



Institute for Public Policy Research



Institute for Public Policy Research
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News release

Constitutional amendment passed without adequate public consultation, Namibians say

Most Namibians (55%) say the controversial Third Constitutional Amendment¹ was passed without adequate public consultation, according to a new Afrobarometer survey.

By an overwhelming majority, eight of 10 Namibian survey respondents say that changing the Constitution should be preceded by extensive public consultation and that this did not occur for the recent amendment.

Key findings

- Four of five Namibians (80%) favour widespread consultations for any Constitutional changes (Figure 1), as is the usual practice for major policy changes in Namibia.
- By a 2-to-1 ratio (59% vs. 24%), respondents say that in the case of the Third Constitutional Amendment, proper consultations had not taken place (Figure 2).
- This view cut across party lines, as a majority (55%) of those reporting that they are “close” to SWAPO also indicated that the process did not meet their expectations for widespread consultations.

¹ Only a few months before the 2014 Presidential and Parliamentary Elections of 2014, the Prime Minister introduced to the National Assembly the Third Constitutional Amendment Bill. This bill constituted a far reaching transformation of the existing governmental structure by proposing forty changes to the document crafted at independence in 1990.

Among the most important changes was the creation of an appointed Vice Presidential post to assist the president and provide (ethnic) balance in the executive. A second major change involved increasing the size of the National Assembly from the current 72 elected seats to 96, and increasing the current National Council seats from 26 (28 with the two new Kavango regions) to 42. Some of the forty proposed changes were revised during the parliamentary debates and under advice during public pressure from civil society groups.

Although the minimum legal necessities were met by the Law Reform Commission and Director, the appointing authorities had left the Commission with a skeleton board for nine months during the finalisation of the Bill (and a wide-ranging Electoral Reform Act). Many critics thought that the process fell far short of the good governance expectations that Namibia usually follows. In part, the changes were the result of SWAPO internal factional conflicts and attempts to manage a SWAPO Special Congress decision requiring the party to adopt a 50-50 gender representation in all its structures (including the parliamentary list). It was felt that many of the senior SWAPO cabinet were older males, who were not ready to retire, and might have been at risk of losing their seats without the parliamentary expansion.

Afrobarometer

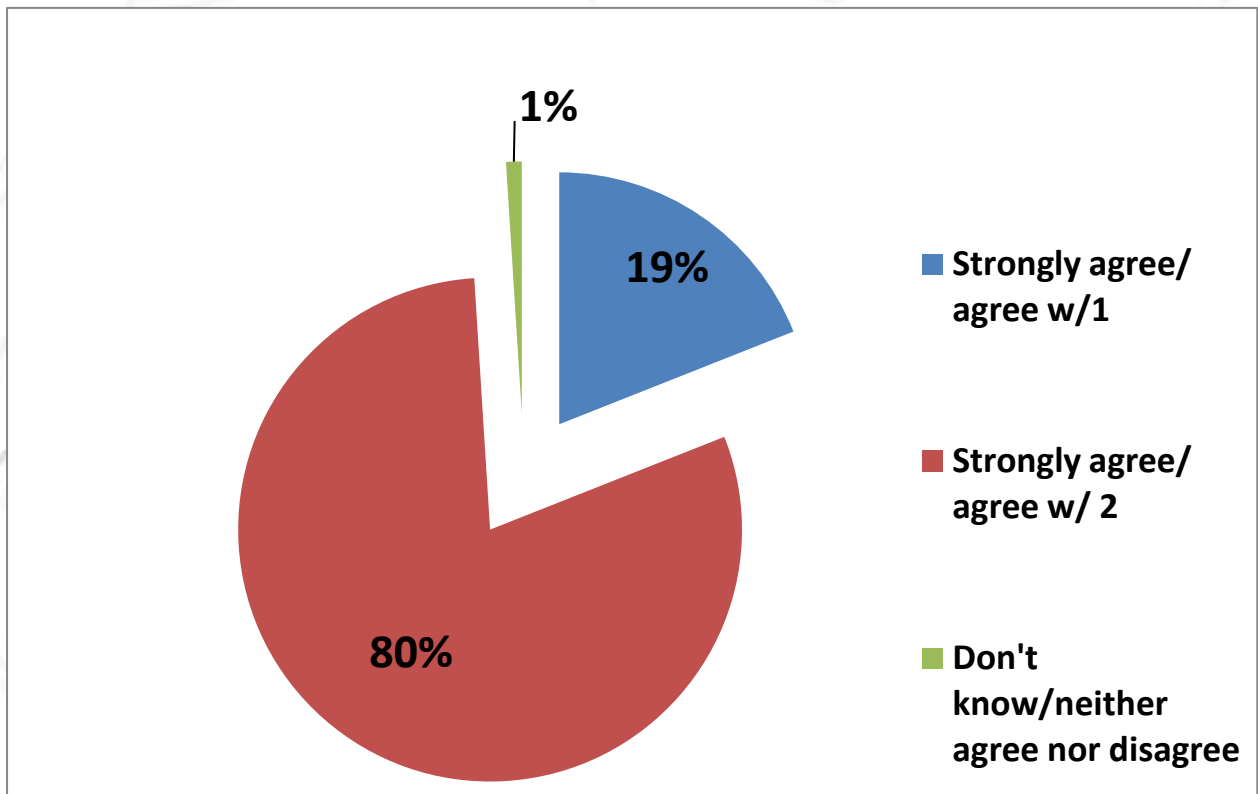
Afrobarometer is an African-led, non-partisan research project that has measured countries' social, political, and economic atmosphere since 1999. In its sixth survey round (2014-15), it is covering 35 countries. Afrobarometer is funded by the UK Department of International Development (DFID), U.S. Agency for International Development (USAID), Swedish International Development Cooperation Agency (SIDA), Mo Ibrahim Foundation and the World Bank.

The Afrobarometer team in Namibia, led by the Institute for Public Policy Research and Survey Warehouse, interviewed adult Namibians in August and September 2014. A sample of this size yields results with a margin of error of +/-3% at a 95% confidence level. Previous surveys have been conducted in Namibia in 1999, 2002, 2003, 2006, 2008, and 2012.



Charts

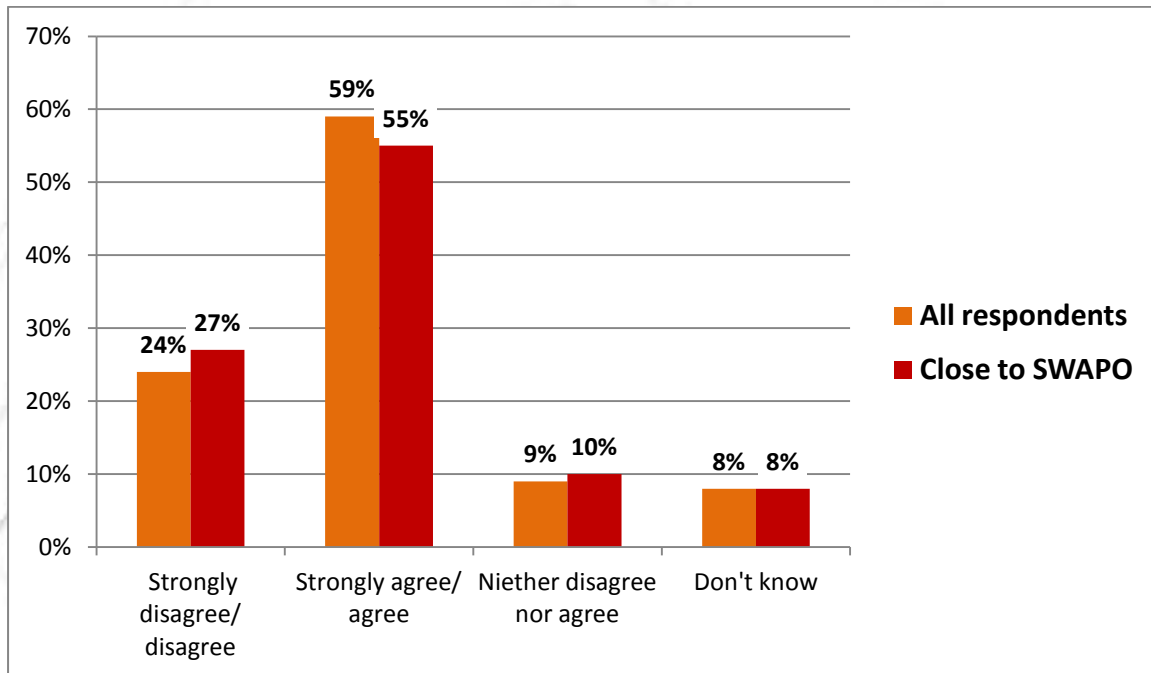
Figure 1: Perceptions of need for widespread consultation when changing the Constitution
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Respondents were asked: Which of the following statements is closest to your view?
Statement 1: "Government should make changes to the Constitution that they think are important without considering the views of ordinary citizens."
Statement 2: "Government should always consult the public widely when considering changes to the Constitution."

Figure 2: Perceptions of inadequate consultation: Government has not consulted sufficiently on recent Constitutional Amendment

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Respondents were asked: Please tell me whether you agree or disagree with the following statement: "Government has not consulted sufficiently on the recent Constitutional change proposals – for example for an appointed vice-president and a 50% increase in the size of Parliament."

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