

A constitution to be proud of

NAMIBIA'S independence constitution was unanimously adopted amidst pomp and ceremony at a special open-air sitting of the Constituent Assembly on Friday, setting the stage for March 21 independence.

White nationalists and former guerrilla fighters pledged allegiance to Namibia's founding law. And the orchestra of former traditional foes of Swapo, the SWA Police, changed their tune from 'Die Stem' to 'Nkosi Sikelele i' Afrika', played at the opening and conclusion of the event.

Swapo president and Namibian President-elect Sam Nujoma hailed the adoption of the constitution as "a giant step forward" while, on the opposite side of the political spectrum, Action Christian National's Jannie de Wet ended his speech saying the constitution should be the pride of each Namibian citizen, adding "God bless our country".

The formal adoption of the Constitution of the Republic of Namibia, which needed to be approved by a two-thirds majority of the 72-member Assembly in terms of the UN peace plan, came exactly 80 days after the Assembly first met on November 21 last year.

A huge four by six metre banner with the preamble of the constitution formed the backdrop to the ceremony held on the steps of the Tintenpalast and attended by a host of foreign diplomats and dignitaries, including South African Administrator-General Louis Pienaar and UN Special Representative Martti Ahtisaari. Also adding colour to the occasion was Namibia's new flag.

Hundreds of Namibians, many sporting party colours, gathered to watch the ceremony.

Opening proceedings, Constituent Assembly chairperson Hage Geingob described it as a "historic day" and said the completion of the constitution had laid the foundation for a new Namibia.

Mr Geingob said the document embodied "rights for so long denied to the Namibian people by colonialism, racism and apartheid".

We were "determined to adopt a constitution which expresses for ourselves and our children our resolve to cherish and protect the gains of our long struggle for national independence," he said.

"The framers recognised the inherent dignity, equal and inalienable rights of all members of the human family that is indispensable for freedom, justice and peace."

These rights included the right of the individual to life, liberty and to the pursuit of happiness, regardless of race, colour, ethnic origin, sex or religion, creed, social or economic status.

The writers of the constitution desired to promote amongst all Namibians the dignity of the individual and unity and integrity of the Namibian nation among the other nations of the world.

"We will therefore strive to achieve national reconciliation and to foster, peace, unity and a common loyalty to a single state," Mr Geingob said.

Namibia confounds 'prophets of doom'

NAMIBIA, Africa's newest nation, once again confounded the critics when all seven parties represented in the Constituent Assembly accepted the constitution, which will be the country's founding law.

Despite earlier indications that ACN would abstain and FCN delegate Mr Mburumba Kenina had been instructed to totally reject the constitution, no dissenting voice was raised when CA chairperson Hage Geingob asked if there were any objections to the constitution.

All parties, from Swapo to the ACN, expressed reservations about certain aspects of the constitution at Friday's special Assembly sitting, but equally all hailed it as a model constitution entrenching a Bill of Fundamental Rights and providing for one of the few multi-party democracies on the African continent.

And there was applause all round after Mr Geingob said: "Now, therefore, we the people of Namibia accept and adopt this constitution as the fundamental law of our sovereign and independent republic."

In speeches by party leaders which followed, the role of Mr Geingob as Assembly and standing committee chairperson was praised repeatedly by friend and foe, his impartiality highly regarded.

"For someone coming from outside, I would have given them an A for a job well done," National Patriotic Front leader Moses Katjuongua said. "But for someone from one of

the parties involved, he must get an A-plus."

Namibia's constitution has been described internationally as a "liberal democratic constitution".

Characteristics of the document, which comes into effect at independence on March 21, include:

- * The outlawing of apartheid and racial discrimination, as well as providing for affirmative action for victims of past injustices;

- * strong human rights provisions with the banning of the death penalty, and detention without trial, except under emergency regulations;

- * guaranteed fundamental human rights and the entrenching of a multi-party state;

- * it acknowledges the rule of law and the importance of an independent judiciary to uphold the constitution;

- * a clear and extensive separation of powers between the executive, legislature and judiciary;

- * an executive state president who can serve a maximum of two five-year terms;

- * an independent civil service and judiciary, and

- * provisions for regional governments to be established a year after independence.



"LONG live the constitution of the Republic of Namibia." Swapo president and Namibian President-elect Sam Nujoma concluding his address at Friday's special occasion.



DTA chairperson Dirk Mudge caught quietly giving the constitution a last 'once-over' before the adoption.



A SWA Police veteran leads the changing of the tune. The Swapo orchestra opened and concluded events with 'Nkosi Sikelele i' Afrika'.



FORMER Swapo defence secretary Peter Mueshihange and Namibia's Attorney-General designate Hartmut Ruppel share a closed-eyes session, before Friday's CA session got underway.

CONTINUED FROM PAGE 3

force members who carried out surveillance on "aggressive activists".

Ferdi Bamard has also claimed ties with Military Intelligence.

Saturday's announcement by the SADF about the existence of the CCV followed weeks of speculation about

the existence of a secret squad with military ties.

The SADF said it was a "covert" arm of the special forces which were "an integral part of any defence force in the world and perform extremely important work in the interests of state security".

The investigating officer in the Lubowski case, Colonel Jumbo Smit, was in Johannesburg at the weekend for consultation with Brixton detectives investigating the shooting of anti-apartheid activist, David Webster, outside his Johannesburg home in May.