

Namibia

Namibia, formerly known as South-West Africa, is a Republic bordered by Angola and Zambia in the north, Botswana to the east, South Africa to the east and south, and the Atlantic Ocean on the west. It is a large country, with a small population of only 1.8 million. It is a very dry country, with the Namib Desert extending along the entire Atlantic coast and up to 160 km inland; a plateau in the centre, and the Kalahari Desert in the eastern part, a highland area containing vast sandy tracts.

Namibia's economy revolves around tourism, mining and fisheries. Its mineral resources include diamonds, uranium, copper, zinc and lead. Although it has rich resources, the majority of the people have not benefited sufficiently from them, and live in relative poverty.

Namibia's indigenous peoples, a mixture of a wide variety of ethnic groups - settled farmers, pastoralists and even stone age hunter-gatherers - were first colonised in the late 19th century by Germany. When the Germans were defeated in the First World War, South-West Africa, as it was then known, was handed to South Africa as a mandate of the League of Nations. South Africa failed to honour the mandate of the League, later the United Nations, to lead the people towards self-government. It rather consolidated racial separation and incorporated the territory as part of South Africa. The people were deprived of the benefit of their own resources and forced to become wage labourers. As in South Africa, peaceful nationalist political resistance met only with repression. In the face of the banning of political activities, and the jailing of many leaders, the predominant nationalist movement, SWAPO, launched an armed struggle. They operated from bases in Angola through the 1970's and 80's. Eventually they gained the support of the United Nations, and as the South African hold was weakened, a constitution was negotiated which brought independence and majority rule in 1990.

Namibia follows a legal system based on Roman-Dutch common law with English influences; its constitution provides that international law be incorporated where it is applicable, and it includes a strong Bill of Rights. But legal services were historically accessible primarily to the European and urban populations, and this situation still prevails.

The core of the liberation struggle was to afford rights to the black majority as well as to every Namibian. But the peoples' ability to claim the rights protected in the constitution depends on the availability of legal expertise, sadly lacking in Namibia, especially for the working classes and the rural population.

The idea of paralegals was developed soon after Independence, in order to make the constitutional guarantee of rights a reality. Paralegals operating first in the labour context and later also in rural communities are trying to bring the benefits of the justice system to people at every level of Namibian society.