

PERSPECTIVES ON PARLIAMENT

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WOMEN IN SONA

Did the President do enough to address the problems women face in Namibia? In both the 2015 and 2016 SONAs, the President mentioned SWAPO's 50-50 gender policy and how it had improved the number of Female MPs. He also briefly mentioned gender-based violence, calling on Namibians to collectively say no to GBV. In 2017, Geingob did not spend a lot of time explicitly speaking about women's issues either. Once, he highlighted how improved health services had led to a healthy pregnancy for one of his guests, and as in his preceding SONAs, he also briefly mentioned gender-based violence. With this narrow focus, he repeated the mistakes of the Harambee Prosperity Plan, which does little to address women's issues, particularly in the overarching objective of eradicating poverty. As a prior IPPR analysis noted, the HPP reduces "women's development solely to issues related to their bodies" instead of treating it as a cross cutting issue. It continued: "By so doing, it ignores the broader impact of addressing women's development more holistically for national socio-economic development objectives to be achieved." In 2016, Geingob said government was committed to the "gender mainstreaming" of the budget, meaning that all aspects of the budget would take the effect on women into account. It would be positive to hear more details on this commitment, and to see further signs that government takes women's issues seriously in all areas, not just when it comes to gender-based violence and women's health.

STATE OF THE NATIONS IN NAMIBIA



The Namibian

WHAT IS THE STATE OF THE NATION?

The State of the Nation Address is a speech the President gives every year. It happens in many countries around the world, including Ghana, the United Kingdom, the Philippines, and Russia. In the United States of America the practice goes back more than two hundred years. (Back then, the President often sent in a written report). In Namibia this speech is a required part of the President's job.

The Constitution states:

In accordance with the responsibility of the executive branch of Government to the legislative branch, the President and the Cabinet shall each year during the consideration of the official budget attend Parliament. During such session the President shall address Parliament on the state of the nation and on the future policies of the Government, shall report on the policies of the previous year and shall be available to respond to questions.

Two phrases in this paragraph are the key to understanding why the State of the Nation is so important. The President is there "in accordance with the responsibility of the executive branch [the President] to the legislative branch [Parliament]," and he is "available to respond to questions."

The different branches of government are supposed to keep each other accountable, to make sure that one area does not have too much power. The President carries out the



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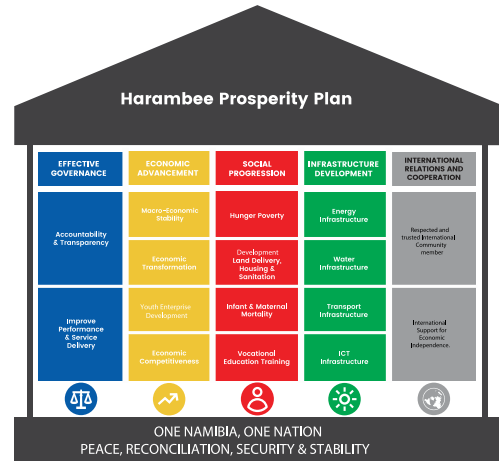
PERSPECTIVES ON PARLIAMENT is a bulletin produced by the Democracy Report project of the Institute for Public Policy Research (IPPR). Democracy Report analyses and disseminates information relating to the legislative agenda of Namibia's Parliament. The project aims to promote public engagement with the work of Parliament by publishing regular analyses of legislation and other issues before the National Assembly and the National Council. Democracy Report is funded by the Embassy

laws of the country, but Parliament should watch over the President to make sure the President is not abusing his or her power. The constitution makes it very clear that this is an opportunity for Parliament to review the President's performance.

The relationship between Parliament and the President has been very clear in South Africa, which also has a traditional State of the Nation address. In the last few years, these speeches have been dramatic events due to controversies around President Jacob Zuma. In 2015, members of the Economic Freedom Fighters party repeatedly interrupted Zuma to demand that he "pay back the [government] money" he had used for his personal house. Security Officers removed them using force. The same pattern was repeated in the last two years. On both occasions, security forces used violence to remove opposition Members of Parliament before the President began his speech.

Namibian State of the Nation addresses are usually more peaceful than those of our southern neighbour. The President gives his address, and Members of Parliament ask him questions about his performance. Presidents have often used the State of the

Nation speech to outline their agenda or to introduce a national plan. After all, the Constitution also says the President should discuss "the future policies of the government." For example, President Geingob used his first two addresses to introduce his ideas of "the Namibian House" and his "Harambee Prosperity Plan." Instead, it is encouraging enough that the last two years have seen an increase in laws passed since a slowdown in the ten years before. As the graph above shows, Parliament was most busy just after independence, passing more than 30 laws a year for the first five years. The country was new, and many basic laws required for the government to function needed to be passed quickly. Government also received help from international experts in drafting laws. The speed dropped a little bit for the next two Parliaments (from 1995-2009 and from 2000-2005), but the productivity of Parliament dropped significantly for the next two periods. From 2005-2009, Parliament passed ten laws a year on average, and just under 14 a year until 2014. So it is encouraging that the 6th Parliament started off more strongly, with 15 laws passed in 2015 and 20 in 2016.



2015: The Namibian House

In the 2015 state of the nation address, President Geingob talked a lot about 'the Namibian house.' He said,

We cleared the area with United Nations supervised elections. After which we drafted the constitution as our foundation. The bricks of our house are the different ethnic groups and the mortar is the various laws passed in Parliament to hold us together. Allow the democracy to firm up and mature.

The President used a phrase that he has since said many times: Namibia is a house "in which no Namibian will be left out," emphasising unity among Namibians.

He announced that he involved the auditing firm Pricewaterhousecoopers to independently assess his assets and that of the First lady. He did this as part of accountability and transparency. The Ministers and their deputies were required to also issue ministerial declarations of intent that constitute a contract of delivery.

He stated that he would introduce a food bank, as a way to eradicate poverty. He furthermore pointed out how free secondary school will be introduced arguing that this would help eradicate poverty. The president also reported on the solid progress in essential services such as housing and sanitation, expansion and upgrading of roads and so on, emphasising that the awarding of infrastructure tenders are costly and slow down our development. He also emphasised his personal commitment towards land reform and provision of affordable housing for all Namibians.

2016: Harambee

With the 2016 State of the nation address came the introduction of the Harambee Prosperity Plan (HPP) to fast-track the achievement of Namibia's development goals. 2016 was the year which the President declared as a year of implementation. The president pointed back at the State of the Nation address in 2015 and applauded the delivery rate that government had achieved. This included his voluntary public asset declaration and that of the first lady. He also praised the asset declaration of the members of parliament and entire civil service. However, if these declarations were made, they were not public - even though Parliament's rules say these declarations have to be available to the public.

The President moreover spoke about how he introduced performance agreements at Ministerial level and made them available for public scrutiny. He mentioned how the Public Procurement Bill had been passed by Parliament, which

OPPOSITION STATE OF THE NATION

While the official State of the Nation address is required by the Constitution, in some countries the opposition party has also begun to do a speech on the state of the nation. This is usually given directly to the media, or to a crowd of supporters -- it is not an official Parliament event. They do this to present an alternative vision for the country, contradict the claims made by the President, and to benefit from the media attention surrounding the event.

The opposition in the United States and in South Africa has presented several alternative speeches. Last year was the first such an event in Namibia, when McHenry Venaani from the DTA invited media and supporters to give what he called "the Real State of the Nation" address. In his speech, he warned that Namibia's economy was struggling, and said government was not doing enough to solve our problems. He also revealed his salary to show his commitment to transparency, after criticising the President for not publishing the salaries of his advisors.



would restore public confidence with regards to accountability and transparency. He claimed that this act would inject more transparency and enhance the participation of the SME sector.

He mostly emphasised two issues pertaining to poverty, which he identified as the role and organization of food banks and the idea to introduce a 'solidarity' wealth tax. He stated that the HPP does not replace the national development roadmaps but complements a shared long-term prosperity goal.

The plan is built on five pillars:

(1) Effective Governance and Service Delivery, (2) Economic Advancement, (3) Social Progression, (4) Infrastructure Development and (5) International Relations and Cooperation.

Within these pillars, he identified a few key outcomes, including:

- A more transparent Namibia
- A high performance and citizen-centred culture of service delivery
- Significant reduction in poverty levels
- A reputable and competitive vocational educational training system
- A spirit of entrepreneurship resulting in increased youth enterprise development
- Broader participation in the Namibian Economy
- Improved access to serviced land, housing and sanitation
- Guaranteed energy supply and sufficient

water for both human consumption and business activities; and

- Remaining a respectable member of the international community

Some Members of the Opposition criticised the speech, arguing that Geingob did not report on the State of the Nation, but used the platform to advertise his new plan. Ahead of the 2017 speech, the question was: would the President take some time to actually look back at the work he had done and give a detailed report?

2017: Reviewing Progress

As noted above, Presidents often use the State of the Nation Address to highlight their accomplishments in the most positive terms. In 2017, President Geingob took this to new heights, with his office releasing the speech in the form of a booklet with photographs of the President at work. During his speech in Parliament, Geingob also shared the individual stories of guests he invited, as examples of government policies helping people. This method of political theatre is often used in the United States of America.

The President's speech was organised around the five pillars of the Harambee Prosperity Plan, which he discussed one by one. He argued for the importance of Harambee by pointing out that the word has now become an everyday term, with many entrepreneurs having named their businesses 'harambee'.

For each of the pillars (Effective Governance, Economic Advancement, Social Progression, Infrastructure Development, and International Relations and Cooperation), Geingob listed some of the targets and gave an update on the progress made in the last year.

He reported, for example, that the government had serviced more plots and built more houses than targeted in the plan. He also gave specific details on the response to the water crisis surrounding Windhoek, and listed the roads that had been worked on in the last year. While he highlighted various successes, Geingob also mentioned several targets that were not achieved. Examples include the whistleblower and access to information bills, which have not been passed but will probably be discussed in Parliament soon. Another missed target was to eliminate the bucket system, about which the President said that "progress has been less than satisfactory." This sort of honesty is a good sign - especially because the President also gave concrete statistics from a new assessment on how many households still use the system, and gave details on the steps required to change it in meeting the optimistic target of eliminating this bucket system this year.

At times, however, the President's SONA was vague on some of the progress made. For example, he claimed that there had been interest by foreign investors in projects, but did not give any specifics. He also claimed improved service delivery in hospitals and

NEWS FROM PARLIAMENT

In the last edition of Perspectives on Parliament, we noted that Parliament is increasing the speed at which it discusses laws. So far, this has been true this year. In the three months since the National Assembly started, MPs have discussed 12 laws. In the whole of last year, they passed 20.

Some of these were short and only addressed limited matters. For example, two bills introduced by the Minister of Environment and Tourism increased the fines for poaching and endangering Wildlife. For example, the maximum fine for illegally hunting elephants and rhinos rose from N\$200,000 to N\$25 million.

Another bill that was very short, but generated a lot of debate, was the Namibian Time Bill. This bill would end the practice of adjusting our time for Daylights Savings during Winter. The Ministry of Home Affairs said they held consultations on the

question, and said that more than 90 percent of Namibians were not in favour of time changes during Winter. Still, there was a lot of debate in Parliament and MPs could not find consensus. A committee of Parliament is now working on a report and has advertised public meetings. Parliament also discussed some very complicated bills that could have a big impact. One of these is the Whistleblower Protection Bill, which is supposed to protect people who come forward to report someone at their work who is breaking the law or being corrupt. The law says that a whistleblower cannot be punished for reporting wrongdoing. However, there is a big problem with the bill that MPs are debating: it says that protection can be removed if the whistleblower wants to criticise government policy. This means that in practice many government employees will be afraid to blow the whistle because they are scared they will not be protected.

Bill	Status
Whistleblower Protection Bill	Under Discussion
Witness Protection Bill	Passed
Nature Conservation Amendment Bill	Passed
Namibian Time Bill	In Committee
Access to Biological and Genetic Resources and Associated Traditional Knowledge Bill	Passed
Regional Councils Amendment Bill	Passed
Local Authorities Amendment Bill	Under Discussion
Private-Public Partnership Bill	Passed
Appropriation Bill	Passed
Controlled Wildlife Products and Trade Act Amendment Bill	Under Discussion
One Stop Border Posts Control Bill	Under Discussion
Lotteries Bill	Under Discussion

FURTHER READING

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clinics without mentioning statistics to measure and validate this

Other issues

Granted, there may not have been enough time to provide statistics related to every target. But unfortunately, the President was also vague when he discussed other policy issues that will be important in the new year. For example, Geingob admitted that government spends too much money on salaries and said that Cabinet approved a plan to cut this spending, but did not tell us what the plan says.

The president also indicated that NEEEF - the National Equitable Economic Empowerment Framework, which is supposed to empower those who were discriminated under apartheid - will be discussed soon. Again, he did not provide many details. He did mention employee share programmes and home ownership schemes,

but it is not clear whether these ideas will be in the legislation or if they are simply suggestions from Geingob. Finally the President also spent a great deal talking about the land issue in Namibia. He said that we as a nation need to have a "sincere but difficult conversation" about the topic, including looking at what has worked so far and what has not.

One issue that needs to be discussed is whether opposition parties had enough opportunity to question the President. As we wrote earlier, a key aspect of a State of the Nation Address includes the President giving honest answers about his or her performance. Of course, Presidents will use their speech to present themselves in a positive light, so it is important that the opposition have an opportunity to ask enough questions to make sure all areas have been covered.

However, after the President was done with his almost two-hour long speech, there was only limited time for the opposition to ask questions. In South Africa, the President gives the speech on one day and then returns to answer questions another day. This has the benefit that the opposition can analyse the speech in detail and ask well-researched questions. Namibia should consider also splitting the State of the Nation over several days. McHenry Venaani, leader of the opposition, complained about the time for questions given at last year's State of the Nation. He said, "The State of the Nation should be an opportunity for the legislature and opposition parties to engage the president at length on a wide variety of issues. We are demanding a fair share of our time, even if it means he must be in parliament for two days. You cannot account to the nation in one hour."

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ABOUT DEMOCRACY REPORT

Democracy Report is a project of the IPPR which analyses and disseminates information relating to the legislative agenda of Namibia's Parliament. The project aims to promote public participation in debates concerning the work of Parliament by publishing regular analyses of legislation and other issues before the National Assembly and the National Council. Democracy Report is funded by the Embassy of Finland.

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The Institute for Public Policy Research (IPPR) is a not-for-profit organisation with a mission to deliver independent, analytical, critical yet constructive research on social, political and economic issues that affect development in Namibia. The IPPR was established in the belief that development is best promoted through free and critical debate informed by quality research.