Act (11 of 2017)
- Combatting the Trafficking of Persons Act (1 of 2018)

*(United Nations Human Rights Council, 2021a, 2021b; Legal Assistance Centre, 2017a Republic of Namibia, 2020d).*

The Namibian Gender-Based Violence Action Plan (2019–2023) prioritises care and support to survivors, and training to service providers and shelters (Republic of Namibia, 2020c).

## **Analysis of the Budget**

### *Gender Responsiveness of Fiscal Policy*

During the period under review, the government continued with its fiscal consolidation policy framework, which is code for austerity and fiscal constraint. The MTEF seeks to align expenditure more closely with revenue,

and reduce growth in public debt and the budget deficit. From a gender perspective, fiscal consolidation is normally associated with austerity measures, and international case studies have shown that spending cuts could have negative effects on women and girls. Spending cuts in care services result in women making up the shortfall, and this increases their unpaid care work and time-poverty and places pressure on their health. A reduction in food subsidies and increases in user-fee charges can also place further pressure on their health, as they struggle to cope with reduced incomes and price increases.

Public sector wage freezes and retrenchments may affect women disproportionately as the public sector is often where women can obtain good quality jobs due to employment equity provisions (Gender and Development Network, 2018). Namibia's fiscal consolidation has resulted in contained public expenditure, but so far there have not been massive public sector retrenchments. The effects of fiscal consolidation on women's time-use cannot be verified as Namibia does not conduct time-use surveys.

With increased public sector debt, there is the danger that increased debt servicing expenditure may crowd out social allocations, which would in turn, have negative effects on women and

girls. In Namibia, the Social Allocation Ratio has remained between 47.6% and 49.0% of the total non-statutory budget during the period under review, and the government has identified the eradication of poverty, improved social welfare, reduced income inequality, shared prosperity, and the delivery of timely, reliable and affordable public services as key priority areas for the budget and the MTEF (Republic of Namibia, 2015b; Republic of Namibia, 2018f).

In all MTEFs there is a commitment towards a general reduction in inequality, but no specific mention is made of gender inequality, nor is gender mainstreamed throughout budget statements. Gender is mainly restricted to Budget Vote 36 (formerly Vote 12), which is the budget vote of the Ministry of Gender Equality, Poverty Eradication and Social Welfare (MGEPEWSW). Budget statements and MTEFs lack gender analysis, gender-equality targets, and gender-sensitive outputs, activities and indicators, and do not assess how budgets impact on gender equality (Republic of Namibia, 2015b, 2018g, 2020b, 2021d).

### *Women's Participation in the Budget Process*

To ensure that women's interests are advanced in the budgeting process, women's organisations and

organisations that pursue gender equality and women's interests should participate in all stages of budgetary processes. Articles 7(a) and (b)<sup>3</sup> of CEDAW provide for women's participation in the formulation of government policy and its implementation, and for them to hold public office, perform all public functions, and participate in nongovernmental organisations and associations which address the state's public and political life (Elson, 2003).

In Namibia, women are involved in budget decision-making as they often occupy executive positions. They can make inputs in the legislative, judicial, executive and administrative decision-making on budgets as members of parliament, ministers, executive directors, directors, auditors, judicial officers and programme officers. In these various capacities they also participate in different stages of the budget cycle, including budget formulation, legislation, implementation, auditing and evaluation. Despite this, women's participation has not necessarily brought a gender perspective to the budgeting process. The lack of gender analysis, gender targets, gender indicators, gender-disaggregated reporting and a gender-disaggregated Public Expenditure Tracking mechanism for all sectors clearly shows that the mere participation of women in budget cycles does not guarantee gender-responsive budgeting.

In interviews, CSOs revealed that there is limited consultation with organisations that advocate for gender equality. The MGEPEWS did hold some stakeholder consultations. One of the four organisations interviewed was consulted during and after the tabling of the national budget, and on the verification of approved budget votes.

### **Gender-related expenditure allocations**

#### *Allocations to the MGEPEWS (Vote 12/36)*

The MGEPEWS is the lead agency for the implementation of gender equality and women's empowerment measures. However, it is also responsible for other programmes that benefit women, men, boys and girls but are not gender-specific. In 2020, the Ministry of Poverty Eradication was dissolved and its functions were incorporated into what was then the Ministry of Gender Equality and Child Welfare. This led to a change in the budget vote. The expenditure allocations to the Ministry of Gender Equality and Child Welfare (Vote 12 in 2020) increased over the period under review driven mainly by increases in programme budget vote 12.2, which primarily covers childcare grants and grants to orphans and vulnerable children, as demonstrated in Table 3. In 2021, the name of the ministry changed to the Ministry of Gender Equality, Poverty Eradication

and Social Welfare (MGEPESW); MGEPEWSW jumped from 2.29% of total the Budget Vote changed to Vote 36. expenditure to 8.36% to incorporate Consequently, the allocations to the the poverty eradication function.

**Table 2** Allocation to Vote 12 Share of Total Budget (2015–2021)

Vote 12 of Total Expenditure			
Year	Vote 12	Total Expenditure	Vote 12 (% of Total Expenditure)
	Million N\$	Million N\$	
2015/16	766	62 008	1.24%
2016/17	895	57 875	1.55%
2017/18	1 229	62 033	1.98%
2018/19	1 201	57 964	2.07%
2019/20	1 363	59 633	2.29%
2020/21	5 361	64 097	8.36%

Source: Author – based on Republic of Namibia Accountability Reports 2015–2021

Up to 2020, the allocations to the Ministry of Gender Equality and Child Welfare were devoted to four programmes, as shown in Table 3, namely:

- Vote 12.1: Policy, Supervision and Support Services
- Vote 12.2: Care and Protection of Children
- Vote 12.3: Support Communities and Early Childhood Development
- Vote 12.4: Promotion of Gender Equality and the Empowerment of Women

**Table 3** Programme Breakdown of Allocation to MGECW (Vote 12/36)

Year	Vote12-01 million	Vote 12-01 (% of Vote 12) %	Vote12-02 million	Vote12-02 (% of Vote 12) %	Vote12-03 million	Vote 12-03 (% of Vote 12) %	Vote 12-04 million	Vote 12.04 (% of Vote 12) %
2015/16	85	11.10%	599	78.10%	66	8.62%	17	2.18%
2016/17	85	9.55%	734	82.05%	62	6.91%	13	1.49%
2017/18	101	8.24%	1,040	84.62%	72	5.88%	16	1.26%
2018/19	105	8.70%	1,037	86.35%	38	3.15%	22	1.80%
2019/20	120	8.83%	1,104	80.98%	113	8.25%	26	1.93%

Source: Author (based on Republic of Namibia Accountability Reports 2015–2021)

As allocations towards the Care and Protection programme (Vote 12.2) have increased, there have been concomitant decreases in allocations towards other programmes. With the exception of the 2019/20 budget, allocations towards Vote 12.3 (Support Communities and Early Childhood Development) have decreased. Vote 12.3 includes allocations towards Income Generating Projects, which mainly benefit women (70%). This

is somewhat paradoxical, for if these income generating projects are effective, they could increase women's income and decrease their reliance on transfers from the state. Over the period under review, the allocations towards Vote 12.4 (Promotion of Gender Equality and Empowerment of Women) received less than 0.05% of total expenditure, as indicated in Table 4 below.

**Table 4** *Share of Total Expenditure Towards Vote 12.4 (Promotion of Gender Equality and Empowerment of Women)*

Year	Vote 12-04	Percentage of Total Expenditure
	Million N\$	%
2015/16	16.69	0.03
2016/17	13.31	0.02
2017/18	15.52	0.03
2018/19	21.58	0.04
2019/20	26.37	0.04
2020/21	19.54	0.03

*Source: Author, based on Republic of Namibia Accountability Reports 2015–2021*

Gender-specific allocations are not limited to programme Vote 12/36. It is therefore not a complete indication of all gender-related allocations in the budgets. Allocations towards GBV are not reflected in Vote 12 because they fall under other budget votes. In addition, a number of gender-specific and mainstream allocations that benefit women are present across budget lines. They are difficult to identify because there is no gender coding system that

makes such expenditure visible. It is not clear if the Namibian Government has adopted any system to track gender-related expenditure, but from the Accountability Reports, there is no evidence that this is indeed the case. There are insufficient data to calculate all expenditures that contribute towards gender equality and the empowerment of women. The allocations are often not disaggregated within overarching programme budgets but are found

in the narratives of Accountability Reports. Below are examples of such expenditure during the FY2020/21. These were neither coded as gender-related allocations nor disaggregated in specific programmes votes.

**Vote No. 2:** The Office of the Prime Minister introduced the Gender-based Violence System that will allow Namibian GBV police officers and social workers to profile GBV cases, victims and alleged perpetrators. It will also improve the GBV response coordination and reporting, as well as relationships between stakeholders.

**Vote No. 6:** The Ministry of Safety and Security funds GBV protection units and the GBV Investigative Unit. Under Programme 01 (Combating of Crime) GBV outreach activities take place, including a school visits awareness campaign entitled “Keep Me Safe”. The Ministry has also committed itself to the implementation of the National Action Plan on the Women, Peace and Security Agenda (United Nations Security Council Resolution 1325) and seconded one senior female officer to the Ministry of International Relations and Cooperation for this purpose. Under Programme 04 (Forensic Science Services) the Ministry does DNA analysis for rape and murder cases, including femicide cases. Programme 07 (Rehabilitation and Re-integration) funds GBV programmes with convicted offenders, as well as

with female prisoners. The Ministry has also acquired a Sexual Violence Risk Assessment Tool to assess the risk of convicted sexual offenders reoffending.

**Vote No. 16:** The Ministry of Justice makes allocations for law reform towards the promotion of gender equality and the empowerment of women, Sexual and GBV Offences Courts, and GBV training programmes for judicial officers.

**Vote No. 13:** The Ministry of Health and Social Services has GBV-related activities under Programme 04 (Developmental Social Welfare). Under its Infrastructure Development Programme, it reported building a maternity ward at Rundu hospital and a maternity shelter in Katima Mulilo.

**Vote No. 14:** The Ministry of Labour, Industrial Relations and Employment Creation funds the Affirmative Action Monitoring programme. Although the statistics are not gender-disaggregated, women are amongst the designated groups who benefit from Affirmative Action measures.

**Vote No. 17:** The Ministry of Urban and Rural Development (MURD) subsidises social housing and although the statistics are not gender-disaggregated, women constitute the majority of members of the Shack Dwellers Federation of Namibia, which implements the Ministry’s

Build Together Programme. Under Programme 04 (Rural Development) it funds rural toilets and ventilated pit latrines. Although not gender-specific, access to sanitation reduces women’s exposure to GBV.

**Vote No. 37:** The Ministry of Agriculture, Water and Land Reform also funds sanitation facilities and water infrastructure like dams, canals, boreholes, pipelines and rehabilitated water points. Women bear the prime responsibility for the procurement of household water supplies, as well as for care work, where water is needed. Easy access to safe water sources reduces their care work burden.

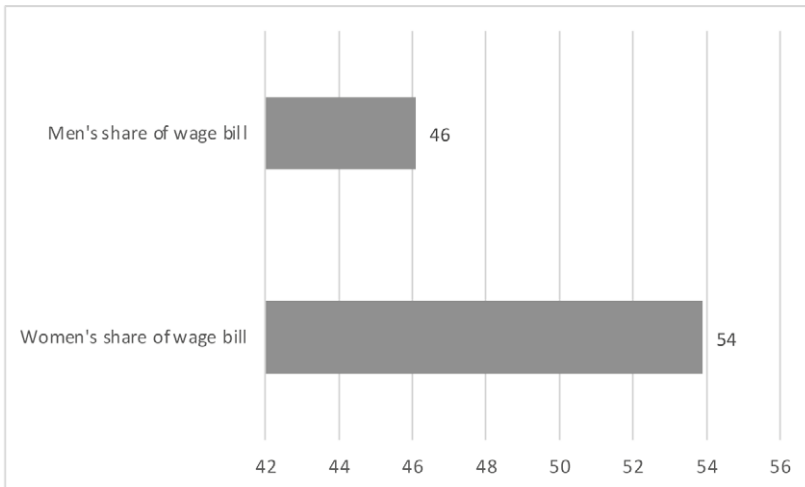
In the light of the above, there is a need for a budgeting and accounting

system that can effectively and transparently make all gender-related expenditure across budget votes and across programmes and activities within budget votes more visible and transparent.

*Women’s Share of the Public Sector Wage Bill*

Women benefit 9% more than men from the public sector wage bill. The statistics obtained were only for a few months in 2021. Due to staff turnover, statistics varied slightly from month to month and therefore the last available statistic for November 2021 was used. No year-on-year data were available and it is therefore not possible to make comparisons for the period under review.

**Figure 2** *Value of Women’s Share of Public Sector Employment*



Source: Author, based on data provided by the Office of the Prime Minister

### *Revenue Incidence*

The forms of revenue generation that impact most significantly on women are direct taxes in the form of personal income tax (PIT) and indirect taxes in the form of value added tax (VAT). These forms of revenue generation can have differential impacts on different groups of women. To a lesser extent, the government generates revenue from various fees, licences and user charges that cover, in full or part, the costs of the services provided. The World Bank (2017) has classified the Namibian taxation system as mildly progressive as the poorest 75% of the population accounts for approximately 20% of total direct and indirect taxes. The poorest 90% of the population accounts for about 40% of total tax collection, and the wealthiest 10%, for about 60%. The progressive element is mainly driven by PIT, where the poorest 90% of the population accounts for about 30% of all PIT collections and the richest 10% for about 70% (World Bank, 2017). Unfortunately, the World Bank report did not include a gender-disaggregated revenue incidence analysis.

**Personal Income Tax (PIT) Incidence:** Due to a lack of gender-disaggregated data, a precise PIT gender-disaggregated revenue incidence analysis could not be performed. However, rough estimates were derived from Namibia Labour Force (NLF) surveys and tax table data for 2014–2018. NLF data for

2020 were not available as the survey was not conducted in 2020. In general, PIT revenue incidence is fairly even between men and women. According to average wages published in the NLF survey reports the differences in the marginal personal income tax rates for men and women are between 0% and 9% percent.

**Value Added Tax (VAT):** Indirect taxes like VAT are generally regarded as regressive and potentially discriminatory if levied on essential items that take a greater share of the incomes of low-income households than that of high-income households. Where women are mainly responsible for the provision of such items, VAT can make these items unaffordable, and women may have to do more unpaid work like growing food or collecting wood instead of buying it. Excise duties (so-called “sin taxes”) may have a greater impact on men as they often consume more of the items on which excise duties are levied, like alcohol and tobacco products. Due to power disparities and women’s disadvantaged bargaining ability, less household income may be available for the purchasing of essential items as a result of increases in excise duties, and this may exacerbate pressures on women (UNIFEM, 2008).

Namibia has a zero VAT rating on essential items. A number of basic foods and services like transport



and electricity are also zero VAT rated. This promotes equality as female-headed households devote a large percentage of consumption to food and beverages. Zero VAT rated food items offer some relief to such households. In the rural areas, 64% of female-headed households' consumption is taken up by food and beverages. Khoekhoegowab-speaking households have the lowest annual average household consumption, with the highest proportion (73.6%) being spent on food and beverages (Republic of Namibia, 2016). A zero VAT rating on basic foodstuffs enhances equality but is not sufficient to ward off food insecurity. During October–November 2021, 26% of the population faced acute food insecurity and required urgent humanitarian food assistance; a further 35% were in stress (Integrated Food Security Phase Classification, 2021). Other fiscal measures are required to meet Sustainable Development Goal 2 of zero hunger, as the zero VAT rating on essential items clearly does not suffice. Another gender equality promoting measure announced by the Minister of Finance is the zero VAT rating for female sanitary products for the 2022/23 financial year. This is gender-specific and can reduce female school absenteeism as a result of period poverty.

**User fee charges:** User fee charges may have gender implications,

particularly when applied to basic services. As a result of women's gender roles, they are primarily responsible for caring functions. This includes procuring water and taking care of children, the sick and the elderly. School fees, while prohibited by law, are nonetheless levied by schools to supplement inadequate budgetary provisions by the state. Although the payment of school fees ought to be voluntary, in many instances, non-payment is used to deny learners' access (Amunyela & Miyanicwe, 2022). Parents are also compelled to buy stationery, office supplies, and cleaning materials because of inadequate educational budgets (Albertz, 2022). This could discriminate against children from poor or female-headed households, particularly those headed by elderly women who rely on state pensions and social grants.

User fees are charged for water use and at state medical facilities that mainly service the poor. User fees on water may have a disproportionate effect on women as they are primarily responsible for procuring household water supplies for cooking and cleaning. User fees on government health services may also affect women disproportionately as they are primarily responsible for the care of the sick.

Thus far the government's fiscal consolidation policy has focused on

curbing public expenditure. Not enough is being done to explore alternative avenues of revenue generation. One study showed that Namibia's tax revenue collection rate is below 25% of actual capacity, and econometric models show that actual tax capacity exceeds 30% of national income (Haarmann & Haarmann, 2020).

### **Beneficiary Assessments**

In understanding how beneficiaries of government services experience these services, qualitative key informant interviews were conducted with representatives of four CSOs that represent women or work towards gender equality and the empowerment of women. One key informant interview was held with an official of the MGEPEWSW. Most CSOs were concerned about GBV. The interviews covered the adequacy of budgetary allocations, the effectiveness of services, equality, efficiency, transparency and the impact of these services on beneficiaries.

#### *Adequacy of the Budget*

Participants saw the biggest funding gap in the poorly funded GBV Action Plan. Due to the lack of operational budgets, some shelters for survivors/victims of GBV are not operational. Shelters lack operational budgets, human resources (for example social workers) and equipment. There is only

one shelter in each region. There is also a funding gap for male engagement on GBV. The GBV Action Plan (Republic of Namibia, 2020c) is a call to action for all ministries and it should therefore be in the budgets of all ministries. This is not the case. There is a need to invest in information and communication technology to assist with nationwide GBV campaigns. Other suggestions were that GBV be declared a state of emergency so that more funds can be accessed for it. Inadequate resources for tackling cyber misogyny and hate speech that fuel GBV, for compulsory counselling, a public sex offenders register and training on the use of rape kits, are further funding gaps identified by informants.

The inadequacy of budgets was corroborated by the Ministry of Safety and Security in its Accountability Report of 2020/21. The report cites a shortage of skilled personnel, financial constraints on acquiring reagents and consumables for the Genetics DNA Division, and the lack of scientists to process DNA analysis as challenges. This results in backlogs and ultimately delays justice for the survivors of GBV. The Ministry also cites high staff turnover, a shortage of advanced operational and modern security equipment due to insufficient budget allocations and a lack of resources for capacity building and training as further challenges.

### *Equality*

Due to funding gaps and population dispersion, access to justice is often denied to GBV survivors/victims in rural areas who cannot access services due to the distances to such services and prohibitive transport costs. They are further excluded from services when first responders, like the Namibian Police, are not able to investigate complaints or come to their assistance due to a lack of transport. Survivors then have to access traditional forms of justice. The 14-page application document that survivors of GBV have to complete to obtain protection orders is exclusionary, particularly to disadvantaged women with lower levels of literacy. It may also be difficult to find court clerks to assist them. In addition, protection orders take long to process. Some survivors are sexually abused while they are seeking services. In addition, first responders are often untrained and many fail to provide empathic services in line with Namibia's human rights ethos and GBV policy. In general, services are not victim/survivor-friendly. Human rights are also challenged by the sodomy law that supports homophobia and transphobia. There is a need to train police officers, educators, parents and students, as well as religious and cultural leaders, about gender inclusivity.

In its Accountability Report of 2020/21, the Ministry of Justice

confirms that their target for the finalisation of criminal cases in the lower courts was not achieved due to resource constraints. These constraints include the fact that facilities at magistrates' courts are not sufficient to respond to ever-increasing crime. There is a shortage of prosecutors at certain stations, and they are faced with frequent resignations by overloaded prosecutors.

### *Effectiveness of Services*

Despite overall high execution rates, a number of services are not in place. For example, police officers at times do not implement protection services. In addition, one stop service centres where survivors can access health care, legal services, social workers and police services are not always in place. Furthermore, witness protection procedures are seldom applied. Inside service provision institutions, there is a lack of support and sensitivity. Due to inadequate safe counselling spaces, confidentiality and privacy are not guaranteed as police officers may be present during survivors' counselling sessions with social workers. Rape survivors have to wait many hours for an authorised doctor to examine them. Safe on-demand abortion services are not available. There are backlogs in the provision of comprehensive sexuality education. There is a need to increase contraceptive coverage and free

sanitary hygiene services. Awareness raising and training about harmful practices should also be stepped up.

## Conclusions

Although the government has committed itself to GEWE, actual expenditure allocation to the lead agency which executes GEWE, namely MGEPEWSW, remains less than 0.05% of total expenditure. Beneficiary assessments and MGEPEWSW's own reports indicate that the allocations are inadequate. There are still big gaps in coverage for the Social Protection programme for all women. Unemployed women, most own-account workers, precarious workers and workers in informal employment, do not have access to benefits and social security, and there is no budgetary provision to overcome this gap. There are also no budgetary allocations to emerging gender justice issues related to women's particular vulnerabilities to climate change. Despite the widespread prevalence of GBV, allocations to GBV services remain inadequate, so much so that access to justice and services for survivors is threatened. It is clear that expenditure allocations to address social and economic inequalities remain inadequate. It is also clear that the government lacks the resources to implement the far-reaching structural measures needed to effect substantive equality, and to address women's

empowerment for poor, unemployed and vulnerable female workers in informal employment.

Prolonged fiscal consolidation and austerity measures could reverse social sector gains made since Namibia's independence and exacerbate the social inequalities and deficits stemming from Namibia's colonial past. The potential for greater revenue capacity should be investigated. The government should target revenue generation by instituting an independent tax commission with the requisite expertise that can conduct a comprehensive tax enquiry into revenue generation and recommend additional progressive revenue streams. Such an enquiry could also make recommendations on how to curb tax avoidance, tax evasion and illicit outflows, as well as wasteful and fruitless expenditure. The proposed tax commission should also make recommendations concerning widening the tax net and increasing efficiency in revenue collection.

During the period under review, the government continued with its fiscal consolidation policy framework, and this is reflected in its MTEF. Fiscal consolidation is normally associated with austerity measures, and international case studies have shown that spending cuts have negative effects on women and girls. Such effects could not be calculated

for Namibia due to a lack of time-use surveys that account for women's social reproductive labour. Spending cuts in social services result in women making up the shortfall, and this increases their unpaid care work and time-poverty, thereby placing pressure on their health. Increases in user-fee charges also place further pressure on their health as they struggle to cope with reduced incomes and price increases. Public sector wage freezes and retrenchments may affect women disproportionately as the public sector is often where women can obtain good quality jobs due to employment equity provisions.

Namibia's fiscal consolidation policy has not resulted in widespread retrenchments. Such retrenchments would have had severe impacts on women's economic advancement, as women constitute the majority of civil servants, hold senior positions in the civil service and benefit more than men from the public sector wage bill. Namibia has effectively implemented public service wage freezes, and since 2018 there have not been any public sector wage increases. While the social expenditure ratio has remained consistent, it is inadequate to sufficiently cover all social services. Inadequacies in allocations in education and health services negatively affect poor women who must – directly or indirectly – carry additional costs for schooling and health care.

Women are involved in budget decision-making, but budget votes lack gender analysis, gender-disaggregated statistics, gender targets, gender indicators and gender-disaggregated reporting. There is also no gender-disaggregated Public Expenditure Tracking mechanism for all sectors, which clearly shows that the mere participation of women in budget cycles does not guarantee gender-responsive budgeting. This may be due to a lack of gender awareness. Interviews with CSOs revealed limited consultations with CSOs working in the gender space. The MGEPSW held some stakeholder consultations on budget allocations with stakeholders.

Namibia has not mainstreamed GRB. There may be a need to reform the Public Finance Act so that GRB becomes a legal imperative. There is no evidence that the Ministry of Finance or other OMAs use the UN Coding System of Gender Equality Markers to classify expenditure. There are expenditure allocations that benefit women, but are not easily tracked and are not visible because of a lack of a gender-sensitive Public Expenditure Tracking System. Accountability Reports do not provide gender-disaggregated incidence analyses.

With increased public sector debt, there is the danger that increased debt servicing expenditure may crowd out

social allocations, which in turn will have negative effects on women and girls. In Namibia, this has not so far been the case, as the social allocation ratio has remained between 47.6% and 49.0% of the total non-statutory budget during the period under review, and the government has identified the eradication of poverty, improved social welfare, reduced income inequality, and timely, reliable and affordable public services as key priority areas for the budget and the MTEF. The impact of austerity measures should be considered prior to the introduction of fiscal consolidation. Such measures should not have the effect of reversing Namibia's post-colonial gains.

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# ***Religion and Social Justice***

## **Social Justice as Praxis: A Socioreligious and Ethical Analysis**

*Basilus M. Kasera*

### **Abstract:**

*Social injustice is neither morally neutral nor does it happen in a social vacuum. To create an authentic environment which reflects some measure of social justice will need concrete symbols or life-enhancing goods. Thus, to genuinely reflect humane values requires outward expressions that concretise our social order. This socioreligious and ethical analysis, as a framework, explores the need for such a tangible response to social injustice. For instance, liberty, which is a central value for a civilised society, must provide more than conducive social conditions. It requires actual conditions of liberty that will authenticate and guarantee the continuation of post-independence social conditions. These conditions are needed not for political reasons but as an ethical pursuit to humanise society. We intend to explore tentative answers to the key questions: What does it mean to be human in Namibia? What are the symbols of justice needed to express a fuller human experience?*

**Key terms:** social justice; praxis; socioreligious; common good; socioeconomic; ethical

### **Introduction**

The quest for social justice is complex. This paper does not try to offer magical solutions. The reality and effects of injustice in Namibian society demand that we do away with pretentious answers. Instead, we need to raise new questions and suggest ways out of this socioeconomic inequality that blurs the prospects and vision to humanise the future. The good life is the *telos* to which humanity and all civilisations aspire. Namibia is no exception. Therefore, the level of socioeconomic inequality in Namibia is not only an economic issue but an ethical and cultural one; it is not just about jobs, housing and decent income, but also about social malfunction. Central to these ethical concerns we ask how the desire for a good life, so endemic to our social ontology, lacks representation in our economic systems and structures.

Government policies and programmes, although well-intentioned, struggle to right social injustices. Part of this is due to 1) lack of experience and skills among politically appointed officials; and 2) lack of taking seriously the effects of apartheid, permitting post-independence leaders to replicate the social conditions which created the problem in the first place. The living conditions of the less advantaged, due to historical injustice and failing state policies, continue to be deprived of life-enhancing receipts. Political campaigns use this socioeconomic disparity in their mottos as they attempt to regain public trust. Nevertheless, populist notions that speak of improving socioeconomic conditions remain as idealist railings without far-reaching measures. Politics, as usual, fails to intentionally examine the life of society and create tangible socioeconomic changes.

To remove the present socioeconomic inequality effectively would require more than slogans and mottos. Even opposition parties need to move on from just placing blame and participate in the proactive search to humanise society. Responding to these human needs safeguards our collective future, survival and democracy. While all these groups think of social justice, the popular social imagination has different issues in mind. This call for a collective effort and social imagination does not dispel the realities of Alasdair

McIntyre's relativist question, *Whose justice? Which rationality?* (McIntyre, 1988), to which there is no easy answer. Yet, this is an attempt to answer this complex question that will allow for a humanising *praxis* of social justice.

## Theoretical Framework

This article uses a socioreligious ethical framework to articulate the need for a social vision to redress social injustice: a social vision that embraces the reality of our *teleological* nature and provides a somewhat fuller account of human intersubjectivity and sociopolitical institutions, to attain the common good. We employ a socioreligious ethical framework to develop more nuanced explanations to foster a contextual vision of a good life. We look to provide an implicit notion of what human flourishing could look like. The conversation partners, in this article, are intentionally chosen to help explore the kind of *praxis* needed to allow for human flourishing in Namibia.

## Social Role of Religion

The place of religion in the public sphere continues to prompt mixed opinions and, in some cases, even hostility (Trigg, 2007). While religion is not immune to criticism, its role in enhancing the common good should not be dismissed. Religion should not be kept in private. Belief in the transcendent requires concreteness that

“maintains that faith and sociopolitical-economic action are bound together. *Ora et labora*, that is, religious reflection (prayer) corresponds to effective societal engagement and liberational activism” (Isaak, 1997, p. 1).

While the above is the conceptual expectation, religion in Namibia has lost relevance in the public sphere. This decline is not in numbers of religious adherents. The growth of religions does not reflect their relevance in post-independence socioeconomic dialogues. Mainline denominations have ceded their imagination to partisan politics. Botha (2016) issues a sharp critique of the Christian church, which he thinks has become a political handmaid. However, not all hope is lost, even from Botha’s (pp. 33–34) critique, since he recommends that we can find ways of redescribing the deportment of religion to take part in shaping society for the common good.

Although Botha acknowledges the role of religion, he thinks of it as a *secularised religion*, one that should participate in changing society through human action, and not by relying on the supernatural. Nevertheless, religion has a social role, which secular systems cannot dismiss. What that role should look like in reconstructing the public sphere and the dialogues related to human flourishing is contestable.

Social injustice affects all people regardless of their religious affiliation or lack thereof. No society can survive a ceaseless onslaught of unjust structures, systems and practices by side-lining key institutions and communities. It requires a collective effort. One may not agree with every outlook of religion, but it is a necessary element in establishing a normative *praxis* of social justice that can counter discriminatory market ideologies. Thus, it would require joint forces to reconstruct the political and cultural background for a humanised future. Rousseau (1999, pp. 54–56) called this the social contract. I like to think of this as a social covenant. Africans have called it community, a concept expressed in the *ubuntu* philosophy. Thus, the future, to be humanised, would require attitudes and practices that are bound up in covenant and neighbourliness.

Using the language of covenant and neighbourliness brings freedom and relatedness into the conversation. It is not bargaining, bartering, or an exchange. It is an invitation to covenantal justice, to create a more just or equitable world based on covenant. It is a vow that we make to each other and a commitment to our neighbours around us for its own sake (Block et al., 2016, p. 46).

By using a socioreligious and ethical framework, I repeat that religion

can play a key role in our mission of humanising society. Asking the ethical questions, which religion does most of the time, could provide newer ways of enquiring how we can acquire symbols and practices that enhance living conditions, with a particular focus on the distribution of socioeconomic goods to allow for conditions of having more and being more (Goulet, 2006, pp. 28–30). Acknowledging the role religion could play in the pursuit of social justice for the less privileged would require a clear mapping of our social *telos*, or goal, as a society.

### **Mapping our social *telos***

To discuss the undoing of social injustice requires a clear grasp of the context within which we should then ask for the best way to live and dedicate our resources and energies to attain the good life for all. We refer to this as the mapping of our social *telos* or end goal. If our goal is a good life and social ordering, this must be planned and cannot be rushed. No part of our desire for a more just and equal society must be left to chance or speculation. To reach such a social *telos* will require the strengthening of our political and social institutions. By strengthening, we refer to more than fortifying them. We refer to humanising these institutions by searching for a political culture with a soul for the less advantaged and vulnerable of our society.

This will require a new conscientisation and a new ethical framework, a willingness to see humans at the centre of our social structure: that is, to embrace a vision and desire “for a better society than the one we have inherited from apartheid and which is now exasperated by corruption, maladministration and inadequate public policies” (Kasera, 2021, p. 199). The barriers to a clear blueprint and action plan to redress social injustice are internal. Political and social institutions without a soul cannot contribute towards the realisation of the good life. Even if they present public policies and programmes, these cannot be executed because they lack inward motivation to dream a better world.

What it means to be human (given corruption, poor governance, and maladministration) does not hold a collective *telos*. As a result, the idea of ‘the good’ and ‘the right’ lacks a wide-ranging contextual and conceptual framework and humane ethical system. Without injecting soul into our politics and social institutions we cannot provide an accurate response, or map a responsive and responsible social *telos*. We witness the absence of soul in such inauthentic public policies and programmes that do not meaningfully impact the lives of the less advantaged.

Mapping a social *telos* requires lucid notions of the highest good to which we can subject social justice. It should answer the questions of what is needed to experience life in its fulness, by Namibian standards. While social justice is a broad concept, mapping our social *telos* in this article deals with socioeconomic issues, to the kinds of goods required to experience authentic human flourishing. The notion of a social *telos* seeks concreteness rather than merely dwelling on academic abstractions.

Therefore, religious notions that dismiss the material suffering of the less advantaged embrace an unethical hermeneutical framework. Such notions undermine the social *telos* and the vision for the common good. Religious notions that fail to engage the social and political structures that undermine human flourishing contribute to diminishing the human person. To pursue mapping a life-enhancing social *telos* is to acknowledge that society will not change without an intentional roadmap. Thus, mapping the nature of the good life will require aspiring towards a particular *praxis*.

### **Social justice as *praxis***

This article does not deny that the government recognises the existence of social injustice. Unfortunately, government activities have collapsed into a survival system that now appears as the downward spiral of structural

deterioration. It has spawned a maintenance mode with no long-term sustainable and transformative goals, except a politicised appearance buried in empty sloganeering. The goal to enhance human living conditions remains ambiguous and what it means to be human continues to be indefinitely suspended. Post-apartheid politics and development strategies are proving unable to answer normative questions regarding socioeconomic progress (Goulet, 1971, p. 3).

A fuller understanding of social justice must require addressing the external or visible needs that manifest injustice. Access to life-enhancing goods is not a new concept but one even the early philosopher Plato in his *Republic* explored, in search of the meaning of *eudaimonia*. The social *telos* of the *polis* was to ensure that every person had access to goods that allowed them to carry out their responsibility for the common good. Medieval Christians would baptise this Greek notion into a Christian understanding. Thus, a vision of a good life requires practical measures to construct “the good of a whole human life” (Hauerwas, 1994, p. 32).

Abstract approaches to social injustice inhibit the progress of society and cannot specify the needed good for Namibia. Public policies and programmes that dwell on abstracts cannot provide a genuine vision of a path out of the realities

of socioeconomic inequality. When instruments of administration that ought to lead to socioeconomic transformation do not lead to an embodiment, they only create opportunities for delayed violent revolutions.

Humans, indisputably, can only measure progress in terms of action and not through a collection of beautiful ideas. Rather, progress is measured by our ability to translate thoughts into action. We are creatures who are embodied, yet public policies and programmes often fail to complement this reality of human existence. It is easy for political parties, for example, to wave manifestos (often abstract and vague) as the ground to motivate voters. However, these manifestos are barely pursued during the terms of office, leading to political cynicism. Material practices, in the search for social justice, are important in shaping not only our economic needs but also our identities.

Thus, the vision for a just society, to be realised, needs a radical re-evaluation of the philosophical anthropological assumptions regarding the human person. *Praxis*, in the context of social justice, recognises that humans are profoundly material beings with material desires and needs. Without the creation of systems, structures, and programmes that take human needs seriously, all talk of social justice will just be political

window-dressing. Religion presents interesting philosophical perspectives on anthropology. It argues that humans are endowed with dignity for they are God's image-bearers. Such anthropology adds a different layer regarding participation in liberating activities.

As such, social justice and its ensuing activities carry moral weight. Social justice is not an exercise in the processing of immaterial ideas. Rather, it is a holistic enterprise that involves the whole human person. Social justice then is not only about what we think, as it seeks to reorient our desires, redirect our imagination, and set us on a new course of life. This stands in contrast to political manifestos, policies, systems and programmes that traffic only in ideas and often fail to result in tangible socioeconomic transformation.

However, to develop such transformative *praxis* would require a cultural theory that can help us construct dignity-enhancing practices. The cultural theory recognises the complexity of social injustice but has a stable base to advocate for tangible manifestations of justice among the least advantaged. Such a cultural theory would generate a "commitment to responsible action; action that would satisfy some standard of what is deemed a decent life in Namibia" (Kasera, 2021, p. 224). This approach needs to ask, what kinds of goods are



needed to provide the best possible harmony and living conditions?

The point of this question is not to find the best abstract answer but to discern the context to provide a tangible presence of social justice. Approaching social justice with such intentionality will embrace practical measures to address real life-affecting socioeconomic conditions. To achieve such transformation will require visionary leadership and institutions that can identify important entry levels to life-enhancing living conditions. For government institutions, which are *de facto* custodians of the state's resources, it means going beyond policies. For those with power to direct the country's resources, it means envisioning a more humane society and ensuring the humanisation of the future.

While national documents like the *Fifth National Development Plan* and *Vision 2030* may have been designed to craft a national way forward, they have not done so well at creating a more just society. They are easily supplanted by political agendas which create secondary visions that delay an already unclear national development agenda. The *Harambee Prosperity Plan* (I & II) is a classic example of political vision which hijacks a national vision for a personal political one. In the end, resources are diverted to promote egocentric, unachievable and hasty

political promises that pretend to be visions for the national interest.

By the end of 2019 (after five years of supposed implementation), a review indicated how the *Harambee Prosperity Plan* had failed to deliver its socioeconomic promises (Immanuel & Likela, 2019). Instead of admitting that the programme had failed, President Geingob's administration reinstated a revised version of the same programme in 2021. This administration, which championed itself as one that would change the fortunes of the Namibian people, became a maintenance administration. It failed to demonstrate how it would practically engage the huge socioeconomic inequality and redress economic imbalances inherited from colonialism and apartheid. It continues to fail to redress the post-independence problems of corruption and maladministration which affect the distribution of resources and services.

These programmes show the difference between a theoretical articulation of social justice and *praxis*-embracing theories of social justice. The former is satisfied with producing policy documents that are never followed up on until the next crisis or election. The latter is a humane response to right the wrongs of history, sociopolitical power and resource maladministration. Socioeconomic systems do not have the ability to

self-correct. Therefore, just policies alone will not bring about the needed changes. Socioeconomic inequality by nature is violent in its manifestation, with roots in historical and political structures, and to change it would require intentional intervention. What should be the nature of this disruptive *praxis*?

### **The Nature of *Praxis***

Given that socioeconomic inequality raises ethical questions, the way to mitigate it will require robust rethinking of our approaches. Von Hayek (1982, p. 62) rules out the possibility of human agency in nature even in society's socioeconomic order regarding the distribution of life-enhancing goods. The concept of a self-ordering yet impersonal process capable of bringing "greater satisfaction of human desires" conveys the language of privilege which puts unquestioning trust in economic systems. However, when von Hayek criticises social justice, he fails to recognise that the structures of society and the social, economic and political markets are not self-correcting and are incapable of producing happiness in line with the common good.

The market is not a mindless self-ordering entity. Instead, it is "determined by the deliberate acts of [human] will" (ibid.) and produces an "underclass" which is a manifestation of violence against those who are made

vulnerable by either the free market or historical socioeconomic injustices. And this is where the dialogue of morality comes into play. The creation of "the underclass is against God's will" (Block et al., 2016, p. 33). Social justice comes as a response to the stifled liberty to access life-enhancing goods and opportunities for a life of dignity. It is not just a form that decries inequality but one which calls for a radical reset of the *status quo* that promotes conditions under which the less advantaged cannot attain lives of dignity.

The reset requires *distributive* measures. These are necessary to reset the course of social interaction, power and progress. If national programmes truly intend to address social injustice, especially economic disparity, they need to ensure that "the economy must be subordinated to the viability of society" (ibid., p. 34). Otherwise, we risk creating a permanent socioeconomic underclass – thereby aiding and abetting the vision of colonialism and apartheid. It is not enough to tell those at the bottom of the economic ladder that they need to work harder when the structures are not designed to allow for collective thriving.

Religious ethics have always argued for a counter-cultural way of doing things. Instead of writing up elaborate documents that pretend to tell us the way out of poverty, they have always

embraced *praxis* that generates the common good. If human happiness is the *telos* of all our efforts for social justice, then the required *praxis* needs to be clarified. We need tangible symbols that bear witness to the reality of the *praxis* we intend to see in society, that is, to what needs to be done to minimise social injustice in our generation so that the next generation will be spared the present harms.

The nature of such *praxis* needs to be grounded in a moral imperative to improve the quality of life of the less advantaged in society. The essence of human rights is that the state creates a conducive environment that minimises socioeconomic barriers: that is, to “provide equal access to primary goods for communities that will never be able to achieve such goods without some strategic intervention” (Kasera, 2021, p. 224). Social justice reforms, in this case, need to be interventionist, not just recommended. Social injustice implies evidence of inequality in social and economic power, resulting from unjust interventions in history which have resulted in the current conditions. Only a resetting intervention will level the socioeconomic playing field.

### Meeting Needs

*Praxis* in social justice is embodying i.e., it is action-oriented and meets needs. It is not a blind *praxis*, carried out from the privileged offices of

consultants. Instead, it knows and engages the target groups, and shapes distributive justice from an informed position. From such understanding of the socioeconomic conditions of the less advantaged can arise social safety nets that are meaningful, functional, strong and sustainable.

These social safety nets must include but not be limited to:

- 1) A guaranteed minimum wage set at a living wage: The less advantaged at present earn a minimum wage, but this does not enable decent living and is a state sanctioned slave wage.
- 2) Quality public healthcare: Access to any healthcare is difficult, let alone healthcare which provides quality services and care. Improving healthcare and access is not just about medical care – it is a way of elevating the human worth of the least advantaged.
- 3) Decent and affordable housing: Since 50% of Namibians live in shacks, this is an urgent issue to be addressed. It is about more than just shelter – it is a social good that gives a sense of belonging, safety and being able to construct a culture for one’s family.

4) Skill producing education: Access to education *per se* is not the biggest challenge in Namibia. A literacy rate of over 80% means that education is widely accessible. However, whether this education provides skills that can propel self-sustaining economic activities remains a worrisome question. The average youth will have at least ten years of schooling but leaves school without a single marketable or economically viable skill except a leaving certificate.

of its exercise. If a man is too poor or too ignorant or too feeble to make use of his legal rights, the liberty that these rights confer upon him is nothing to him ... The obligation to promote education, health, justice, to raise standards of living, to provide opportunity for the growth ... is not necessarily directed to the promotion of liberty itself, but to conditions in which alone its possession is of value, or to values which may be independent of it.

(Berlin, 1969, p. 45)

5) And finally, a universal basic income grant: Such a grant is a much-disputed subject, but a distributive theory will require this as one key means of radically uplifting socioeconomic fortunes. If money is the measure of economic power, then granting access to this source of power to the economically disempowered is a virtuous entry-level to redressing unemployment and poverty (Ward, 2021, pp. 216–217).

The affirmative action policy, by design, ought to serve as a social safety net. However, its effect has been weakened by corruption, greed and self-serving public officials who have used the policy as an opportunity for self-enrichment. These internal factors, over and above ineffective policies and a lack of implementation, hamper socioeconomic progress. The above meeting of needs is “a complex social and political dialogue, yet choices (even difficult ones) must be made to counter the socioeconomic structures and systems that protect historically acquired privilege” (Kasera, 2021, p. 225). This change will require more than “creating social and political spaces which emphasise human rights and human dignity” (ibid.). The aim is to expand the meaning of liberty and dignity by creating structures that can

Meeting these needs affirms human worth. It expresses true liberty, as Berlin (1969) argues, through meeting basic human needs. Rights alone are not adequate:

It is important to discriminate between liberty and the conditions

avail the symbols of a fuller expression of being human in Namibia. To be human then “implies being able to enjoy access to food, water, home, education, health, and decent employment” (ibid.).

Those opposed to the demands of practical social justice are happy to provide social conditions without actual conditions of freedom, which they claim would threaten democracy. This is evident in von Hayek’s attack on social justice and Peter Nelson’s work which claims that the basic income grant system is a threat to democracy (Nelson, 2018). This is social schizophrenia in which certain privileged persons are glad to see a continued dehumanisation of millions of people, simply because such freedom does not fit in their scheme of economic politics. Societies that are unequal and whose socioeconomic outcomes are still deeply affected by histories of injustice will only change with a redistributive course of action. Small nations like ours need to safeguard not political systems but humans, without whom these systems will not continue to exist. While advocating for a distributive system, we acknowledge the difficulties that such a system entails, but that does not mean that it cannot be achieved.

## **Analysis and Recommendation**

A distributive system should not be romanticised – this is no simple

task. Berlin (1969, p. 47) points to this difficulty: “The right policy cannot be arrived at in a mechanical or deductive fashion: there are no hard-and-fast rules to guide us; conditions are often unclear, and principles incapable of being fully analysed or articulated.” Understanding and discerning the context requires visionary leadership and collective participation, part of which is the need for moral awakening to conscientise society about the moral aspects of social injustice – not a conscientisation towards guilt, but a renewed sense of humanity in which we look at the humanity of others through our humanity and discover our connectedness.

The socioreligious analysis of this paper is not necessarily of religion alone but an appeal to our humanity, a call for community and a revival of the very African practices of *ubuntu* that made us inter-dependent and tied our existence intrinsically to the rest of the community. The post-apartheid context, even under the majority black government, has lost the memory and ability to create new and human socioeconomic conditions. Boesak (2017, p. 117) points out how African governments, led by people who are supposed to be “steeped in the principle of *ubuntu*”, a socioreligious concept that holds that “we are humans because we affirm the humanity of the other”, do not promote this reality in their politics, management and social interventions.

While we strongly advocate for a distributive approach that meets needs, this distribution needs a locally grown conceptual framework rooted in moral principles that sees humans before structures and that encourages true self-propagation and human affirmation. For a society like Namibia, and many other African nations, the nature of the desired social *praxis* must find a true African identity. This is where national development must not ignore the role which the reality of the people's religious beliefs can play in creating a humanised social order.

Those who think that achieving social justice in Namibia can be realised on purely secular principles will be cutting off a large and important aspect of society. Realising that this society could be re-ordered to be more just would require a collective effort. Religious communities need to be part of these dialogues because of their social significance in Namibia. We are not creating a justice of our own making but of people from diverse levels of society affected by dehumanising conditions. This means that the way forward should be through creating allies in identifying notions and practices from diverse perspectives that we can put together to develop the kinds of social safety nets to redress socioeconomic inequality.

Suggesting a distributive approach is not an attempt to have one answer for all the socioeconomic woes of Namibia. Instead, the dialogue around this is for entry level intervention which should have been implemented during the early years of independence. Unlike the romanticised totalising solutions of some neo-socialist groups, this paper does not espouse the “notion that there must exist final objective answers to normative questions, truths that can be demonstrated or directly intuited ... to discover a harmonious pattern in which all values are reconciled, and that it is towards this unique goal that we must make” (Berlin, 1969, p. 47). Such hyper-animation in search of solutions is logically invalid and is the reason for “absurdities in theory and barbarous consequences in practice” (ibid., p. 48).

What is presently needed in our socioeconomic planning is an honest, ethical and humane search that will answer to the question: “What are the symbols used in the Namibian context that represent a just order?” This search will devise means that will minimise the arbitrary sacrifice of the vulnerable among us to the forces of the markets. It is an effort to embrace a thicker meaning of nation building by ensuring that the most vulnerable are protected. This will come at the cost of some. Such cost is exactly what a covenanting

society should look like, where the responsibility to care for the less advantaged is a collective responsibility. It is a move towards realising national neighbourliness to attain the *telos* of a good life. This takes governance out of mere abstracts and seeks their concrete expression in society.

While the distributive model does not promise a utopia, it is a practical way of relating the freedoms we promote to equality of access to life-enhancing goods (Lebacqz, 1986, p. 87). The most appropriate way of answering what it means to be human is by availing the symbols that signify what a good life looks like in Namibia. Attaining these goals will remain an area of conflict. Using Niebuhr's (1944, p. 234) argument, however, we do not rule out coercion within rational justification to realise a distributive measure to arrest the progress of present social inequality. This does not imply violent revolution, but rather an attempt to find reasonable responses to address unjust principles and their manifestation (Rawls, 1999, p. 336). We suggest social justice that integrates a comprehensive moral theory and a political theory of social justice. The two are complementary approaches to redressing social injustice, justifying the need for distribution as a valid entry-level. While religion needs to be engaged as a key ally in the social order, it does not mean that religion should

trump all other views. However, in the values of a secular state, religion should find its place and participate actively to ensure that the values it holds can be used for the common good.

The common good is embedded in social relationships. Thus, the state alone cannot fulfil the functions of social justice. The right human relationships need to be cultivated. Social injustice in forms of inequality of wealth, and of access to life-enhancing goods and opportunity reflects broken human relationships. One way forward in such a socioeconomically disparate society is through restoring human relations. These include family, friendship, and inter-cultural relationality – which are common goods humans can share to construct meaningful engagements. In so doing, we promote common societal values that recognise the humanity of each other and come up with specific actions to meet needs. We need to realise that we are relational beings and “starting from this as a ‘given’, to work out how we best fulfill the demand and opportunities of being human; how we cultivate the life of virtue” (McGrail & Sagovsky, 2015, p. 23). This life of virtue would make us a society that will advocate for a more equal society expressed through humane banking systems, a fairer market, provision of education, housing and the opportunity for decent employment and wages. Added to this would be collective

solidarity with the less advantaged and collective responsibility to hold government accountable to serve the common good. This implies that the politics we choose serves the common good by minimising social injustice and creating robust political structures and social safety nets.

## Conclusion

We explored what social justice might look like in practical terms. We used socioreligious ethical analysis as the framework to answer the question of what it means to be human and what symbols are required to affirm whether the Namibian socioeconomic context affirms human dignity. The lack of robust systems enhances the prevalence of unjust socioeconomic conditions. To embrace a comprehensive vision of human dignity, liberty and justice needs a dynamic way of engagement to create a humanised future. Thus, we need to generate a particular *praxis* that will satisfy our social *telos* of attaining the good life. This has to be done through a comprehensive moral theory and a political social theory that would motivate us to action. This action would be the outward expression of the values we hold, and manifest them in tangible forms that allow for human flourishing, especially among the less advantaged. Social justice that is driven by *praxis* and centred on meeting needs is a way of advancing the common good. While we call upon the government to create

robust, functional and sustainable systems, society also needs to nurture human relationships that express covenant and neighbourliness so that we create communities that are looking out for the needs of the less advantaged and do not leave that task solely in the hands of the state.

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## The Church and Social Justice in Contemporary Namibia

*Emma N. Nangolo*

### **Abstract:**

*As Namibia celebrates thirty-two years of independence, social problems have become more pronounced, and many community members are denied social justice. Mindful of the fact that issues of social justice are not marginal to the mission of the Christian church, this article examines the role of the church in addressing social concerns of Namibian people, more than 90 per cent of whom identify as Christian. This article considers it important to conceptualise social justice and analyse the engagement of the church in social concerns in pre- and post-independence Namibia. Methodologically, it uses qualitative discourse analysis based on secondary sources. The church has been criticised for not taking a clear and firm public stand when it comes to gross inequalities and injustices that bedevil modern day Namibian society. It is concluded that the churches need to reclaim their prophetic voice and walk in solidarity with the suffering masses and to publicly denounce all forces that perpetuate inequality and injustice. They need to take a clear stand on a plethora of societal issues such as inequity, unfairness, injustice,*

*human dignity, human rights, gender equality, poverty, redistribution of wealth, unemployment, land allocation, adequate and sufficient shelter, adequate education and health care, alcoholism, drug addiction, orphans, street children, and social outcasts.*



*Photo: Dirk Haarmann*

**Key terms: Social justice; church; prophetic voice; advocacy; inequality; poverty**

## Introduction

Although Namibia has been politically independent for thirty-two years, the state has not yet fully complied with its social obligations. Contemporary Namibian society is therefore faced with a myriad of social, economic, environmental and religious challenges. It is also bewildering to note that a country blessed with enormous resources can be in a precarious state marked by discrepancies and gross inequalities, wherein social justice is denied. While some may still be blaming the situation on colonialism, unfair international trade practices and the processes of globalisation (Melber, 2017), some Christians and people from other faith traditions opine that some blame should also go to the Christian church for having fallen short of societal expectations (Nangolo, 2022). Already in 2009, Shejvali (2009, p. 2) wrote: “Namibian churches are in the midst of an ‘identity crisis’, questioning their relevance and role in an independent Namibia where poverty and economic inequalities continue to plague the nation.” In reference to a public lecture held by Dr Joseph Diescho on 28 January 2009 in Windhoek, Shejvali commented that while the church remains relevant to society, it has nevertheless failed

to address the social concerns of the Namibian people, more than 90 per cent of whom identify as Christians (ibid.).

Before independence, the Namibian churches acted powerfully as a moral and social voice against human rights violations, discrimination and inequality (Isaak, 2013; Nangolo, 2022). Soon after independence, however, the churches retreated from the public space, seemingly avoiding confrontation with the government and avoiding social responsibilities. They have remained silent, expressing no opinion on several integral issues affecting Namibian society, including the ever-growing gap between the wealthy and the poor, gross inequality, Namibia’s deteriorating education and health systems, and political intolerance.

There are only two possible attitudes which the Christian church can adopt towards social inequalities and injustice: either to escape, or to engage. To escape is to turn their backs on communities and society in rejection (Stott, 1999). In contrast, to engage is to turn their faces towards communities and society in compassion, getting their hands sore and worn in solidarity with the people (ibid.). The mission of the Christian church requires it to be immersed in the life of the world, not to be withdrawn. Jesus taught this truth

in his vivid metaphor of the salt and the light (Mat. 5:13-16). By implication, what this means for the church is that, if it is to do any good, then it must penetrate into communities and society at large. After all, the church is called to be a predominantly social ministry. If the Namibian churches are to fulfil their mission, they must recognise that social injustice brings the lives of many people into crisis, and that it is a crisis which churches must face. The relevance of the churches will be determined by their responses. The crisis also challenges the churches to reclaim their prophetic voice, walk in solidarity with the suffering masses, and publicly denounce all such ill forces that perpetuate inequality and injustice.

This article is guided by a qualitative discourse analysis approach based on secondary data from various sources to understand the prophetic voice of the church before and since independence, as well as challenges facing the church today. The article approaches the issue of church and social justice from different perspectives: the social economic context; social justice; theology; the church as healing communities; and pastoral care. All these aspects are interlinked and cannot be completely separated from one another. Specific aspects, however, are identifiable within the article.

## **Conceptualising Social Justice**

Amissah (2020) identified three main views of social justice. Firstly, there is the traditio-cultural view, which focuses on communal living and responsibility. This approach to social justice is based on the traditional African practise of communal living, where privileges and responsibilities of belonging to a community are enclosed in the sharing of resources. Each member of the community is expected to exercise piety towards the community and respect for the environment. According to Paris (1994), such a community-focused social justice requires a basic structure of inclusive equality, wherein the well-being of all the community's members is assured. Secondly, there is the religious view, which sees social justice as a divine responsibility for the welfare of communities and societies at large. Mbiti (1989) emphasised the importance of religion as a unifying element in the African context. He points to the worth ascribed to the individual within the community, and the solidarity that exists between family members, their extended families, their clans or tribes, the ancestors, nature, and God. Thirdly, there is the socioeconomic view, which looks at social justice in the light of the equitable distribution of resources, human rights and equality (Amissah, 2020).

For the purposes of this article, social justice refers to situations in which the resources of the community (or society at large), legal systems, and power structures in all their forms are consciously and systematically distributed for the well-being of all members of the community or society, without any form of discrimination (Asamoah-Gyadu, 2012). The aim is to ensure fairness and equality and the protection of fundamental human rights and dignity, and to empower the vulnerable to become self-sufficient. In the scope of this understanding, social injustice exists when there are some community members whose social conditions are below acceptable standards as far as human welfare is concerned. Or as Adeyemo (2012, p. 9) expresses it, social injustice amounts to a state of being inferior in quality or insufficient and being denied access to those material things that ensure basic human survival and justice for all.

Chapters 3 and 11 of the Namibian Constitution directly address fundamental human rights and freedoms of the people of Namibia, and the promotion of the welfare of the people. These constitutional provisions are the yardstick for measuring whether social justice is provided or denied for the people (Constitution of the Republic of Namibia).

## **Advocacy and the Mission of the Church**

Advocacy is an expression of the prophetic ministry of the church, largely modelled by the Old Testament prophets who openly criticised their religious and political leaders for the way in which they ignored their duty to protect the rights of the destitute. Through Jesus' ministry, the New Testament also manifests an advocacy role, especially in the way Jesus defended the dignity of marginalised people, liberating them from bonds of stigmatisation and shame, and including them in the new society that his disciples represented. As followers of Jesus, the Christian church is called to have a prophetic voice. Advocacy, the public voice of churches in defence of victims of injustice, is an integral element of the church's mission for the healing of communities or, as Nordstokke (2016, p. 35) puts it: "Mission as advocacy for justice denotes the church's praxis in the public arena as affirmation and reaffirmation of the dignity of human life, both as individual and as community, as well as a widened sense of justice, encompassing the economic, social and ecological spheres."

It should, however, be noted that advocacy is different from lobbying,

which seeks to influence governments or other leaders for one's own benefit. Advocacy is primarily concerned with the situation of others, in the first place, marginalised groups in church and society (Ndaikwila, 2017), those who are unable to defend their own interests, or for various reasons are discriminated against or silenced in society. Good advocacy presupposes listening and solidarity. A good example of advocacy in recent years is the voice that many churches have given to people affected by the HIV and AIDS pandemic. From the day that the churches gave space to people living with HIV and AIDS to air their stories and struggle for justice, their advocacy role grew in importance.

According to Nordstokke (2016), many people only came to trust the churches during the time of Namibian colonialism when they declared apartheid to be a heresy and advocated for independence. Not all churches raised their voice against apartheid, as some considered apartheid to be a political issue that fell under the authority of secular powers. After apartheid was dismantled, a number of churches under the Lutheran World Federation admitted that they had failed to take sides in the apartheid conflict, or that they had wrongly supported the racist government (*ibid.*). In the words of Nordstokke (2016, p. 36) “this leads one to reflect on why it is easier to confess sins committed in the past than

to respond to the social and political challenges of the present.”

## **Church History in the Context of Namibia**

Several stories from the Bible serve as evidence that the continent of Africa played a major role in early Christianity. For example, Mat. 2:13-15 talks about Jesus and his parents as refugees in Africa due to persecution by King Herod. Acts 2:10 tells the story of Pentecost, where many Africans from Egypt and regions of Libya were present, and Acts 8:27-28 the story of the Ethiopian official. Although Christianity was not born out of Africa, its presence since its infancy period never disappeared from the continent. Thus, Africa also came to play a role in the shaping of Christian theology and administration (Buys & Nambala, 2003).

Buys and Nambala (2003) documented that Christianity came to Namibia in 1806 through the work of the missionaries of the London Missionary Society (LMS). The LMS was an interdenominational organisation that included Episcopalians, Methodists, Presbyterians and Congregationalists (Nambala, 2017). In 1834, the English Wesleyan Methodist Missionary Society (WMMS) became the second missionary society to reach Namibia with the Christian gospel. In 1840, the LMS discontinued its mission work

in Namibia, leaving everything to the Rhenish Missionary Society (RMS). In 1867, the WMMS also ceased its operation in Namibia, and again requested the RMS to take over its work (ibid.). According to Buys and Nambala (2003), the period between 1867 and 1869 was monopolised by the RMS as the only mission society operating in Namibia. However, realising that the vastness of the country exceeded their capacity, in 1869 the RMS invited the Finnish Missionary Society (FMS) to come to Namibia.<sup>26</sup>

The Roman Catholics established themselves in Namibia after 1888, while the Anglicans only arrived at the beginning of 1924 (Buys & Nambala, 2003). Thereafter, other denominations also started to arrive, albeit at a very slow pace. To date, about 90% of Namibian citizens are registered as Christian, with the following denominations being dominant: Lutheran (60%), Roman Catholic (20%), and Anglican (10%) (Nambala, 2017). The remaining ten percent of Namibian Christians are divided among other denominations, including the Dutch Reformed Church, Seventh Day Adventist, Baptists, Methodists, African Methodist Episcopal Church, and many other small independent churches.

There are three Lutheran churches in Namibia, namely the Evangelical Lutheran Church in the Republic of Namibia (ELCRN), the Evangelical Lutheran Church in Namibia (ELCIN) and the Evangelical Lutheran Church in Namibia – German Evangelical Lutheran Church.

The ELCRN<sup>27</sup> was established out of the work of the RMS in 1957. The RMS first concentrated its work among the Herero people and set up mission stations at various places in the south of the country. The ELCRN has a tradition of taking on social responsibility, and as such, it still runs several social institutions and programmes across the country. The FMS, which came to Namibia at the invitation of the RMS, proceeded to the north of the country and started their mission activities at Omandongo among the Ondonga tribe in 1870 (Buys & Nambala, 2003). They later spread to the rest of the former Ovamboland and to the area of the Kavango people in the northeast. In 1954, the Finnish field mission constituted an autonomous church and took the name Evangelical Lutheran Ovambo-Kavango Church.<sup>28</sup> By 1910, Namibia had already attracted about 13 000 German settlers (ibid.). Under the racially segregated policies of

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26 FMS was later renamed the Finnish Evangelical Lutheran Mission.

27 At that time, the name of the church was the Evangelical Lutheran Church in South West Africa. The name was changed to ELCRN in 1990.

28 ELOC was later renamed to the Evangelical Lutheran Church in Namibia (ELCIN).

South Africa's apartheid regime, white people enjoyed privileges that were reserved for whites only. However, the Namibian-Germans were served by the Rhenish missionaries alongside the indigenous people. When the RMS established the Evangelical Lutheran Church in South West Africa in 1957, the Namibian-Germans refused to join the new church. Instead, they joined forces and established an exclusive church, The German Lutheran Church in South West Africa.<sup>29</sup>

It is also important to point out that in Namibian Christian church history, there are two distinctive roles played by the mission societies. On the one hand, the RMS was an active participant in the oppression of Namibian people. They used Christianity as an instrument of colonialism, racial oppression and domestication (Buys & Nambala, 2003), whereas the FMS and the Roman Catholic church in Namibia remained neutral as Namibian people were being persecuted and denied basic human rights, freedom and dignity by the colonial masters (ibid.).

## **Namibian Churches and Social Justice before Independence**

The apartheid system imposed by South African rule in Namibia before

independence negatively affected the lives of Namibians. On 21 June 1971, the International Court of Justice declared that South Africa's continued occupation of Namibia was in fact illegal. This announcement inspired the churches to raise their voices against the apartheid regime and its concomitant injustices. To protest, two black Lutheran churches in Namibia, namely ELCRN and ELCIN, sent a joint *Open Letter* to the Prime Minister of South Africa denouncing the injustices of the apartheid regime and calling for self-rule for Namibia. At the same time the church leaderships also sent a joint *Pastoral Letter* to their congregations, asking their members to maintain peace and build bridges between Namibians of all racial groups. After the publication of the *Open Letter*, most other Namibian churches, including the Roman Catholic Church, the Anglican Church, the African Methodist Episcopal Church, and the Methodist Church agreed to endorse it. In support of the *Open Letter*, the Anglican Bishop, Colin Winter, wrote: "The Christian church, as the conscience of this nation, must speak out with clarity and without fear. Apartheid must be denounced as unacceptable before God. Who else but the leaders of the church can do this?" (Winter, 1977, p. 116).

Upon receiving a copy of the *Open Letter*, the South African government

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<sup>29</sup> German ELCSWA was later renamed to the Evangelical Lutheran Church in Namibia – German Evangelical Lutheran Church.



reacted with disbelief and indignation. In his speech, South African Prime Minister Vorster raged against religious involvement in political affairs. He said “I want to say to these people, to these bishops and ministers of the religion: Your job is to teach religion, to teach the word of Christ. Your job is not to turn your pulpits into political platforms” (Auala, 1973, cited in Amweelo, 2022, p. 17).

Following their endorsement of the *Open Letter*, all major churches in Namibia, publicly and unequivocally, became an important and active part of the struggle against oppressive systems and injustices. From that point on, in solidarity with the masses who were suffering discrimination, the churches continued to express their opinion on social and political matters. They ascribed to a liberation theology which sought to foster black consciousness (Isaak, 2013) and to close the gap of racial inequality (Kobe, 2018). They preached liberation theology as part of their message of hope in a dehumanised society (Nambala, 1994). Liberation theology argues that all persons have equal significance, irrespective of colour, race or gender, and that they should receive equal consideration, respect and treatment. In a meeting held on 18 August 1971 between the Namibian Lutheran church leaders and Prime Minister Vorster, Bishop Auala refused to apologise for the churches’

actions to stand with the suffering people. Instead, he elucidated the church’s position and its duty to speak out against the apartheid regime of South Africa (Auala, 1973).

In addition to advocacy, the churches also performed a variety of humanitarian works in an effort to promote economic and social development in afflicted communities. They understood well that education is probably the shortest route to social justice. They worked among exiled Namibians and gave assistance to political prisoners by contracting lawyers to defend them (de Vries, 1996). By and large, the churches operated from a theological position directed against the prevailing fundamental injustice. With actions such as these, the church was soon recognised as the open and fearless voice of the voiceless.

However, the more the churches supported oppressed Namibians, the more the South African colonial authorities tried to sabotage their efforts. For example, in 1972 they expelled Anglican Bishop Colin Winter because of his support for the labour strike during which Namibian contract workers put down their tools and stopped working in protest against the contract labour system. Three years later, another Anglican Bishop, Richard Wood, was also expelled because he openly condemned the brutal flogging of civilians at Ondangwa. In

1973 and 1980, the printing press of the Evangelical Lutheran Ovambo-Kavango Church at Oniipa was blown up in an act of sabotage. Nevertheless, the churches did not abandon their mission for social justice.

In 1978, the Namibian churches formed the Council of Churches in Namibia (CCN) in order to work together. Ndaikwila (2017) noted that through the CCN, the churches cooperation was strengthened, which made their influence in society even stronger. They continued to identify with the suffering of the peasants and contract workers.

### **The Church and the New Social Justice in an Independent Namibia**

According to Angula (2022), the agenda for the creation of the state at Namibia's independence was shaped by the idealism of the liberation struggle. In fact, the framers of Namibia's Constitution believed in progress, development, and the transformation of state institutions to serve the interests of the broad masses of Namibian people who had previously been excluded from equal opportunities and participation. State institutions were created with the expectation of transforming the new society into a progressive and peaceful nation (*ibid.*). To this end, health services, education provision, rural water and road infrastructure and other

amenities were provided. Social safety nets were expanded, and employment opportunities were created.

Soon, however, economic management and fairness became a challenge, and people became less able to guard against malfeasance, mismanagement and self-enrichment (Angula, 2022). New terms, such as 'tenderpreneurs', 'fat cats', 'sight holders', 'middle men' and similar strange notions entered public discourse. Some previously disadvantaged Namibians started attaining political and economic power and more control over resources than ever before. A small group of Namibians, either occupying formal positions of authority in governmental structures or in associational structures,<sup>30</sup> started becoming wealthy beyond any reasonable need for a good life. In this way, a number of black Namibians joined the white elite (Nangolo, 2020).

On the other hand, even more people became extremely poor and vulnerable below any conceivable definition of decency (Melber, 2017). This situation led to a huge income discrepancy between the "haves" and the "have-nots". The gap between the wealthy and the poor is now so obvious that at the extremes, people of the same country

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<sup>30</sup> For example, comrades connected to the ruling party or individuals with close ties to the inner circles of governance.

seem to be living in different worlds. As Joseph Diescho once jokingly said, “What would God say arriving in the informal settlements of Gibeon or Nkurenkuru, after just having dined at the State House?” (Shejavali, 2009, p. 2). Peripheral populations have become marginalised and have dropped out of the formal economy altogether. They are becoming economically redundant and, as a result, politicians take them less than seriously, even referring to them as indolent, improvident, or fatalistic.

Basically, it did not take long for many of the hopes of earlier decades to start fading away unrealised. The visions of the 1960s to 1980s for a better Namibia brimming with employment opportunities, decent incomes, education and health for all, safe water supplies, fair terms of trade and much more either seemed no longer conceivable or difficult to realise. Year by year, we have watched and heard about deteriorating services in health and education, mounting civil disorder, decaying social fabric, lower expectations of life, dishonesty and corruption, gender-based violence and increased social vulnerability. We have seen how much of international aid and the national budget has either financed the wrong things (e.g., prestigious buildings instead of genuine development which creates jobs and helps the poor) or has been squandered

by incompetence or corruption. In view of all of these, social justice has become a burning and sensitive issue since Namibia gained its independence.

While Namibia is rich in natural resources, more and more people remain impoverished. The country is currently faced with a high level of unemployment,<sup>31</sup> especially among the youth; income inequality, generalized poverty and the challenges of pandemics are the order of the day. Some people are compelled to live under bridges and to search in dumps for their daily bread. In nearly every situation of impoverishment, the burden borne by women, who groan in constant travail, is overwhelming. Many women are forced to prostitute themselves to put bread on the table, and a growing number of children have nobody to rely on to survive except themselves (Nangolo, 2020). Heads of families and bread winners suffer from mental illnesses due to economic stress (*ibid.*). The poor are isolated from the mainstream economy and political dialogue. They are pushed further to the peripheries of cities and into socioeconomic underdevelopment. As the country celebrates thirty-two years of independence, social problems have become more pronounced, and many community members are denied social justice. Overall levels of economic and

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<sup>31</sup> Namibia has an unemployment rate of over 33% (Namibia Statistics Agency, 2019).

social development remain insufficient to ensure better living conditions for the people. The country can only achieve cohesion or at least convergence of core interests through the participation of all relevant stakeholders, including the church. Failure in any category undermines success in the others.

The government has tended to focus on formal frameworks and institutions to solve the problems of poverty, discrepancy and inequality in the country. However, too little attention has been paid to the interests, incentives and informal interactions of implementing parties. When not in the interest of elites, reforms are implemented partially or not at all, and are frequently circumvented (Melber, 2017). This causes deep concern and should be a formidable challenge to the government. But to turn the situation around, humanity must want to do so. As it is, there is a lack of responsibility among the most powerful role players, and there is insufficient political will to turn the system around (ibid.).

The watchdog institutions such as the Ombudsman, the Auditor General and the Anti-Corruption Commission that should scrutinise government performance are to a large extent ineffectual. The ACC, in particular, has repeatedly been criticised for being a “toothless giant” doing nearly nothing to fulfil its mandate of combatting

corruption in the country (Nangolo, 2020). The commission is accused of keeping itself busy only with petty theft. They act swiftly to arrest ordinary people with no political connections, but drag their feet when it comes to investigating high profile corruption cases involving high-ranking government officials and politicians.

Youth unemployment in Namibia is the highest in southern Africa, standing at 46.1 per cent in 2019 (Government Republic of Namibia, 2019).<sup>32</sup> The situation is of grave concern, with the highest impact being in the rural areas where employment opportunities are close to non-existent, and this is one of the major economic downfalls in the country. This is a primary reason why the recent years have witnessed many young people migrating from rural areas to urban centres in search of better opportunities, which often evade them once they are there. When one closely investigates this problem, one sees that rural livelihood options are limited for young people. Mostly, rural livelihoods depend on farming (as the main choice) and petty trading such as hairdressing and meat sales by the roadside. One big challenge for young farmers in the rural areas is the lack of access to equipment (e.g. machinery) that would allow them to ease their workload and possibly move

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<sup>32</sup> The youth are defined as those aged from 15 – 34 years old.

beyond subsistence farming. Access to a tractor, for example, is impossible for a young rural person because of its high cost. Compounded with limited access to land for young people, this constitutes a profound threat to their livelihoods.

Although youth unemployment haunts Namibia, there are no immediate solutions to the problem on offer from the government. If anything, young people suffer exclusion in the labour market due to their lack of sufficient education and supposed lack of experience. Consequently, youth unemployment has proved to have a significant impact on poverty and other social concerns, such as crime, violence, suicide, alcoholism and prostitution.

Amid such crushing conditions of disparity and inequality, voices calling for the renewal of the church are heard in a rising crescendo. There is public anger, disappointment, denunciation and lament directed at the churches. The common outcry is that the churches have failed to criticise the new SWAPO Party government for its shortcomings, in marked contrast to the position they took against the colonial government. More specifically, the churches have not shown visible enthusiasm for denouncing the abuse of power, the mismanagement of resources, social and economic injustice, corruption,

and environmental problems. It is noted, however, that Kameeta (2006) criticised certain deficiencies in the Namibian social fabric, at the same time drawing comparisons with the evils of the colonial period. He tackled issues of nepotism, corruption, racism and dishonesty.

Social justice demands equality of opportunities (Stott, 1999). Unfortunately, this is exactly where the problem lies. Contemporary Namibian society is faced with inequality of privilege, and most people find themselves unable to develop and exercise their human potential. Sadly, the church has kept silent (Isaak et al., 2020). The prophetic voice of the church is today hardly heard in public discourse concerning the most pressing issues endangering individuals' lives, whole communities, and the environment. On the rare occasions that it is heard, it appears that for many people, it has lost its compelling and convincing power. For example, the church<sup>33</sup> was one of the key actors in the Basic Income Grant (BIG) pilot project initiated by a coalition of non-state actors in 2005. The coalition raised funds mainly from church-affiliated donor institutions and piloted the project in the much-impooverished community of Otjivero-Omitara in Omaheke Region. The pilot paid a monthly cash

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<sup>33</sup> The Lutheran church in particular.

allowance of N\$100 during 2008/9 to each individual resident there. The campaign, mostly championed by the churches, had hoped to convince the government that, in the absence of any other form of income security, BIG is a meaningful alternative to implement as a universal grant. According to Kameeta (2016, p. 100), “BIG will stimulate and inspire economic activity, growth and prosperity, not only for the poor, but for the country at large. It will furthermore uplift and bring life to the rural areas and this, in turn, will gradually remove the burden of supplying water and electricity to the urban areas, because as a result of economic activities in the rural areas, people will be attracted to move back there.” In their reluctance to commit to the core idea of BIG, the government argued that giving money to the poor is like putting water in a bottomless container. To this, Kameeta stressed further that BIG “is not an unrealistic dream or utopia, but an attainable reality for which many suffered and sacrificed their lives. What we need to achieve now is the political will of unselfish leaders who carry the needs of the poor and of the whole country in their hearts. We equally need courageous and committed women and men in the footsteps of the prophets and apostles, confronting the gods of capital and greed, challenging them with the good news of liberation, justice

and peace for the poor” (ibid., p. 100). Melber (2017) recalled that at the 25<sup>th</sup> synod of ELCRN at the end of August 2013, the retiring bishop Zephania Kameeta, as one of the initiators of the pilot project, bemoaned the growing discrepancies between the rich and the poor and the lack of political will to change this trend. He warned that egoism is dividing the nation.

Nevertheless, the silence of the church cannot be overstated. It is as if the church suddenly regards its role as merely spiritual. It is as if it has abandoned its prophetic calling to participate in the world and to speak for all those who struggle for justice, to strengthen and amplify their voices in their struggle to better their conditions and contexts. Suffice it to point out that the chosen silence of the church today has contributed to its loss of prestige and intellectual influence in society. Töttemeyer is right when he comments: “The impact the Namibian churches may have on State decisions will depend on the extent to which they are still trusted in the Namibian society. What guidance do they provide, do Christian norms still remain influential and how credible is the mission the churches stand for? Losing the trust of society can bring about a schism between Church and society and can put the Church in a vulnerable position” (Töttemeyer, 2017, p. 121).

## A Church in Crisis

The country's independence has brought about new dimensions and challenges for both the Namibian churches and the state. For SWAPO Party, which headed the liberation struggle, independence became a liberating experience, and the party had to reposition itself as the ruling party. Unfortunately, the churches, under the umbrella body of the CCN, fell into somnolence after independence. They are still in a state of drowsiness from which they have not yet fully awoken. Luther's command of constant reformation challenges them.

Today the problem facing the masses is no longer an oppressive racist government as in the past. The country is now independent and has a democratic constitution as supreme law. Nevertheless, social and economic injustices also occur in this democratic country, where some people continue to feel left out or discriminated against and where many have neither hope nor purpose.

In the face of all forms of social and economic injustice, mismanagement, corruption and bad leadership, which are busy wrecking the lives of Namibian people, it appears that the political leadership has become immune to the cries of the suffering masses. While more concerned with their personal ambitions, the leaders

have no problem burying their heads in the sand and forgetting the suffering of the people. After all, it is bad leadership, mismanagement, incompetence and corruption that are at the heart of the problem (Nangolo, 2020; Angula, 2022). For example, most of the corrupt activities are taking place due to a lack of transparency and accountability on the part of those in positions of authority. If the leadership was indeed accountable and the system of governance transparent enough, there would not be such alarming cases of corruption and its concomitant inequalities. Those in positions of power have tended to ignore and even change or amend the laws that ensure efficiency, accountability and transparency.<sup>34</sup>

The Christian church cannot and should not be expected to do the same, to also disregard the cries of the suffering masses, if it is to remain faithful to its calling. What justifiable reason could there be for the churches to neglect the plight of the destitute and vulnerable in our midst? Why would the church see it best to remain silent instead of speaking the truth and confronting the policies, structures and powers perpetuating injustice and

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<sup>34</sup> For example, in the Fishrot Scandal, the (then) Minister of Fisheries, Bernhard Esau, and the (then) Minister of Justice, Sackeus Shanghala, played pivotal roles in ensuring guaranteed access fishing quotas. For this to happen, they changed and amended the laws, which allowed the minister sole rights to allocate the quotas at will.

imposing suffering on the masses? Is it that the church has become too weak to make a difference? Or has it become too timid to raise its voice in protest? Or is it that current church leaders are just not ready to grapple with difficult social, economic and political issues? The churches need to reclaim their prophetic voice and walk in solidarity with their suffering flock, and to publicly denounce all such ill forces that perpetuate inequality and injustice. These actions should not be modest, but radical, as is said in Proverbs (31:8-9): “Speak out for those who cannot speak, for the rights of all the destitute. Speak out, judge righteously, and defend the rights of the poor and needy.”

As the body of Christ in the world today, the church does not exist for itself, but for the world. In the words Töttemeyer (2017, p. 120), “the church must be an active partner in the socialisation and empowering process of a society.” It is empowered through the Holy Spirit to protest, resist and seek to change whatever compounds injustice. Isaak (2013, p. 74) refers to Luther’s definition of the relationship between spirituality and socio-political-economic involvement. According to him, the *Open Letter* of 1971 already reflects what he refers to as “faith-inspired theology that is linked to social and political activism”. This argument is still valid as much as it was before Namibia’s independence.

The Lord Jesus Christ confronted real life issues. He felt the pangs of the hungry, and the alienation of the poor. The early church went out to the people and grappled with their real issues. Luther and Calvin were both involved in the toils and tribulations of the real-life issues of their time. In fact, Luther began many of his theological reflections with lament. The Namibian church today has very little in common with the New Testament church. Too often, church leaders do not talk about the real-life issues people are facing. This could be one of the reasons why people run from one church to another seeking to be heard and to be answered. It could also be the reason why “prosperity gospel” is popular among the vulnerable and marginalised.

Our churches today are big, beautiful buildings decorated with comfortable pews, stained glass windows, and air conditioners. Jesus and the New Testament church invested in people, but the churches today are more concerned with putting up big physical structures rather than focusing on the masses who are struggling.<sup>35</sup> The main quest for people today is for a gracious church, to be there for them as a watchdog, representing the interests of those who are excluded, dealing

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<sup>35</sup> Although this description of the church today is not intended to be a representation of all churches or parishes, it reflects a reality of many, and should help us to understand how the church has gone from the very clear instructions of service.



with pluralism, and serving their needs. Asamoah-Gyadu (2012) argued that ultimately, social inequalities are neither political nor economic, but are moral problems. Thus, until the church feels moral indignation over social injustices, and compassion for human suffering, it is not likely to act.

All too frequently, the church is quick to refer the responsibility for strengthening, transforming and uplifting people to the government. If things go wrong, as happens sometimes, the church does not speak up. It has seemingly removed itself from the people. It is afraid to take a clear position on pressing matters and tries to take a neutral stand. However, such an approach is not neutral and obviously does not improve the situation. Instead, it cements the status quo. Even worse, it hampers the cause of justice while crushing the hopes and aspirations of affected communities. The church should be bold enough to state its position, either publicly justifying or denouncing actions, inaction and issues that affect the masses.

Unfortunately, time is running out for the churches in Namibia to accept the prevailing challenges to the fullest. In order to comply with their mission tasks, they have to reconstitute themselves in society. Their task remains to be a prophetic and spiritual

body, but one that is simultaneously committed to action and the practice of social activism. Only then will the churches remain relevant and credible institutions in Namibian society.

The church must denounce mechanisms of exclusion and announce inclusiveness through structures and practices. Although the church has been involved to a certain extent in some national issues, e.g., the land question, the *olufuko* practice and the abortion discourse, its voice is not loud and bold enough to be heard by all. Hence, the question remains: Where is the church today?

In light of the Theology of the Cross, the church should encounter people in their daily suffering and meet their needs. It should focus attention on the suffering masses, “to identify wounds and find ways of healing and dialogue – and even more so to prevent new injustices and new wounds from being created” (Von Wietersheim & Shivute, 2017, p. 110).

This can, however, only be done if the church is indeed ready to enter the world of the people, to listen, to consult and to jointly strategise with them. A prophetic voice stands a better chance of being heard if it starts at, but is not restricted to, the local level. While the government deals with issues at a technical and legal level, the church

should meet the people where the law cannot reach, to restore their fading hope and to foster dignity, because poverty, violence, human rights violations, and injustice often deface people. For sure, the law alone cannot restore justice, cannot heal, cannot console and cannot mend (ibid.).

The voice of the church needs to be heard when the government fails or when its hands are bound, and when there is misinterpretation and misuse. Apart from denouncing, the church can also play a significant role in assisting the government in guiding expectations, dealing with disappointments, and promoting the cause of justice. The fact that Namibia is predominantly Christian is a major advantage that the church needs to use as an opportunity to access the state with ease.

There is an urgent need for the church to introduce new contextual theologies that respond to pressing contemporary issues. For example, what is the theology around homosexuality, or abortion? Theology does not only influence behaviour – it also has a impact on attitudes. There are capable theologians who can produce Christian literature for the church to make the gospel of Jesus Christ relevant to Namibia's current generation. Equally, there is an urgent need for hymnals that reflect the current context of our society to

supplement the hymnal books that were brought by the missionaries in the last century.

## **Conclusion**

It is well documented that throughout the struggle for national independence, Namibian churches served as the conscience of the nation. Namibian churches today have been criticised for not taking clear and firm public stands when it comes to gross inequalities and injustices happening in modern day Namibian society. It is self-evident that the churches need to reflect on self-understanding and their public responsibility. They must be accountable for what they do, adapt themselves, and continuously test whether they are acting in accordance with their mission and the expectations of their flock. It would be to the detriment of the churches if they did not take visible and credible actions related to their prophetic message. The churches need to reclaim their prophetic voice, by taking a definite stand on a plethora of societal issues such as inequity, unfairness, injustice, human dignity, human rights, gender equality, poverty, redistribution of wealth, corruption, unemployment, land allocation, adequate and sufficient shelter, adequate education and health care, alcoholism, drug addiction, orphans, street children, and social outcasts. Such involvement will contribute to the credibility of the

churches and their positions in society. Töttemeyer (2017) advised that, in the Namibian context with its developing society and in the aftermath of its colonial past, prophetic theology must be linked to socioeconomic responsibility.

Furthermore, in complying with and conforming to the mission of the Christian church, individual churches cannot escape their responsibility to heal wounds. Many scars are still visible. Injuries of the past are not easily forgotten. The churches also have the right to test the moral conscience of the state. This includes testing of the legality and legitimacy of state actions and establishing if they comply with Christian ethics, norms and values, and the prophetic mission of the Church.

The church is at the crossroads, where it needs to reflect biblically and theologically on its self-understanding and its public responsibility. It needs to pull itself together in order to remain faithful to its calling. Withdrawing and remaining silent is not an option. Christians and people from other faith traditions in Namibia alike look up to the church and faith-based organisations, expecting to hear a denouncement of the forces that perpetuate poverty, injustice and moral decay. It should be as Bloomquist (2007, p. 66) wrote: “The pulpit must continue shaping all the organs of society, so that

Christians can live out the different mandates, as part of Luther’s doctrine of vocation. We need pious God-fearing rulers, who are human centred, and in this way are serving Christ, politicians who are concerned about the poor and powerless.”

Pope John Paul II said: “In the final analysis we must realize that social injustice and unjust social structures exist only because individuals and groups of individuals deliberately maintain or tolerate them” (Pope John Paul II, 1993, p. 3). It is these personal choices, operating through structures, that breed and propagate situations of poverty, oppression and misery. For this reason, overcoming social sin and reforming the social order itself must begin with the conversion of our hearts.

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## Case Study

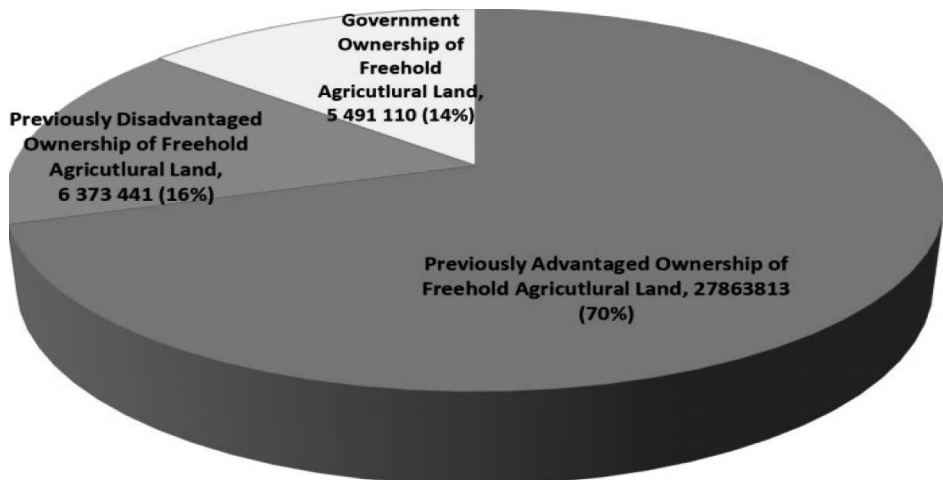
# Land Inequality in Namibia: White Indifference, Elite Capture and Policy Inadequacies

*Ellison Tjirera*

### Introduction

In Namibia's socio-economic landscape, it is apparent that land inequality is a harbinger of many other forms of inequality. Historical accounts are replete with assertions that the fight for independence was by and large about land (see e.g. Botha, 2000; Pankhurst, 1996; Werner, 1993). What stretches credulity in the post-independence era is that patterns

of land distribution have remained largely undisturbed. The Namibia Statistics Agency damningly reveals that previously advantaged farmers (read whites) own 27.9 million hectares (70%) of the freehold agricultural land, compared to 6.4 million hectares (16%) owned by previously disadvantaged farmers (Namibia Statistics Agency, 2018, pp. 12, 30).



Source: Namibia Statistics Agency (2018), p. 30.

Part of the problem in resolving the land question in Namibia seems to be the absence of any meaningful cooperation from white Namibians in finding a local solution to the burning issue of land inequality. This observation is made without denigrating efforts of some white Namibians who have tried to contribute towards a genuine debate regarding what is a social time bomb. Erika von Wietersheim should be lauded for her efforts in charting various contours of open discussion on the land question (Von Wietersheim, 2021; 2018). Other notable voices include but are not limited to Melber (2022; 2019; 2005) and Werner (2015; 1997; 1993). An argument can therefore be made that progressive scholarly voices of white Namibians on the land question are not necessarily muted. Nevertheless, and for lack of a better phrasing, what mainly appears to be prevalent is callous indifference to the land question on the part of most white Namibians. Or how else shall we make sense of the recent pronouncement (Petersen, 2022) by a German-speaking Namibian farmer – one Harry Schneider – that German settlers never stole any land? It says a lot that there was no condemnation of this insensitive assertion by a white Namibian.

On the one hand, elite capture of processes that are put in motion to ‘resolve’ the land question remain

another area of concern. Bedevilling ‘fair’ distribution of land is a coterie of well-connected political elites who continue to amass huge tracts of land through the Affirmative Action Loan Scheme, as well as the resettlement programme(s). The practice of illegally fencing off land in communal areas is another avenue through which the elites acquire huge acres of land at the expense of needy Namibians. A damning yet not surprising observation from SWAPO’s advisory body – dubbed the Think Tank – sums it succinctly: “[t]hese well-connected individuals use[d] their positions to gain control over large farms and directed government-subsidised inputs to these farms, including those in communal rural areas, alienating many rural communities” (Immanuel & Shihepo, 2022). In the light of the foregoing, it is telling that the then Ministry of Land Reform had to be threatened with legal action before releasing the list of resettlement beneficiaries (Ikelwa, 2018). As von Wietersheim (2021) posits, a cursory examination of the list of beneficiaries lends credence to the narrative of elite capture, for a significant number of those resettled include ministers, regional governors, executive directors and other high-ranking officials.

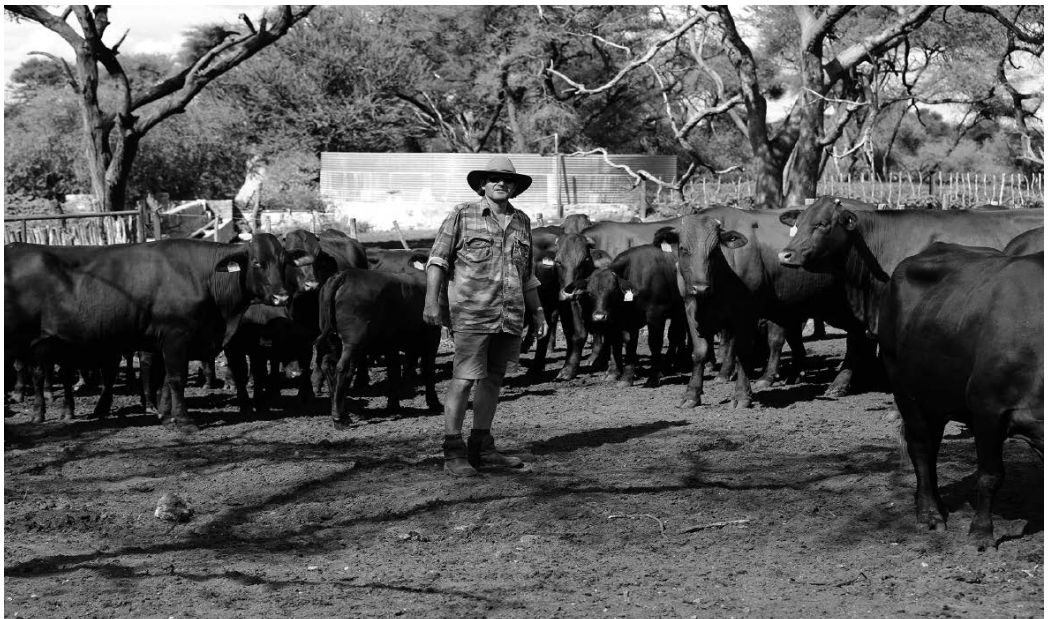
## **Background**

There are intimations of white Namibians’ disinterest in contributing



to solutions that are aimed at resolving land inequality. Arguably, “black people feel that whites are not only unwilling to share land, but use all kinds of tricks to keep white land in white hands” (von Wietersheim, 2021, p. 121). As beneficiaries of colonial land dispossession, white Namibians’ class privilege seems to have rendered them largely indifferent to the structural violence that land inequality continues to sustain. In February 2022, Harry Schneider (a German-speaking Namibian farmer) was quoted saying “[t]he people [colonial settlers] who came here, *none* (emphasis added) stole any land. The people who came here bought the land under the laws of the government of the day”. Speaking of “laws of the government of the day”,

the Schneider family bought their farm near Okakarara in 1909, a year after the 1904–1908 genocide against the Ovaherero and Nama people (Petersen, 2022). Incontrovertibly, “in the aftermath of the war, large swathes of territory, constituting ancestral land historically inhabited by and belonging to indigenous communities, were seized and occupied by the German State” (Germany-Namibia Joint Declaration 2021: I [para. 6]). On his part, Sarkin (2009) draws on archival documents to assert that the German genocidal war in Namibia was about conquest and subjugation. That the buying of land cannot possibly take place under conquest and subjugation is a moot point.



Harry Schneider at his farm. Source: <https://waterbergnamibia.com/our-story/>

## Challenges

Unequal land ownership perpetuates the historically high levels of income inequality in countries such as Namibia and South Africa (World Bank, 2022, p. 4). It is no wonder that these two countries remain the most unequal in the world. In the case of Namibia, the issue of historical land dispossession is intricately linked to the Herero-Nama genocide of 1904–1908. Despite protracted negotiations over this genocide, the Joint Declaration between Namibia and Germany did not bring any closure to this ugly period of Namibia's colonial history.

Implementing various resolutions adopted at the two national land conferences has proven difficult over the years. Most of the resolutions adopted at the 1991 National Land Conference did not see the light of day. Whether or not the implementation of resolutions adopted at the 2<sup>nd</sup> National Land Conference will be any different remains to be seen. Of the 177 resolutions adopted at the 2<sup>nd</sup> Land Conference, only nine were implemented between 2018 and 2020 (Office of the Prime Minister, 2020).

As the 2018 land ownership statistics suggest, the process of acquiring land for resettlement has proceeded at a snail's pace. The usefulness of the willing-seller-willing-buyer (WSWB) principle has come under scrutiny as

those sympathising with the landless blame it for impeding the land reform process, as landowners are arguably reticent to surrender their land to the state (Kaapama, 2007). The 2<sup>nd</sup> National Land Conference resolved to abolish the WSWB doctrine and replace it with “alternative acquisition methods” (Ministry of Land Reform, 2018, p. 1). Two years after the Second National Land Conference, the Government back-peddled on the abolition of the WSWB principle. What informed this change of position is worthy of quoting in full:

Government consulted thoroughly on the implementation of this resolution and found that Willing Seller- Willing Buyer is entrenched in Article 16 of the Constitution that bestows persons with the right to sell and buy property in Namibia. This means that the express deletion of the principle of Willing Seller- Willing Buyer from the [Agricultural (Commercial) Land Reform Act (No. 6 of 1995)] would be a futile exercise as the right to buy and sell will remain entrenched in Article 16.

*(Office of the Prime Minister, 2020, p. 2).*

In light of the above, it appears that what has been identified as an impediment to an accelerated land reform process will remain in place. With regards to developing “alternative acquisition methods”, the

progress report on the 2<sup>nd</sup> National Land Conference states that “[so] far the market has delivered land for acquisition” (Office of the Prime Minister, 2020, p. 2). The latter assertion is open to contestation, for the market seems to be crudely distorted by the sellers, making land acquisition a very expensive undertaking. Indeed, the political balance of forces remain stacked against the landless and the dispossessed in particular (Werner, 2001).

## **Actions**

White Namibians, particularly those who own huge tracts of agricultural farmland, need to realise that prevailing land inequality is a social time bomb that will have consequences too ghastly to contemplate if not handled with the necessary care. In light of the dust that refuses to settle around the ‘land question’ in Namibia, a number of social movements have been established to push for land redistribution and/or restoration. Before morphing into a political movement, the Landless People’s Movement (LPM) came into being to advocate for land restitution and restorative justice.

With regards to urban land, it has been argued elsewhere that notwithstanding the mushrooming of slums having become a noticeable feature of most urban centres across Namibia, until very recently urban

land hardly featured in the national discourse (Tjirera, 2018). This state of omission is what the Affirmative Repositioning movement has sought to address since entering the fray in 2014. In 2015, the ensuing mass mobilisation of land applications in Windhoek and other towns in Namibia by Affirmative Repositioning brought the plight of the urban poor with regards to land allocation into sharp focus (Becker, 2016).

Under the stewardship of Sir Welcome Kazondunge and Jarinovandu Tjeja-Tjatindi, the Ancestral Land Foundation of Namibia has been agitating over land inequality in the country, calling for a dialogue between the local German community and the affected communities on historical land dispossession and injustices. All indications are that the determination of pressure groups shows no signs of dissipation, pointing to the urgent need to take bold steps to deal with land inequality sooner rather than later.

## **Outcomes**

Partly owing to the advocacy work and activism of various social movements and pressure groups, it has become apparent that the ‘land question’ is a prominent aspect of national discourse. Resolving long-entrenched and persisting disparities will by no means be a simple task, but the momentum generated should be

augmented by deliberate efforts aimed at restorative justice. The structural violence that land inequality exposes will continue to haunt Namibian society unless drastic changes are embraced. Without advocating for anarchy and lawlessness, the enduring structural violence besetting Namibia requires that the difficult exercise of interrogating the dictum of “maintaining law and order” be undertaken. Walter Rodney reminds us that “colonial governments were repeatedly speaking about the maintenance of law and order, by which they meant the maintenance of conditions most favourable to the expansion of capitalism” (Rodney, 1972, p. 164). Backtracking on abolishing the WSWB principle was certainly done within the spirit of “maintaining law and order”. In this instance, the express goal is to maintain the class privilege of previously advantaged white Namibians.

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## ***Case Study from the South***

# **From Farm Workers to Farm Owners**

*Ellen Albertz*

### **Introduction**

The World Bank's report on inequality in the Southern African Development Community (SADC) recommends improving security of tenure in both urban and rural areas to significantly benefit household income and equity. Land ownership was identified as an anti-poverty tool. The Bank argues that secure tenure is important for agriculture and food security, as it provides incentives for farmers to invest in land and security;

to borrow money for agricultural inputs; and to make improvements. "Land ownership increases household consumption and significantly reduces the probability of falling into poverty," the report stated (World Bank, 2022).

In this case study we place small-scale land redistribution in the spotlight and describe how this led to the empowerment of local communities and the building of self-governing



*Photo: Gerrit Witbooi*

agricultural cooperatives. We feature two agricultural cooperatives from southern Namibia, namely the Tani-Huigu Farmers Cooperative, and the Aroab Small-Scale Farmers Cooperative.

## **Agricultural Cooperatives**

An agricultural cooperative is a vehicle for farmers to act collectively for the purpose of marketing and processing of farm products and/or for the purchase and production of farm inputs. The cooperative's members together own the cooperative enterprise. Collective action is the core resource of agricultural cooperatives. Cooperatives create social relations that enable individuals to achieve goals that they might not otherwise have been able to achieve by themselves. For example, cooperatives can help farmers to benefit from economies of scale by lowering the costs of acquiring inputs or hiring services such as storage facilities and transport. Agricultural cooperatives also enable farmers to improve product and service quality and reduce risks (Tasmanian Government, n.d.).

The main aim of establishing a cooperative is to increase members' production and incomes by helping better link them with finance, agricultural inputs, information, and output markets. Cooperatives can also help to realise the economic, cultural

and social needs of its members and the surrounding community. Cooperatives often have a strong commitment to their community and a focus on strengthening the community they exist in or serve. They may also empower their members economically and socially by involving them in decision-making processes that create additional rural employment opportunities or enable them to become more resilient to economic and environmental shocks (Sifa, n.d.).

Farmer's Cooperatives have existed for many years. In comparison to regular commercial businesses, cooperatives enjoy certain advantages but suffer from some disadvantages. Cooperatives assist members with purchasing inputs needed for production and with marketing their products. This reduces the individual's marketing risk. Cooperatives also have greater purchasing power than an individual farmer and they can therefore negotiate discounts and reduce input prices for farmers. Cooperatives also provide training to members.

There legal and logistical arrangements pertaining to the cooperative and the resettlement farms they applied for. Members are responsible for providing a salary for the farm manager and contributing a fee for the upkeep of infrastructure

and the livestock. They should also be willing to step in at any time and perform whatever task is required as part of the business. Decisions are taken on the basis of the members' voting. The cooperatives are different from commercial business organisations because they are democratic organisations. Managers must always remember that they are accountable to the membership groups. This may put a brake on the initiative and flexibility they can bring to bear in operating the cooperative, as they do not have as free a hand as managers of commercial business enterprises (Sifa, n.d.)

Sometimes cooperatives are unable to pay the higher salaries needed to attract and retain competent managers and skilled employees, who are drawn to higher-paid jobs in commercial businesses. Another weakness of cooperatives is that the mass of members may lose interest in running the organisation and allow a small group to take over and manage it for their own benefit (MEATCO, 2018).

### **Tani-Huigu Farmers' Cooperative**

Niklaas Kooper and the other members of the cooperative (consisting of 11 men and six women) were farmworkers on other people's farms. Some of them were small livestock farmers, but they suffered great losses during the extended drought

experienced in the country. Kooper said that for years life was a struggle to make ends meet. For the first time, the 54-year-old can sleep peacefully at night, secure in the knowledge that they control their own resources through which they can make a living for themselves and their children. All members are parents, on average of two to three children. Members range in age from 42 to 86 years.

During the drought, the prices paid for livestock decreased, while input costs increased. To keep their animals alive, the former farmworkers and farmers realised they could not continue independently, and that they needed to organise themselves and form of a cooperative to help each other. The various families and community members established the Tani-Huigu Farmers' Cooperative three years ago. "*Tani-Huigu*" is a Nama-Damara phrase which means "we help to carry each others' loads."

The Namibian Government started to support the establishment of cooperatives in 1990. They can be registered at the Ministry of Agriculture, Water and Forestry. Before they received a donation, the group's plan for establishing the cooperative was that each member would contribute a once-off input of N\$1 000 or three small livestock to make a start. The Tani-Huigu Farmers'



Cooperative appealed to the Namibian Government for help, and the Ministry of Agriculture, Water and Forestry came to their assistance.

The Tani-Huigu Farmers' Cooperative was resettled on Farm Karinas No. 30, 40 kms south of Köes. The cooperative also received some livestock: six months ago, Niklaas Kooper and community members from the Tani-Huigu Farmers' Cooperative received 25 Karakul sheep as a donation from the Ministry's regional office in Keetmanshoop.

“Our joy left us speechless when we received the call that we would be beneficiaries. We didn't believe it. Us? People who only knew struggle. We never felt we could be considered for any good thing. But God was so good that the same day I was to meet with the Ministry of Agriculture, I also had to be in Keetmanshoop for something else, so I had a lift already to make it to the appointment at 14h00,” said Kooper.

With the livestock they received and a vegetable garden, they want to create jobs. The income they make will be used to plough back into the wellbeing of their community by investing mainly in the education of their children.

The membership of the Tani-Huigu Farmers' Cooperative have been

brought together by the alignment of their business interests and ideals, the goals they have in common, and their shared experiences of being farmers or former farmworkers, facing similar challenges which they wanted to overcome together.

As owners, the members have a financial interest in the success of the cooperative, which encourages them to give their full support. Cooperative members also have a voice in the control of the organisation, and, within the limits imposed by majority decision-making, it therefore delivers the kind of service they want and need.

“We have a board of five people. I am the chairperson, there is a vice chairperson, a treasurer and a secretary. We have appointed a farm manager who stays on the farm, and we meet once every month for operational review, infrastructure needs, financials and other decisions we need to make. As the members we are also the owners and that's why we are responsible ourselves to manage our resources,” said Kooper.

The Cooperative members attended training provided by the Ministry of Agriculture at Blouwes settlement about 51km north of Keetmanshoop in //Kharas Region. The training was on agriculture, food security and growing vegetable gardens. “We want

most of our young people who are unemployed to work at the vegetable garden. We want them to be exposed to the agriculture sector and to start preparing themselves for those careers”, said Kooper.

Kooper explained that as a result of training the farmers have been able to fix water pumps, and other infrastructure on Farm Karinas. “We have also decided that the members ought to give a N\$1 000 per year to contribute to input costs and expenses, and to have cash flow available. Currently each member contributes N\$250,” he said.

The cooperative building process is ongoing. Mr. Kooper noted the membership is still growing and so is the range of livestock. They are still fixing infrastructure and have not started selling their products for an income. When they do, members will benefit by sharing the profit made after expenses have been deducted.

### **Aroab Small-Scale Farmers Cooperative**

The Aroab Small-Scale Farmers Cooperative received land 80 kilometers east of Keetmanshoop on Farm Awaras. Their cooperative consists of 30 persons, and they also received 25 Karakul sheep for farming. These farmers faced an uphill battle for land to call their new home. Many of them used to apply on their own but

did not succeed. In conjunction with another cooperative, Aroab Small-Scale Farmers Cooperative applied for resettlement farms.

At first, they could not be considered as the former legal requirements for resettlement farms did not cater for cooperatives. The resettlement of these cooperatives was historic as the initiative was the first under the land reform programme which made acquired land available to a group of resettlement beneficiaries that are organised into a cooperative, and not only to individuals.

The legal provisions were changed after the Ministry of Agriculture conducted an assessment on the availability of land in the towns of Aroab and Kōes, as well as the communal land of Berseba. It became evident that farmers who organised themselves as cooperative entities are forced to farm on townlands with lease agreements due to the legal impediments to group ownership.

The degradation of rangeland in Berseba due to overgrazing was experienced as a challenge by a group of organised farmers. It was against this background that the government acquired land to resettle local farmers.

Both cooperatives were resettled in October 2021. “When we received the farms, people understood that they

could move to the new farms with their existing livestock and breed and sell under their own ear tags and accounts with Meatco. However, the Ministry of Agriculture explained that they should register an ear tag and marker for the animals of the cooperative as all transactions being done from the two farms will be under that legal entity. The members were somewhat discouraged by the fact that they could only buy and sell livestock under the cooperatives ear tags and markers and not their own individual tags. This caused some people to withdraw from the cooperative as they were not yet ready for this,” Kooper argued.

However, the access to land gave them collateral and assisted them to access credit, and they obtained a loan from Agribank to increase their livestock. They were able to buy more cattle, sheep and goats.

The Chairman of the Aroab Small-Scale Farmers Cooperative, Benedictus Draaier, said that through the cooperative and with access to land, they believe they will be able to build inter-generational wealth. Their cooperative consists of 30 persons and they also received 25 Karakul sheep for farming. “We are old people who were not empowered before so this is our chance. I am 68 years old myself and another member of this group is 80 years old. So, we are doing the work

now so that we can leave an inheritance for our children,” said Draaier.

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# The Tsumib Judgments and their Implications for Asserting Ancestral Land Rights in Namibia

Willem Odendaal

## Introduction

Large parts of Namibia's central northern regions were occupied by the Hai||om during pre-colonial times. This includes the territory of what is today known as Etosha National Park, one of Namibia's foremost tourist destinations. Etosha has since time immemorial been part of the traditional territory of the Hai||om people and on this basis, the Hai||om people are entitled to ownership, or rights of exclusive beneficial occupation, of the land.<sup>36</sup> The Hai||om, a former hunter gatherer community in Namibia, is the largest of Namibia's six San (Bushmen) groups in Namibia (*Tsumib* heads of argument, par. 258; see also Dieckmann et al., 2014).

In 1884, "South West Africa", was declared as a German protectorate. At the Berlin Conference the following year, Germany undertook to "watch over the preservation of the native tribes, and to care for the improvement of the conditions of their moral and material well-being" (ibid.). However, Germany did not keep to

this undertaking and participated in a genocide committed against the "native tribes", including the Hai||om and San peoples (ibid.).

In the first decade of the 20<sup>th</sup> century, the Hai||om's ability to maintain their traditional lifestyle became increasingly restricted by the settlement of white farmers and other groups on their land, the decimation of wildlife by the colonists and further statutory and administrative measures (*Tsumib* heads of argument, par. 10). Most Hai||om people were forced to take refuge in what had been established in 1907 as Game Reserve Number 2, the forerunner of today's Etosha National Park (ibid.).

After the First World War, Germany surrendered South West Africa to the Union of South Africa, which assumed trusteeship over the territory (*Tsumib* heads of argument, par. 11). South Africa was bound by the 1919 Covenant of the League of Nations to enter into a "sacred trust" with the local people and to ensure their well-being and development (ibid.). South Africa

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<sup>36</sup> Heads of Argument, *Tsumib v Government of the Republic of Namibia* (A 206/2015), par. 61. Hereinafter, *Tsumib* heads of argument.

breached their international fiduciary duties to the local people, including the Hai||om, by causing violations of their human rights and the dispossession of their lands and livelihoods (ibid.).

In 1954, the Hai||om people living in Game Reserve Number 2 were evicted by the South African administration from Etosha; most members of the Hai||om have since then been deprived of access thereto.<sup>37</sup>

The Hai||om living at Mangetti did not experience the same intrusion upon their land as the Etosha Hai||om (*Tsumib* heads of argument, par. 13). However, in the 1970s, the apartheid administration encouraged Oshiwambo speaking farmers to settle on the land and installed infrastructure there to support white farmers in the area (ibid.). Currently, Mangetti continues to be inhabited by a number of Hai||om members, but their rights over their land remain uncertain (ibid.).

Namibia gained independence in 1990, but that has made little difference in the lives of the Hai||om people. They remain deprived of their land, wildlife and natural resources necessary to practice their traditional lifestyle and culture; they remain poor, dispersed, marginalised and subject to ongoing

discrimination (*Tsumib* heads of argument, par. 14).

After several negotiations with the Government of the Republic of Namibia (GRN) failed to assert the status of their ancestral land rights, the Hai||om people decided to approach the Namibian Courts for an answer.

### **The Pre-trial Stage**

In August 2015, the Legal Assistance Centre filed an application for representative action on behalf of the Hai||om people with the High Court of Namibia. These proceedings were necessary because the GRN and the Hai||om Traditional Authority (HTA) were unable or unwilling to assist the Hai||om to regain rights in their ancestral land (*Tsumib* heads of argument, par. 2). Representative actions, or class actions, are not recognised by the Namibian legal system, and given Namibia's strict rules on standing ("locus standi"), the applicants had to come up with an innovative strategy to convince the High Court to allow the application (see Republic of Namibia, 2014). If the court accepted the applicants' submissions, then they would have been able to take their case to the next stage, namely the representative action. If the Court was not convinced, the application would fail.

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<sup>37</sup> In 1958 Game Reserve Number 2 became Etosha National Park. *Tsumib* heads of argument para. 12-13.

The eight Hai||om applicants were chosen by the Hai||om over the course of several meetings. The land which is the subject of the claim consists of two parts: firstly, the Etosha National Park; and secondly, the eleven farms in Mangetti West (*Tsumib* heads of argument, par. 1).

Given the HTA's inability and or unwillingness to represent the Hai||om people in the court case, the eight applicants reasoned that if they were not permitted to represent the Hai||om people in the proposed action, the court case would never be brought and the rights of the Hai||om would go unprotected and unfulfilled (*Tsumib* heads of argument, par. 3).

From a total of the 20 respondents cited by the applicants, only the GRN and the HTA opposed the application. Both argued that in terms of the provisions of the Traditional Authorities Act (25 of 2000) (TAA), only the HTA has the right to represent the Hai||om in litigation (*Tsumib v Government of the Republic of Namibia*, 2019, par. 38). The GRN also argued that the Hai||om people's ancestral land rights have been extinguished (GRN's heads of argument, in *Tsumib* p. 32). In the absence of statutory law supporting ancestral land rights in Namibia, the applicants mainly relied on constitutional and comparative international law to advance their case (*Tsumib* heads of argument, par. 5).

## The Applicants' Six Claims

While not critical to the Hai||om people's case at the application stage, the six claims gave a hint to the court as to the claims the applicants would want to advance during the ensuing action trial stage.

The first claim is a property rights claim, based on communal property rights held under customary law, the common law, the right to property in terms of article 16 of the Namibian Constitution, and article 14 of the African Charter, read together with the applicable international law. The applicants claim that the Hai||om are entitled to ownership, or rights of exclusive beneficial occupation, of the land (*Tsumib* heads of argument, par. 61).

The second claim is a natural resources rights claim and is based on article 21 of the African Charter read with article 15 of the International Labour Organisation (ILO) Convention 169 on Indigenous and Tribal Peoples and the right of all people to self-determination established under article 1 of the International Covenant on Civil and Political Rights (ICCPR) and article 1 of the International Covenant on Economic, Social and Cultural Rights (ICESCR). The applicants claim that the Hai||om are the owners of the natural resources, the right to those natural resources and compensation for

unlawful interference with that right (*Tsumib* heads of argument, par. 63).

The third claim is a right to development claim and is based on article 22 of the African Charter, read with article 7.1 of ILO 169 and the right of all people to self-determination established in article 1 of the ICCPR and article 1 of the ICESCR. The applicants claim that the Hai||om people want their right to develop their land and compensation for interfering with that right (*Tsumib* heads of argument, par. 66).

The fourth claim is brought as an alternative claim to the main claim, the property claim. It is based on the Hai||om's beneficial occupation and use of their ancestral lands under Hai||om customary law, the common law and article 16(1) of the Namibian Constitution read with the applicable international law, including article 14 of the African Charter and articles 13 and 14 of ILO 169 (*Tsumib* heads of argument, par. 68 & 69). This claim is for a declarator of the Hai||om's right to beneficial use (*Tsumib* heads of argument, par. 70).

The fifth claim is a claim for cultural and religious rights and is a further alternative to the property claim. It is based on articles 19 and 21(1)(c) of the Namibian Constitution, articles 8, 17 and 22 of the African Charter, articles

1, 18 and 27 of the ICCPR, articles 1 and 15 of the ICESCR, articles 2.2 and 5(e) of the International Convention on the Elimination of all Forms of Racial Discrimination (CERD), article 30 of the Convention on the Rights of a Child (CRC) and articles 8(j) and 10(c) of the Convention on Biological Diversity (CBD). The claim supports the Hai||om's right to practice their religion and culture on the land within the Etosha National Park (*Tsumib* heads of argument, par. 72 & 73).

The sixth claim, the discrimination claim, is based on the government's duties to redress the discriminatory dispossession of the Hai||om's land. These duties require the government to provide the Hai||om with their ancestral land and to take various further steps to redress the discrimination faced by the Hai||om People under colonial and post-colonial rule

The primary relief sought in all six claims is ownership, occupation and/or use of the subject lands, and recognition of the historical violations of Hai||om rights (*Tsumib* heads of argument, par. 88). If successful in their claims, the applicants stated that they have no intention of doing away with the current tourism activities in the Etosha National Park. However, they want an opportunity for the Hai||om to participate in the management of the park and to benefit from proceeds of

its tourism activities (*Tsumib* heads of argument, par. 25).

### **The High Court Judgment**

The application was heard in November 2018 and judgment was given in August 2019. The High Court held that the HTA is the only competent body to launch the action sought by the applicants (*Tsumib*, High Court Judgment, par. 39). The court also held that the effect of the order sought by the applicants would be to lead to the establishment of a parallel representative and decision-making structures for the Hai||om people, which is prohibited by the TAA and constitutes a criminal offence (*Tsumib*, High Court Judgment, par. 49). If the order was granted, the court argued, it would usurp the authority of the HTA that has jurisdiction over the Hai||om people (*Tsumib*, High Court Judgment, par. 53). The court concluded that the applicants have not exhausted internal remedies provided for by the TAA in asserting their rights nor have they challenged the constitutionality of the provisions of the Act that they perceive to be an obstacle in the way of asserting their rights (*Tsumib*, High Court Judgment, par. 61). Consequently, the High Court dismissed the application.

### **The Supreme Court Judgment**

The Supreme Court heard the appeal in November 2021 and judgment came

out in March 2022. The Supreme Court held that the TAA did not have the effect contended for by the respondents and upheld by the High Court (*Tsumib*, Supreme Court Judgment, p. 3). Despite the fact that the TAA did not confer exclusive competence on a traditional authority such as the HTA, however, the applicants were not entitled to the relief they sought. This is because the applicants sought a remedy that was not recognised by the Namibian legal system (*Tsumib*, Supreme Court Judgment, p. 36).

According to the court, the applicants had to show that the common law on standing should be developed to provide for a representative action along the lines they propose. They failed to do so because existing forms of legal organization could be deployed to litigate the contemplated action (*Tsumib*, Supreme Court Judgment, p. 89).

The court held further that members of the Hai||om community could have organised themselves in an unincorporated voluntary association of persons to pursue the intended civil claims (*Tsumib*, Supreme Court Judgment, p. 78). The community could also have adopted a constitution or passed customary laws regulating such matters as who is authorised to institute and defend litigation on behalf of the community (*Tsumib*, Supreme



Court Judgment, p. 3). In addition, the mechanism proposed to determine who is a member of the Hai||om people and who should benefit from the proposed action is also not appropriate because this is to be determined by them subject to an untenable oversight burden placed upon the courts (*Tsumib*, Supreme Court Judgment, para. 83 & 84). Finally, the court held that the applicants had failed to demonstrate the inadequacy of the available remedies under existing law (*Tsumib*, Supreme Court Judgment, para. 75). Consequently, the Supreme Court dismissed the appeal, although for different reasons than those given by the High Court.

## Conclusion

The above two judgments are a blow to the Hai||om people and to other communities' efforts to assert their rights over what they regard as their ancestral lands. While this blow is not fatal, the two judgments demand a rethink of strategy as to how the courts could be approached in future on matters regarding ancestral land rights. It is also clear from the two judgments that Namibian courts remain vigilant over the non-relaxation of the courts' restrictive rules on standing. Both judgments are disappointing, because neither of the two courts considered the application of constitutional and well-established comparative international law, and how these

could support the rights of indigenous peoples' land rights. Given the ongoing battle to solve Namibia's ancestral land rights question, this might have been an opportune time to consider the broader implications of applying the well-established comparative international law precedents on ancestral land rights to the current Namibian situation. Nevertheless, given the recommendation by the *Commission of Inquiry into Claims of Ancestral Land Rights* and Restitution in 2020 that Parliament should develop suitable legislation to support ancestral land rights claims in Namibia, the two judgments could provide some important insights into how this could be achieved in future.

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# Fighting Inequality through Basic Income Support: Lessons from India, Kenya, and Namibia

*Nkululeko Majozi*

## Introduction

Inequality refers to differences in the distribution of power, resources, and opportunities between and within different groups in society. These differences can relate to income, employment, earnings, assets, health, education, and access to basic services and infrastructure (Maluleke, 2019). Namibia and South Africa are amongst the most unequal societies in the world,

characterised by a myriad of social and economic inequalities, including in income and wealth, health, education, energy and, gender (Deghaye et al., 2014). These inequalities are rooted in the countries' brutal racist history of colonialism and apartheid and thus strongly pronounced along racial lines.

With the achievement of independence and democracy in the



*Photo: Dirk Haarmann*

1990s, there was an extension in the provision of basic services to the black majority but the transformation in the ownership of the land and economy has been very slow. White people, transnational corporations and a small black elite monopolise economic ownership to a large extent resulting in persistent gross levels of income and wealth inequality. Thus any intervention to fight inequality must be premised on providing the vulnerable majority with income security and access to wealth-building assets such as land.

There is an ongoing debate in South Africa and Namibia about the practicality and viability of implementing a basic income grant (BIG) as an effective measure for fighting poverty and inequality and for stimulating the economy. Proponents of a BIG view it as a necessary means for enhancing income security for all through the redistribution of wealth generated by all.

The paper provides a summary of the key findings emerging from the BIG pilot experiments in India, Kenya, and Namibia. It draws some key lessons to be learned from the three BIG pilot projects and shows the impact of a BIG on five main matrices of human life, i.e., self-worth and well-being; earnings, employment and labour market participation; health and nutrition; food security; and women's empowerment.

## Justifying a BIG

The idea of a universal basic income is one that has long-standing history, with various theoretical underpinnings that are sometimes conflicting and overlapping. However, all these theoretical underpinnings share a common thread in that they view basic income as a necessary means to enhance social security for all through the redistribution of wealth generated by all. Currently the two dominant theoretic justifications for a basic income are those that view a BIG as a means for social justice and those who regard the BIG as an important element of human security.

According to the co-founder of the Basic Income Earth Network (BIEN), Prof Guy Standing:

... basic income is a means for social justice, because since public wealth is created over generations ... our income wealth is fundamentally due to the contributions of previous generations. Therefore, if you allow private inheritance then we should also have public inheritance as a social dividend on public wealth created.

*(World Economic Forum, 2017)*

This is one of the overarching reasons driving the idea of redistributing income wealth as a way of closing the inequality gap. Advocates of basic

income as a means for social justice often argue that income disparities are a product of rentier capitalism. According to this view, rentier capitalists are wealth hoarders who are in the business of perpetually widening the income wealth inequality gap. This is because rentier capitalists create their wealth from scarce public resources that create generational income preserved for a particular group of individuals. Thus, proponents of basic income argue that rentiers should be taxed to create a fund that will finance basic income based on the premise of the redistribution of wealth.

The second theoretical justification underpinning the BIG views the BIG as an important element of human security:

... It is a means of providing people with basic security. It is about handling the issue of insecurity more than it is about ending poverty. Mental health is improved by basic security. The emancipatory value of a basic income is greater than the money value in that it gives people a sense of control of their time so that the value of work grows relatively to the demands of labour. So that the value of learning and public participation grows, so that the values of citizenship are strengthened. It is part of distribution system we should be building for the 21st century.

*(World Economic Forum, 2017)*

Proponents of this view argue that people often make sound and rational decisions when they have basic security. They further argue that a BIG provides people with the freedom to make choices without being constrained by the stress of having limited resources. People can decide how they want to contribute to the economy in a manner that will be less strenuous to their mental health and overall well-being.

### **Defining a BIG**

A BIG is a social security measure in the form of a periodic cash transfer that is unconditional and permanent and paid to all individuals in society. Namibian and South African civil society groups support the BIEN's definition of a BIG as "a periodic cash payment unconditionally delivered to all on an individual basis, without means-test or work requirement". BIEN identifies the following five characteristics of a BIG:

1. Periodic – it is paid at regular intervals (for example every month), not as a once-off grant.
2. Cash payment – it is paid in an appropriate medium of exchange, allowing those who receive it to decide what they spend it on. It is not, therefore, paid either in kind (such as food or services) or in vouchers dedicated to a specific use.

3. Individual – it is paid on an individual basis – and not, for instance, to households.
4. Universal – it is paid to all, without a means test.
5. Unconditional – it is paid without a requirement to work or to demonstrate willingness-to-work.

*(BIEN, n.d.)*

### **Case Study 1: India's BIG Pilot Project (2011 – 2013)**

India's BIG pilot projects are amongst the best known in the Global South. The pilot projects were prompted by contentious political debate regarding the potential of unconditional cash transfers to alleviate poverty. In 2005, India launched a conditional cash transfer programme, Janani Suraksha Yojana, to reduce the maternal mortality ratio through the promotion of institutional births. India's main social security programmes were the Public Distribution System (PDS), the Mahatma Gandhi National Rural Employment Guarantee Act, and other social services such as the public health and education systems. The PDS distributes both food and non-food items to India's poor populations at subsidised rates through a network of what are known as fair price shops (or ration shops). The Mahatma Gandhi

National Rural Employment Guarantee Act is a labour law and social security measure that “aims at enhancing the livelihood security of people in rural areas by guaranteeing [a] hundred days of wage-employment in a financial year to a rural household whose adult members volunteer to do unskilled manual work” (Government of India, 2005).

Both the PDS and the Mahatma Gandhi National Rural Employment Guarantee Act are targeted and conditional. Prior to the BIG projects, the state's food subsidy programmes and other social programmes aimed at poverty alleviation had failed to achieve their objectives. Despite the food subsidy programmes and after two decades of high economic growth, over 300 million (30%) of India's population was still affected by hunger and poverty (Standing, 2013a).

Thus in 2010, UNICEF (United Nation's International Children's Emergency Fund) funded two BIG pilot projects in India to test the efficacy of BIGs in alleviating poverty among India's poor populations. The two pilots were carried out in Madhya Pradesh, India's rural and fifth-largest state by population with 72 million residents. A local women's organisation, the Self-Employed Women's Association (SEWA) (known as a 'Voice organisation'), acted as the

facilitator of the project (Standing, 2013a; 2013b).

The first pilot was known as the Madhya Pradesh Unconditional Cash Transfer (MPUCT) and the second as the Tribal Village Unconditional Cash Transfer (TVUCT). The MPUCT involved 20 rural villages that were divided into two groups. The first group comprised eight villages where every man and woman received an initial monthly unconditional cash transfer of 200 rupees and each child received 100 Rupees through their mother or registered guardian. These amounts were increased to 300 and 150 Rupees per month respectively a year later (Standing 2013a). The second group was made up of 12 villages that acted as control villages and did not receive any cash transfers. The MPUCT ran for 18 months and covered 6 000 people who received the grants. The TVUCT only involved two tribal villages: one village received the monthly cash transfer grants of 300 and 150 Rupees per adult and child, respectively, for a period of 12 months, whilst the other village acted as the control village and did not receive any cash transfers (Standing, 2013a; 2013b)

Additionally, in both pilots, SEWA was only present in 50% of the villages. This was in line with the project's aims of testing whether the presence of a local Voice organisation would

be effective in the disbursement of the cash transfers. SEWA's role in the project would be to assist beneficiaries to open National Bank accounts or SEWA co-operative bank accounts into which the cash transfers would be paid.

The two pilots in Madhya Pradesh had three related purposes (Standing 2013a):

- to identify the effects of basic income on individual and family behaviour and attitudes;
- to identify the effects of basic income on community development; and
- to test whether basic income grants would work better if implemented through a Voice organisation (SEWA) that would presumably give members of the community the capacity to act in unison.

In both pilots, the cash transfers were offered without any conditions. The researchers and designers of the pilots rejected the notion of offering people cash transfers with conditions attached as paternalistic and based on the assumption that the intended beneficiaries do not know what is best for their own interests. Imposing conditions on cash transfer programmes (i) makes the programmes susceptible to corruption and harassment, and (ii) increases the burden of cost for

both the government and the people. Conditionality means that people must prove that they have complied with the conditions by obtaining certain certification or written proof from local officials that they have indeed complied with the conditions (Standing, 2013a).

The cash transfers in both pilots were offered on a universal basis without targeting certain groups of people. This was done because “targeting in practice does not work: identifying the poor is administratively difficult, costly and prone to errors of omission. It may be less costly to universalise, recognizing that rich people may choose not to receive them” (Standing, 2013a, p. 2).

The cash transfers were distributed on an individual basis. Every participating person in the project was required to open an account within the first three months of the project. Funds were directly transferred into these accounts which gave recipients financial autonomy and ensured greater financial inclusion than if transfers had been paid to households or heads of households (Standing, 2013a). This proved to be especially beneficial to women and people with disabilities.

### *Key Findings*

A large baseline census was conducted with all the villages involved in both pilot projects. It covered mainly

areas that would be affected by the introduction of the cash grants, such as health, nutrition, school attendance, work and labour, income, and savings. The baseline census was followed by an interim evaluation survey and then a final evaluation survey before the end of the pilot projects. Both the interim and the final evaluation survey covered the same areas of evaluation as the baseline census. The main findings were the following:

The BIG enjoyed a high rate of uptake by the village populations. By the first month of the implementation of the pilots about 93% of the people had signed up for the grants and opened their accounts. The grants uptake was significantly higher amongst women and amongst those who opened SEWA cooperative accounts compared to those who used accounts with national banks.

The BIG led to a significant increase in spending on home improvements or the construction of new dwellings amongst grant recipients, with better lighting, repairs to roofs and walls, and better latrines being chief amongst the improvements. There was also more movement by grant recipients towards more preferred sources of energy for cooking and better sources of drinking water, such as an own tube-well.

There was a marked improvement in nutrition and diet amongst grant

recipients. This was especially true for young girls whose age-to-weight ratios underwent significant improvement. Also quite noteworthy was the shift from the over-reliance on subsidised staple foods to the inclusion of more fruits and vegetables in household diets. There was also an increase in food security especially amongst the tribal villages, from 50% in the baseline census to 78% in the final evaluation survey .

The BIG had a very positive impact on overall health and healthcare. There were fewer incidents of common illnesses, with households attributing their improvement in health to better nutrition and diet, particularly households in the TVUCT tribal villages. Better healthcare was also reported to be a result of having more money to spend on healthcare and medicines, especially private healthcare.

The BIG was especially beneficial for people with disabilities because it allowed them to have a greater say in how money is spent in the household. It also allowed them to participate more in the community, giving them better access to food and medical care.

There was a positive impact on school enrolments and regular school attendance in both pilot projects. There was a reported 12% increase in

school enrolments within cash grant households and a 29% increase in regular school attendance amongst cash transfer households as compared to 13% in control villages. There was also an improvement of grades amongst children of cash grant-receiving households as compared to the control villages.

Contrary to the stereotype and criticism of cash transfers being associated with increased dependency and laziness, there was a reported increase in labour and productivity amongst BIG recipient households as compared to control villages. There was an increased move towards more entrepreneurial activity and self-employed work amongst BIG recipients. This was especially true amongst women, who made more investments in small production items such as sewing machines, seeds, and fertilizer. As the communities involved in the study are rural farming communities, there was also increased investment in livestock in order to increase production. In TVUCT tribal villages, there was a reported 70% increase in livestock ownership.

In terms of incomes, both pilots found that BIG recipient households were more likely to increase their income from work. This had a positive spill-over effect in terms of saving and reducing household debt as BIG



recipient households were found to be saving more from their incomes and using their cash transfers to reduce debt and avoid slipping further into debt (Standing 2013a).

### **Case Study 2: The BIG Pilot Project in Kenya (2011 – 2013)**

Kenya has the biggest economy in East Africa and the fourth biggest economy in sub-Saharan Africa, and yet remains plagued by high levels of poverty. About 36% of Kenyans were reported to be living in poverty in 2016 as measured by the international poverty line of US\$1.90 per day (World Bank, 2018). Poverty rates are even higher in the rural areas, with 39% of the population reported to be living in poverty (World Bank, 2020).

Most Kenyans are dependent on the agricultural sector for their livelihoods, especially in the rural areas where 72% of the population resides. They rely on land and livestock for their income. However, sustained stagnation in agriculture over the past few years has led to a significant decline in the incomes of Kenya's rural poor. This can be attributed to, amongst other factors, food price instability, and drought-inducing climate change which has led to rising conflict among pastoralists and between farmers and pastoralists over competition for farming and grazing land, as well as other constraints such

as the rising cost of feed, the absence of veterinary services, and theft of livestock (Diwakar & Shepherd, 2018). A 2018 multi-dimensional study into poverty in Kenya found that almost 80% of Kenyans were either income poor or near the poverty line (Diwakar & Shepherd, 2018).

The Kenyan BIG pilot was a randomised controlled trial carried out by GiveDirectly Inc., an international non-profit organisation whose mission is to give direct, unconditional cash transfers (UCTs) to poor households in developing countries across the world. The pilot was carried out over a two-year period between 2011 and 2013 among rural households in the villages of the region of Rarieda in the western part of Kenya. One-hundred-and-twenty-six villages were chosen to be part of the pilot experiment and were divided in half, with 63 serving as the “treatment group” and the other half as the “control group”. 503 households were randomly selected from the treatment group villages to receive temporary UCTS of KSh25 200 (US\$404), whilst 432 households were randomly selected as control group villages and did not receive the transfer. Of the 503 treatment group households, 258 were assigned to receive the transfer monthly for a period of 9 months in instalments of KSh2 800 (US\$45) per month. The remaining 245 households were assigned to receive the transfer of

KSh25 200 (US\$404) as a once-off lump sum. The transfers for both groups were made between June 2011 and January 2013. Of the lump-sum transfer group, a further 137 households were randomly selected to receive an additional transfer of KSh70 000 (US\$1 121) in seven monthly instalments beginning February 2012. This means that the total transfer amount received by these households was KSh95 200 (US\$1 525) (Haushofer & Shapiro, 2013).

The overall aim of the BIG pilot in Rarieda was to measure the impact of the organisation's UCT programme on poor rural households' economic and psychological well-being. In addition, the study had three specific goals, namely to test the relative welfare impact of the UCTs in accordance with three treatment arms:

1. the gender of the transfer recipient;
2. the temporal structure of the transfer payment (lump sum vs. monthly transfer); and
3. the magnitude of the transfer.

(Haushofer & Shapiro, 2013).

The BIG pilot targeted poor rural households in Kenya. The villages in Rarieda were selected on the basis of the proportion of households lacking

metal roofs, i.e., villages with a high proportion of households with thatched roofs. This targeting criterion was seen as a good predictor of poverty amongst households. Further, the UCT was not distributed on an individual basis but was rather paid to either the principal female or male head of the household through a randomly selected process. The cash transfer was offered on a fully unconditional basis to every household without any requirements to be fulfilled or conditions to be adhered to (Haushofer & Shapiro, 2013).

The project utilised the famous Kenyan mobile money transfer system *M-Pesa* to distribute the money to recipients. *M-Pesa* is a safe and easy-to-use mobile money transfer system that is popular amongst Kenyans. The system requires the recipients of the UCT to sign up for an *M-Pesa* mobile account by registering a SIM card in their names. Simply put, "*M-Pesa* is, in essence, a bank account on the SIM card, protected by a four-digit PIN code, enabling the holder to send and receive money from other *M-Pesa* clients" (Haushofer & Shapiro, 2013, p. 8).

### *Key Findings*

The pilot study measured the impact of the transfers on consumption, asset holdings, self-employment activities and earnings, health, education, food

security, female empowerment, and psychological well-being. The following were the key findings:

The study reported significant increases in consumption expenditure, investment in self-employment activities, and earnings. There was increased food security, female empowerment at the village level, and psychological well-being. However, the transfers had no significant impact on education and health outcomes.

There was a significant increase in all consumption categories in all treatment group households compared to control group households. There was an increase in food, medical and education expenses, durables, home improvement, and social events. Expenditure on food accounted for the largest increase (19%) in consumption, coming in at US\$20 per month.

There were significant increases in investment in durable goods and income-generating assets among treatment households. Investments were particularly pronounced in durable goods such as metal roofs (23% increase) and furniture items like beds, tables, chairs, etc., (26% increase). This was especially true for large lump sum recipients of transfers as they were in a better position to invest in such goods than monthly recipients of the

transfers. Income-generating livestock holdings also experienced a significant increase of 51%, particularly cattle holdings, which increased by 56%.

There was a positive impact on self-employment activities and earnings from treatment group households relative to control group households. However, this increase in self-employment activities did not translate to significant increases in profit. There was a notable monthly increased investment in non-agricultural business activities (e.g., inputs and inventory) and livestock.

Food security was the most impacted aspect of the cash transfers, more so among the monthly recipients of the transfers than large lump sum recipients. Monthly recipients were found to be more likely to spend on current consumption goods such as food than expensive durable goods such as metal roofs and furniture for two reasons: firstly, their monthly transfers (US\$45) were too small to allow them to save up to spend on such durable goods; and secondly, the short period over which cash transfers were made (nine months) prevented borrowing on the promise of a future transfer. Therefore, monthly recipient households were found to be characterised by credit-and-savings constraints.

There was an increase in female empowerment at the village level due to the cash transfers. This was especially so among large lump sum households as compared to monthly recipient households. However, the transfers did not have any overall significant gendered differential impacts on most outcomes since they were temporary and therefore did not significantly alter the bargaining power between household members.

The pilot study recorded significant increases in the psychological well-being of all treatment households. Increases in psychological well-being were found to be larger in large lump sum recipient households than in monthly recipient households. A greater reduction in worries and a greater increase in self-esteem was recorded in female recipient households compared to male recipient households (Haushofer & Shapiro, 2013).

### **Case Study 3: Namibia's BIG Pilot Project (2008–2009)**

Like South Africa, Namibia is a product of colonialism and racial apartheid. The country has a long history of political and socioeconomic discrimination based on race, the legacy of which remains intact to this day in the form of a labour market which is systematically exploitative of the labour of black people, whilst white people in Namibia continue

to enjoy the privileges of secured, permanent jobs as skilled, professional and managerial workers. Namibia's historic discriminatory policies have not only affected the labour market, but have also extended to the country's education, health, and social services systems (see Jauch, 2015).

It is no surprise, then, that in the post-independence era, the majority of Namibians found themselves in a state of vulnerability and destitution due to the country's high levels of poverty, inequality and unemployment. Prior to the implementation of the BIG pilot in 2008, unemployment (defined broadly as being without work whilst being able to work) figures stood at an all-time high of 51.2%, with the rate of unemployment being highest amongst women (58.4%), and youths aged 15–24 years (75%). The number of Namibians estimated to be living in poverty in 2008 stood at 82% (when calculated using a basket of essential goods and services costing N\$399.80 per person per month in 2004 prices); 62% (when using the crude international poverty line of US\$1 per day); and 28% (when using the *Namibia Household Income and Expenditure Survey 2004*, which classified Namibians who spent about 60% of their monthly income on food as being poor) (Jauch, 2015).

It is in the context of such stark realities of poverty, inequality and

unemployment that the democratic government of Namibia in 2002 through the country's tax commission called for the implementation of a BIG for all Namibians as a measure to fight poverty and reduce inequality within a short period (Basic Income Grant Coalition, 2009; Jauch, 2015). However, the call for the BIG in Namibia only gained traction within the country with the formation of the Namibian BIG Coalition by local civil society organisations in 2004.

The formation of the Coalition was spearheaded by the Evangelical Lutheran Church in the Republic of Namibia and brought together a number of organisations such as the Council of Churches in Namibia, the National Union of Namibian Workers, the Namibian NGO Forum, the Namibian Network of AIDS Service Organisations, the Legal Assistance Centre, the Labour Resource and Research Institute, the National Youth Council, and the Church Alliance for Orphans (Jauch, 2015).

Upon formation, the Coalition would spend the next three years lobbying policymakers in Namibia in an effort to convince them of the viability, practicality, affordability and effectiveness of a BIG as a tool to fight poverty. However, the government remained divided on the issue with the Ministry of Finance, in particular,

pushing back against the idea. Hence, the Coalition identified a site wherein a pilot project could be launched to test the BIG in practice and to convince the government of the viability of a national BIG programme. The Coalition identified the informal settlement of Otjivero in the district of Omitara, which had a population of about 1 000 people, mostly black evicted former farmworkers from the surrounding white-owned commercial farms who had lost their jobs and had nowhere else to go (Jauch, 2015).

The BIG pilot project commenced in January 2008. All residents below the age of 60 years received a basic income grant of N\$100 per person per month. For children under the age of 21 years, a primary caregiver was identified by the household who received the grant on behalf of the child – by default, this was a female caregiver. The project would last for two years until December 2009. It was designed and implemented by the Namibian BIG Coalition and funded through voluntary contributions from local supporters and international organisations and donors, particularly churches (Basic Income Grant Coalition, 2009; Jauch, 2015).

In terms of the research design, the BIG pilot project first conducted a baseline study in November 2007 to identify the prevailing social conditions. This was complemented

by a parallel process of panel surveys conducted in July and November 2008. The process of evaluating the BIG pilot was an ongoing one with key-informant interviews, supplemented by a series of detailed case studies. Furthermore, data from the local clinic, school and police station were evaluated (Basic Income Grant Coalition, 2009).

The Basic Income Grant was offered to all residents in the settlement below the age of 60 years. It was offered without regard for the social or economic status of residents of the settlement. No conditions were attached, and only those people receiving the state pension were not eligible for the BIG.

For the first six months of the pilot, the BIG was distributed as a direct cash transfer to every individual recipient at a designated cash pay-out point. This process was managed by a private company which used an armed cash-in-transit vehicle. The company allocated a “smart card” to every recipient of the BIG as a form of identification for the cash pay-out, and to capture information regarding the date and site of the grant payment in order to avoid double payments. After six months, the distribution of grants was carried out by NamPost (the Namibian Post Office), which paid the grants into a NamPost smart card savings account. Therefore, every recipient was required to open an account with NamPost (Basic Income Grant Coalition, 2009).

### *Key Findings*

Before the introduction of the BIG, unemployment, hunger and poverty were the biggest problems in Otjivero. People were entrapped within a cycle of unemployment, hunger, and poverty as there were no jobs within the area and they also had no money to travel to Gobabis or Windhoek to look for jobs. Thus, people in the settlement had little hope for the future as their everyday lives were characterised by hunger and deprivation.

The introduction of the BIG ignited hope amongst the residents as it allowed them the financial means to feel in control of their lives, because they could afford to pay for their daily needs. The community responded to the BIG by electing its own 18-member BIG committee whose role it became to mobilise the community before and during the BIG pilot and to offer advice to residents on how to spend their grants responsibly. Thus, the BIG assisted with community mobilisation and empowerment.

The BIG led to a significant drop in household poverty. Prior to the introduction of the BIG, 76% of the residents of Otjivero-Omitara were classified as living under the food poverty line of N\$152 per month, and that number dropped significantly to 37% within one year.

There was an overall increase in economic activity, including increases in employment from both wage work and increased entrepreneurial or self-employment activities. The employment rate rose by 11% due to income-generating activities, both work for pay or for profit. People established small businesses such as tuck shops, brickmaking, baking, sewing and dressmaking. These findings run contrary to critics' claims that the BIG would lead to laziness and dependency.

There was an increase in household incomes. Mean income from self-employment activities rose from N\$170 to N\$681 between November 2007 and November 2008, representing an increase of 301%. Incomes from wages rose from N\$581 to N\$692, representing a 19% increase.

The BIG resulted in a huge reduction in child malnutrition. Prior to the implementation of the BIG, 42% of the children of Otjivero had been malnourished, with a majority (82%) of these children being under three years old. However, after six months of BIG implementation, the malnourishment rate had dropped from 42% to 17%, and it dropped further to 10% a year later. This represents a significant developmental achievement, as malnourishment has been found to have long-term, irreversible effects on

the physical and cognitive development of children.

The BIG also had a positive impact on the health of adult residents of Otjivero, especially those living with HIV/AIDS. Before the implementation of the BIG, a lot of the residents of the settlement avoided seeking help for minor illnesses from the local clinic as they could not afford the clinic fees of N\$4. As a result, they only made use of the clinic when they were extremely ill. However, with the introduction of the BIG, people started making use of the clinic for common illnesses such as colds and flu. This was also reflected in the finances of the clinic, whose monthly income prior to the introduction of the BIG averaged N\$250 per month, but then increased to N\$1 300 per month within the first year of the BIG. As for residents living with HIV/AIDS, the spotlight cast on Otjivero by the BIG pilot project resulted in the government's decision to make ARVs available in the settlement. This meant that the residents no longer needed to spend substantial amounts (N\$100 for a round trip) to travel all the way to the city of Gobabis to fetch their ARVs every month. As a result, there was a twelve-fold increase in people receiving ARVs from the local clinic – from three people in late 2007, to 36 in July 2008 (six months after the introduction of the BIG).

Before the introduction of the BIG, 49% of school-going children within Otjivero-Omitara did not attend school regularly. Half of the households attributed the non-regular attendance of their children at school to financial difficulties linked to the parents' inability to pay for the N\$50 per year school fees. The prevailing poverty also had a direct negative impact on school pass rates, which stood at about 40% and resulted in high drop-out rates. After the introduction of the BIG, the rate of the payment of school fees increased to 90% and most of the children acquired school uniforms. Non-attendance at school for financial reasons dropped by 42%, while drop-out rates at school were reduced from 30–40% in November 2007 to 5% in June 2008, and further to almost 0% in November 2008.

The BIG contributed to the reduction of household debt as the average household debt fell from N\$1 215 to N\$772 within 12 months. However, overall debt trends fluctuated during this period as some households took on some debt to start up new businesses. Savings increased during that period with more people opening NamPost savings accounts for themselves and their children. The upsurge in savings was also reflected in the increasing ownership of large livestock, small livestock and poultry.

High crime rates are usually associated with highly unequal societies. In poor communities, crimes are usually economic in nature and associated with the need to meet daily survival needs. These include stock theft, illegal hunting and trespassing, and housebreaking. With the introduction of the BIG, overall crime rates – as reported to the local police station – were reduced by 42%. In particular, there was a significant decline in stock theft, while illegal hunting and trespassing declined by 95%, from 20 reported cases to just one.

One of the most crucial findings of the BIG pilot study was that women's dependency on men for their survival decreased. Prior to the introduction of the BIG, one of the drivers of HIV infections in the settlement was the phenomenon of women engaging in transactional sex with workers employed on the neighbouring commercial farms. These workers frequently came to Otjivero to drink on weekends after receiving their wages. Thus, by empowering women and putting money in their hands through the BIG, women gained a measure of control over their own sexuality, and were to some extent freed from the pressure to engage in transactional sex (Basic Income Grant Coalition, 2009).



## **Conclusion: The potential Socio-transformational Impact of a BIG**

The BIG pilot studies explored in this paper all point to a BIG's potential to reduce inequalities. One of the key findings is the increased sense of dignity, self-worth and well-being resulting from having a basic income. This gives people the ability to cover their monthly basic needs thus affording them basic security, which in turn has a number of benefits for the physical and mental health of people, their opportunities and ability to make choices, their social relationships, and their ability to fully participate in society. This has a direct bearing on South Africa's Constitution, which is founded on the fundamental right to human dignity as encapsulated in the Bill of Rights, and which obligates the state to respect, protect, promote, and fulfil South Africans' rights to dignity, equality, and freedom (Republic of South Africa, 1996).

Participants in all three pilot studies reported a positive impact of the BIG on their physical and mental health. This is linked to better nutrition and diet. Participants were able to spend more on food in all three pilot studies and experienced decreased stress levels over running out of money for food in the middle of the month. In India and Namibia, there were decreased rates of malnutrition among children,

which had a direct impact on school attendance in both cases.

Participants also reported an increase in spending on healthcare and medicines. India recorded increased use of private healthcare as opposed to public health facilities, thus pointing both to the poor state of the Indian healthcare system and participants' increased ability to afford medical care. In Namibia, participants attributed their increased use of the local clinic to their increased ability to afford the clinic fees as a result of the BIG. This is a significant finding in a context where quality healthcare is primarily available to those who can afford private healthcare.

In all three BIG pilot cases, food expenditure was the major spending item for project participants. This is unsurprising given that all three BIG case studies were carried out in low-income communities where households usually struggle to meet their food requirements. Thus, the basic income transfer proved to be pivotal in providing participating households with greater food security.

One of the major reasons given by opponents of the BIG in Namibia and South Africa is that it will increase public dependency on state social assistance grants and breed a culture of laziness amongst the populace.

However, evidence from the three BIG pilots point to the contrary. All three cases highlight increased levels of labour market participation and self-employment activities from the study participants. The three pilots show how basic income support leads to people using their BIG transfers for purposes of generating more income for themselves and their families. A BIG can therefore play a major role in reducing income inequality.

Women in the three BIG pilots were the most impacted by the BIG transfers and engaged in a range of business activities such as baking, sewing and dressmaking, and retailing. A similar effect was observed in South Africa with the introduction of the COVID-19 R350 Social Relief of Distress Grant in 2020, where some women started small businesses as a way of generating more income for themselves (South African Government News Agency, 2021). The financial independence of women that has been fostered by BIG transfers through increased self-employment activities has translated to sexual freedom in some instances where prior to the pilot, women have faced pressure to engage in transactional sex in order to meet their daily needs. Therefore, a BIG has the potential to reduce gender inequality and the scourge of gender-based violence that is linked to women's financial dependence on men.

The evidence from the case studies shows how the implementation of a BIG could serve as an entry point to reduce inequalities regarding income and wealth, health, education, and gender. The BIG cash transfers have had a significant positive impact on five main matrices of human life, namely self-worth and well-being; earnings, employment and labour market participation; health and nutrition; food security; and women's empowerment.

A BIG is an inherently redistributive intervention, especially if it draws on the wealth currently monopolised by an elite to fund a basic income for all. However, a BIG is not the panacea and should be accompanied by additional interventions to transform the structure of the economy and to allow more access to income and wealth generating assets such as land, property, and other economic and financial assets.

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# Autocracy and Inequality in the Kingdom of Eswatini

*Helen Vale*

## Introduction

This case study will look at the current political, economic, and social challenges in Eswatini and how recent ongoing political protests against the monarch have been gaining momentum over the past year. Eswatini, formerly known as Swaziland, is both the last absolute monarchy in Africa (Sherinda, 2021) and the most unequal country on the continent (Seery et al., 2019). The link between autocracy and inequality will be investigated to understand the ongoing political protests, heavy-handed security response and current impasse. Rather than ‘state capture’, a term that became popular in political discourse relating in particular to the actions of former President Jacob Zuma in South Africa, I would call what has been happening in the small landlocked south-east African country of Eswatini since Mswati III’s accession to the throne in 1986, as ‘kingdom capture’ – the abuse of power, weak governance, lack of political representation, human rights violations, and the looting of state resources, all conducted to benefit the king and his immediate family of 15 wives and 35 children to the

detriment of the 1.17 million citizens of the country, 70 per cent of whom rely on subsistence farming (World Food Programme Eswatini, 2021).

## Background

### *Population Dynamics*

The country is small both in area (6 641 sq. miles, or 17 364 sq. kms) and population (1.1786 million) and is very youthful, with 44 percent being under the age of 18 (O’Neill, 2022). This latter fact has had major implications for the current political protests. One Swazi academic has given one of the reasons for the current upheavals as “a pure ‘youthquake’ – a dramatic surge in youth participation in the fight for political change. The uprisings are organised on social media platforms by young people” (Dlamini, 2021).

Autocracy and a lack of democracy are part and parcel of the abuse of power and the anachronous existence of an absolute monarchy in the 21<sup>st</sup> century. There is a dual governance structure where the traditional

monarchical system exists alongside a parliamentary system that bans political parties. In addition, there are human rights violations, an absence of the rule of law, and state-sponsored violence perpetrated by the security forces against protesters.

### *Corruption and the elite capture*

In addition to his absolute power, the king has systematically inserted himself into every sector. He owns shares in strategic companies and crowds out local SMEs (Boksburg Declaration, 2021 p. 2). He and his wives and children flaunt their lavish lifestyles in the face of extreme economic deprivation experienced by ordinary citizens.

### *Poverty, Inequality and Unemployment*

Eswatini is classified as a lower-middle-income country. The proportion of people living in poverty remains very high: 58.9% of the rural population lives below the national poverty line (living on less than US\$1.90 a day) (World Food Programme, 2021). With 20% considered extremely poor, Eswatini had a Gini coefficient of 54.6 in 2016. The country has high levels of poverty and inequality and poor service delivery (particularly in health

and education) (World Bank, 2020). At 25%, the unemployment rate is high, while youth unemployment is even higher at 43% (World Bank, 2022).

Sixty-nine percent of the population live below the poverty line. The population of Eswatini is young (44% are under 18) and dependency ratios are high. In general, children and the elderly are particularly vulnerable to poverty, with 45% of children being orphaned or vulnerable (World Food Programme, 2021). The country also has the world's highest adult HIV prevalence rate of 27.2%. The number of poor people increased between 2001 and 2017 according to Eswatini Household and Expenditure Surveys for the period, which also show that rural poverty tends to be deeper and more severe (World Bank, 2020). The irony is that amidst the poverty, King Mswati III is a billionaire with an estimated net worth of 2.8 billion rand (Naidoo, 2022).

Throughout the past three-year period of political resistance, Eswatini has been grappling with the COVID-19 pandemic, which has severely strained the health infrastructure and negatively impacted the economy and people's livelihoods (Human Rights Watch, 2021).

## Resistance and Repression: Chronology of Events in 2021

The following chronology is based on Naidoo (2022).

### 2021

*8–9 May:* Mysterious death of young law student Thabani Nkomonye sparks a massive wave of protest that evokes a ruthless response from security forces on the instructions of the king.

*May–June:* Peaceful nationwide petition to various local constituencies (*tinkhundla*) calling for an end to police brutality. In June, schools are ordered to close.

*24 June:* Acting Prime Minister (Themba Masuku) bans all protests and petitions. This is followed by yet another heavy crackdown on dissent by the army and the police with the use of live ammunition, rubber bullets and teargas.

*29 June:* Authorities shut down the internet in an attempt to disrupt protests. According to the Boksburg Declaration (Mass Democratic Movement of Swaziland, 2021) the massacre of protesters continues.

*4 July:* Arrival of the Troika of SADC Organ for Politics, Defence and Security to facilitate broad-based dialogue involving all stakeholders.

*15–22 July:* Technical fact-finding mission from SADC to Eswatini.

*16 July:* *Sibaya* (traditional dialogue in cattle kraal) held at Ludzizini Royal Residence by King Mswati III where he announced the new Prime Minister, Cleopas Dlamini, and criticised protesters. No real dialogue was allowed.

*25 July:* Two Members of Parliament, Mduduzi Bacede Mabuza and Mthandeni Dube, are arrested and detained at Mbabane Police Station on trumped up charges, including under the Suppression of Terrorism Act.

*1 October:* Over 10 000 peaceful protesters march to the US Embassy to appeal for US support. One protestor is shot.

*15 October:* The internet is shut down.

*18 October:* Nationwide protests are met with disproportionate force and the death tolls rises to over 80.

*20 October:* Preliminary criminal trial in the High Court of Swazi MPs Mabuza and Dube. The trial is criticised for its violations of international standards on fair trials by attorneys of the Advancing Rights in Southern Africa.

*23 October:* Visit by SADC Troika special envoy of Cyril Ramaphosa,

Geoff Radebe, and delegation to Eswatini to meet with the king on a fact-finding mission. Letfu Sonkhe Institute of Strategic Thinking and Development issues a statement on this visit calling on SADC to intervene with an independent peace monitoring mechanism and calls for an interim government and interventions to stop the looting of public resources/the national treasury by the king.

*2 November:* South African President Cyril Ramaphosa visits King Mswati III to discuss the political and security developments in the country. They agreed that SADC Secretariat would work closely with the government of Eswatini over the next three months to draft terms of reference for a national dialogue forum.

*December:* Setting up of a Multi-Stakeholders Forum by a broad spectrum of political parties, labour movements, youths, students, women, LGBTQ activists and NGOs, meeting in Johannesburg; designed terms of reference for dialogue and negotiations to lead to a durable political solution (Naidoo, 2022).

*3–5 December:* Boksburg Declaration – a broad spectrum of participants of the Swaziland Mass Democratic Movement meet in South Africa under the auspices of the Political Party Assembly, Letfu Sonkhe Institute for

Strategic Thinking and Development, and the Multi-Stakeholders Forum to discuss the way forward and draft terms of reference to be presented to the SADC.

*16 December:* Support for multiparty democracy continues to grow according to Afrobarometer (2021).

*December–January:* The king in seclusion for the annual traditional *Incwala* ceremony in Lobamba.

2022

*3 January:* Burning of many new vehicles at the government garage in Mbabane in an arson attack; estimated damage of 500 million *Emalangeni* (pegged to the South African Rand).

*12 January:* House of Lords Debate in the British Houses of Parliament. Lord Jordan (Labour) further to the *ITUC Report Holding eSwatini to Account; assessing the country's compliance with the Commonwealth Charter*, published on 5 March 2021, asked Her Majesty's Government what plans they had to use their position as a member of the Commonwealth Ministerial Action Group to initiate an investigation into the potential breach of the charter by the Government of Eswatini.

*26 January:* the date of the postponed trial of Mabuza and Dube,

the two MPs arrested on July 25, 2020 and subsequently held unlawfully in Matsapha prison.

## Outcomes and Results

What started as a call for a petition to demand that Swazis elect their own Prime Minister led to a harsh crackdown by security forces. The cycle of protests, repression and more protests has not yet delivered the democracy Swazis want. They are no longer prepared to tolerate a self-serving, despotic monarchy, and their calls for political and human rights reform should be answered.

It is estimated that over 80 Swazis have been killed, while about 600 were injured and hundreds were arrested during the period of political uprisings. Even school children were arrested and held in prison (Letfu Sonke Institute, 2021).<sup>38</sup> The King continues to hold supreme executive power over parliament and the judiciary. Thus far, SADC interventions have not yielded the desired results. The success of the National Dialogue Forum depends on the role the SADC is willing to play to call the monarch to order and supervise free and democratic elections (Dlamini, 2021).

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<sup>38</sup> The Boksburg Declaration (2021, p. 2) refers to the massacre of 29 June and beyond with the murder of 96 Swazis, the injury of over 500 and the arrest of more than 1 000.



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## *Opinion Piece*

# **From Collective Bargaining to Collective Begging: Namibia’s Supreme Court Undermines the Right to Strike**

*Nixon Marcus*

On 23 December 2020, more than 2 000 Shoprite workers went on strike, demanding better salaries and improved working conditions. Temporary workers, some of whom had been employed for more than 10 years, were paid between N\$1 200 and N\$1 600 per month. Permanent workers were paid between N\$2 000 and N\$3 000 per

month. Shoprite, which boasted a net cash position of N\$ 10 billion that year, flatly rejected the workers’ demands, saying that it is not part of its culture and practice to pay transport and housing allowances to its workers.

Shortly before the strike commenced, Shoprite recruited so-called “fixed-



*Photo: Herbert Jauch*

term” employees. These workers, with no job description, could be assigned to do any work in a shop whenever a need arose. The need of course arose when the strike commenced and many duty stations were left vacant by the striking workers.

After the strike commenced, it soon became clear that the Shoprite outlets continued to operate. Inspections conducted at shops in Windhoek revealed that 95% of the workers found doing the work of the striking workers were fixed-term employees recruited before the strike. The Namibia Food and Allied Workers Union, the recognised union, instituted legal action on behalf of the workers to stop Shoprite from requiring and allowing the fixed-term employees to do the work of the striking workers.

The union argued that Shoprite’s actions undermined the strike and their bargaining power. It argued that the right to strike is constitutionally protected; that the workers had by virtue of their economic position less bargaining power during negotiations; that the breach of the strike rules and the Labour Act was exacerbated by the “no work–no pay” principle; that the workers’ right to withhold labour was rendered ineffective by the breach of the strike rules; and that under the circumstances there was no hope of forcing Shoprite back to the negotiating table.

## **Labour court ruling**

The Labour Court, in what must be one of the most progressive judgments on workers’ rights in Namibia to date, agreed with the workers. In its ruling of 8 January 2021, the court accepted that Shoprite has a duty not to prevent or undermine the strike. Most importantly, the court observed that Shoprite has a positive obligation to ensure that freedom of association is “protected and fulfilled”. The court ordered Shoprite to stop requiring or permitting non-striking workers to perform the work of the striking workers. The effect of the Labour Court’s judgment was to give substantive meaning to a constitutional right. Rights, and especially constitutional rights, are meaningless if they do not change the social and material conditions of people who have borne and continue to bear the brunt of capitalist and racist exploitation.

## **The Reversal by the Supreme Court**

In a devastating setback for the workers, the Supreme Court reversed the judgment of the Labour Court on 26 April 2022. It did so by skilfully using the tools of legal formalism to push back on the right of workers to strike. The court consciously decided to side with the interests of capital and turned the case on its head. It framed the case as being about the “rights of employers during a strike”. This is

startling, because it was the workers who brought the case to vindicate their rights. Picture a child running to a teacher for protection against a playground bully, and the teacher in resolving the fight tells the child that the fight concerns the rights of the bully during the fight.

Having framed the dispute as being about the rights of the employer, there could only be one outcome. The Supreme Court said that the restriction on the employer to recruit scab labour in section 76(3) of the Labour Act<sup>39</sup> goes “considerably” further than the right to strike and freedom of association. It said that the proscription on hiring scab labour is not part and parcel of these constitutionally entrenched rights. The court never explained the basis for this statement.

Having skilfully dissected s 76(3) from its constitutional roots, the road was clear to limit the section’s operation in favour of business rights. The court said the section must be strictly interpreted, because it restricts the employer’s freedom of contract and its right to carry on a trade or business protected by Art 21(1)(j) of the Constitution.

The court also applied a restrictive interpretation to the word “require” used in s 76(3). It did so by limiting it only to situations where the employer “compels”, “insists” or “instructs” employees to do the work of the striking employees. The court said that the word “require” does not include “permit” and “allow” as the Labour Court had found. In other words, an employer’s duty does not extend to ensuring that the right to strike is “protected and fulfilled”.

The Supreme Court then effectively put the nail in the coffin as far as the right to strike is concerned. It said that, given the absence of an obligation on the part of the employer to ensure that the right to strike is realised, s 76(3) allows non-striking employees to “volunteer” to do the work of the striking workers.

### **Ignoring Power Imbalances**

The Supreme Court posits workers as autonomous individuals, who are free to consent or decline to perform the work of the striking workers. This is of course fictitious: it was done to cement the power of capital during collective bargaining. The court chose to ignore that the relationship between the workers and Shoprite is characterised by a huge power imbalance. Against the backdrop of the huge levels of unemployment and poverty in the country, workers are compelled to

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<sup>39</sup> The section states that during a protected strike, an employer must not require a non-striking employee to do the work of striking employee and that an employer must not hire any individual to do the work of striking workers.

accept any conditions set by Shoprite. How many of the fixed term employees could really decline to perform the work of the striking workers without risking dismissal by Shoprite?

By introducing the notion of ‘consent’ in the context of a strike, the court adopted a standard that, in criminal law, is wholly inapposite in the context of the crime of rape and the rights of complainants. The criminal law has undergone a fundamental shift, replacing ‘absence of consent’ with ‘presence of coercive circumstances’ in the definition of rape. In so doing, the law acknowledges that, in situations where there is a power imbalance, the conditions for meaningful consent do not exist. The law permits the circumstances of the alleged rape to be examined within the existing power inequities. It recognises that “consent can only have meaning within a context where dissent and refusal are real possibilities” (Du Toit, 2012).

By recognising ‘consent’ on the part of workers, the court did a lot of harm to their rights. In any litigation the attention will shift from the actions of the employer in undermining the strike, to examining the existence or absence of consent by the workers. Silence might be interpreted as consent. The onus to clearly voice dissent will be put on the non-striking workers. Striking

workers will be required to prove the absence of consent, something which is very difficult to prove once the employer submits claims to that effect.

Nothing stops the employers from overtly or covertly enticing non-striking workers to “volunteer” to do the work of the striking workers. Not only will this cause further divisions between the workers, but importantly, the effectiveness of strike action will be reduced or obliterated. This was already the case in *Namibia Food and Allied Workers Union vs Lüderitz Spar* (2021), where the employer argued that the employees volunteered to do the work of the striking workers. In that case the strike was ineffective, because the “volunteering” employees did the work of the striking workers. The Supreme Court has now entrenched this position, effectively destroying the right to strike as the last economic tool available to workers in their struggle against far more powerful employers.

## **More Exploitation and Poverty**

The prospects for organised workers to improve their living and working conditions through collective bargaining are dim, and we can expect more and more workers to fall into the abyss of poverty. In the shadow of the Supreme Court’s judgment, collective begging for a better life will be the order

of the day for the impoverished masses, with no realistic chance of improving their living conditions.

The Supreme Court's decision to side with capital was a conscious one. The court did this in the face of the exploitation of the workers, despite being reminded that this exploitation has its roots in the shameful colonial and racist history of the country. The court gave no consideration to the poverty of the workers, brought about by the slave-like wages paid by Shoprite. There was no consideration of the existing power relations, or whether 'consent' and 'dissent' are viable options. The court's insensitivity to the plight of the workers exhibits an anaemic sense of social and restorative justice (for a general discussion, see Modiri (2012)).

The Supreme Court chose to protect and maintain existing power relations. In so doing it perpetuates the historically derived mistreatment and exploitation of black workers, the majority of whom in many cases are women.

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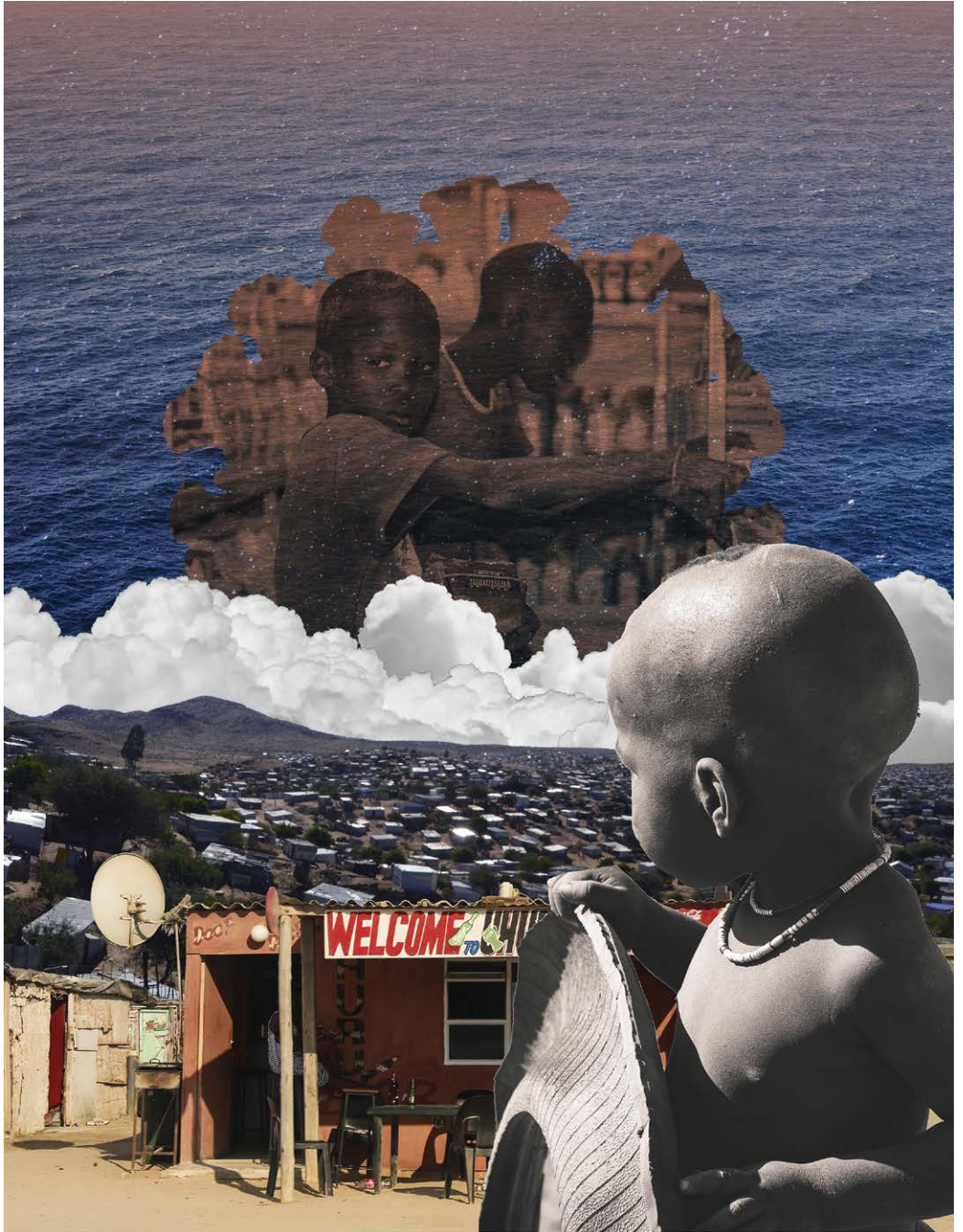
Mateus Alfeus - Bound



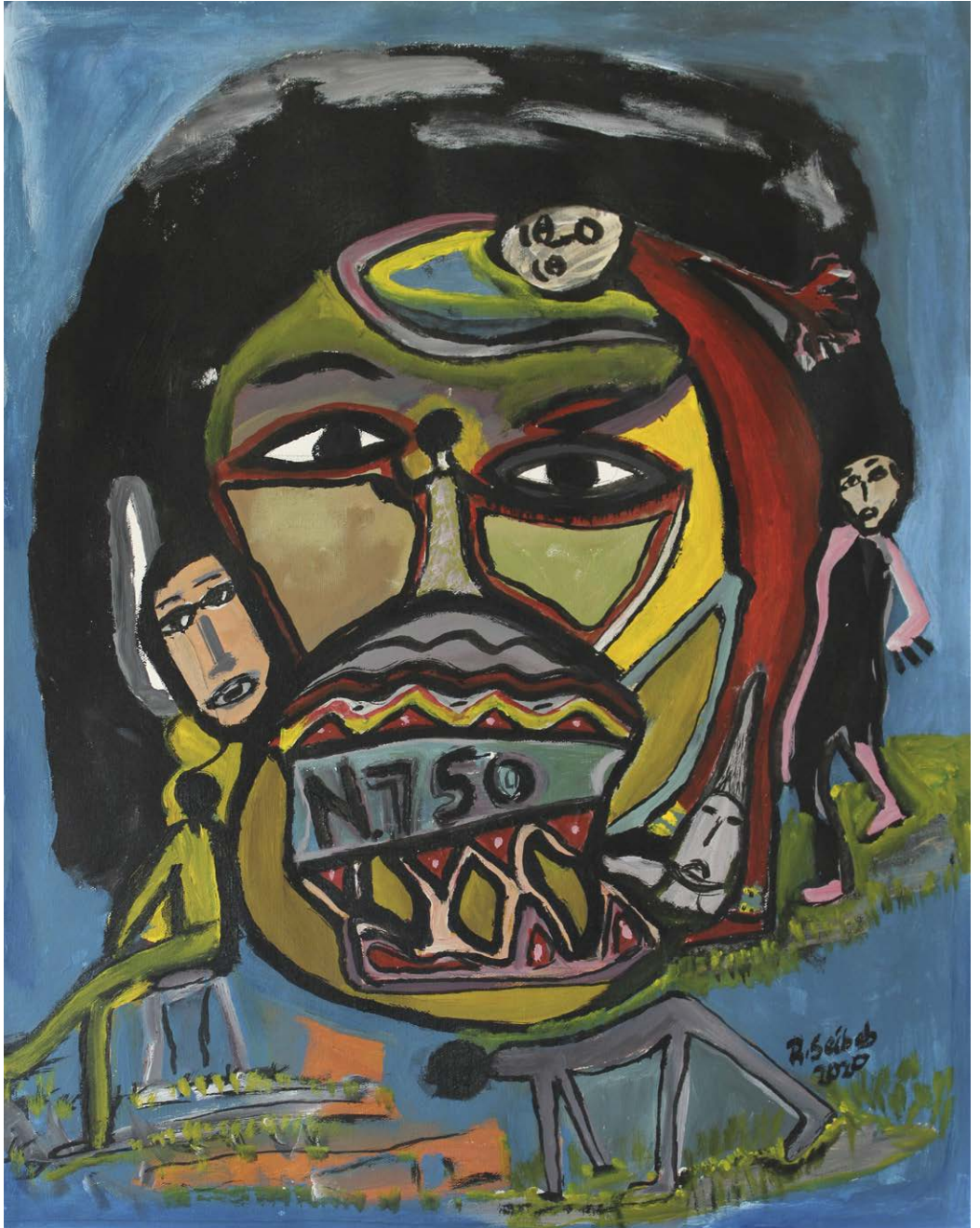
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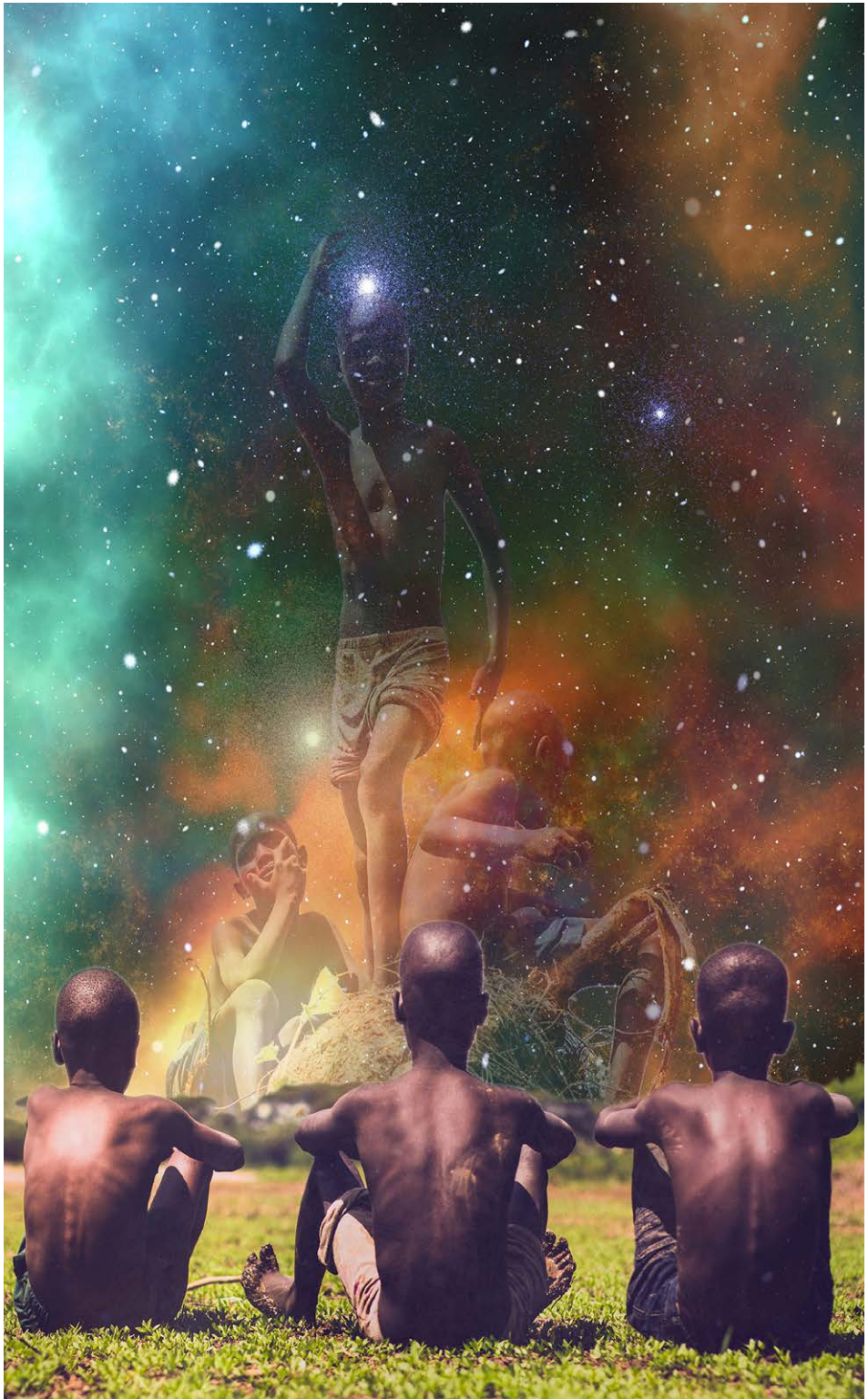


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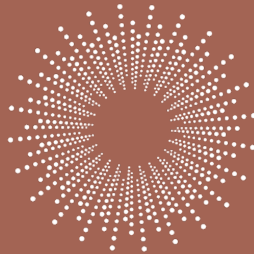
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Titus Shitaatala – I Wish Money Worked Like Diffusion



Tuli Mekondjo – Ino Iilila Ngaashi Ina Yaf Mbi Alukila Keumbo  
(Don't Ever Forget Where You Come From, Always Return Home)



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