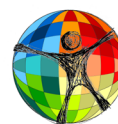


Managing Diversity for Development: A comparative study of cultural diversity and development in Namibia and Canada

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ABSTRACT

This paper is a comparative study of Canada and Namibia's law, legislation, and policy towards cultural diversity, through an analysis of Canada's multiculturalism and Namibia's single national identity. The intention of this paper is to measure the consequences of both Canada and Namibia's approach to cultural diversity in relation to issues of development. I argue that both countries successfully achieve development in their chosen approach to cultural diversity, but this development only benefits groups that see themselves as a part of the national identity – be this identity singular or diverse.

This paper begins with a discussion of the dominant academic narrative that exist between cultural diversity and development. Second, I explain Namibia's approach to cultural diversity, the relationship that exists between cultural diversity and development in Namibia. Fourth, I will research the relationship between Canada's approach to cultural diversity and development. Fifth, I will offer a comparative analysis of the approaches to cultural diversity between Namibia and Canada and make recommendations to improve each countries approach. My conclusion theorizes what relationship exists between cultural diversity and development. I hypothesize that the chosen approach to cultural diversity is the most beneficial for development when that chosen approach is a part of that country's national identity.

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Introduction

"There is no such thing as a model or ideal Canadian. A society which emphasizes uniformity is one which creates intolerance and hate... what in Canada we must continue to cherish, are not concepts of uniformity but human values: compassion, love and understanding."

— Pierre Elliot Trudeau, 15th Prime Minister of Canada¹

"Taking the destiny of this country in our own hands means, among other things, making the great effort to forge national identity and unity... Unity is a precondition for peace and development."

— Sam Nujoma, First President of Namibia²

Namibia and Canada are both culturally and ethnically diverse countries. Namibia's diversity is reflected its Indigenous population, represented by Ovambo, Kavango, Herero, Damara, Nama, Caprivi, San, and Tswana people, and its colonial history, represented by Afrikaner, German, British, and Portuguese populations.³ The Indigenous Ovambo people make up just under 50% of the total population, while Damara, Afrikaner, Herero, and Kavango people each make up approximately 10% of all Namibians.⁴ Canada's diversity is reflected in its Indigenous population, its settler colonial population, and its history of continued immigration. Canada's population accounts for over 200 ethnic backgrounds, with immigrants making up over 20% of the population; almost 80% of the population speak a language other than French or English.⁵ Both Canada and Namibia's diversity is represented in terms of ethnicity, culture, language, tradition, and religion.

¹ Pierre Elliott Trudeau, "Remarks at the Ukrainian-Canadian Congress, October 9, 1971," in Ron Graham, ed, *The Essential Trudeau* (Toronto: McClelland & Stewart, 1998) 146 at 146.

² Sam Nujoma, "Inaugural Address", (March 21, 1990) SWAPO Speeches, online: SWAPO.org.

³ Namibia Statistics Agency, *Namibia Population and Housing Census Main Report 2016* (Windhoek: Namibia Statistics Agency, 2017) at 45.

⁴ *Ibid* at 46.

⁵ Statistics Canada, *Immigration and Ethno Diversity in Canada 2011* (Ottawa: Statistics Canada, 2013) at 4-5.

As the introductory quotes show, both countries have responded differently to their cultural diversity – Canada has embraced multiculturalism, while Namibia endeavored to unify its people under a single Namibian identity.

Multiculturalism in Canada is defined as “a fundamental belief that all citizens are equal.”⁶ Enshrined in government policies and law, Canadian multiculturalism realizes equality before the law and equality of opportunity regardless of origin, heritage, belief or ethnicity. It further outlines that every Canadian receives equal treatment by its own government, one which respects and celebrates diversity.

Namibia, in contrast, has approached diversity by emphasizing a single national identity. Since gaining independence from South Africa in 1990, the country has employed “One Namibia, One Nation” – an essential element in Namibia’s independence struggle and now official policy of Namibia’s governing SWAPO party.⁷ While the Namibian legal framework and government policy presents equality for all, the government only acknowledges a single Namibian identity.

Research Inspiration

As a Canadian, I have always been proud of Canada’s multiculturalism. I always imagine it to be inclusive and celebrating of diversity. It was a shock to arrive in Namibia to intern at the Law Reform and Development Commission (LRDC) and to hear so many Namibians say that the root of a problem was individuals prioritizing their cultural and ethnic identities over being Namibian. Politicians, academics, professionals, journalists, and average Namibians all pinpointed the over emphasis of an individual’s cultural and ethnic identity would be “Namibia’s death warrant.”⁸ Under stood as “tribalism” by most

⁶ Citizenship and Immigration Canada, *Evaluation of Multiculturalism in Canada* (Ottawa: Citizen and Immigration Canada, 2012) at iv.

⁷ Marion Wallace, *A History of Namibia: From the beginning to 1990* (Oxford: Oxford University Press, 2014) at 305 [Wallace].

⁸ “Tribalism: Namibia’s Death Warrant.” *The Patriot* (August 7, 2017) online: <http://www.thepatriot.com.na/> [Tribalism].

Namibians, cultural diversity is viewed as creating an environment where people “of the same beliefs and religious and ethnic culture of a group... follow each other within that group.”⁹ This was said to be directly contradictory to the idea of a “Namibian House”; instead, it was an “unnecessary polarization between Namibians to turn against each other.”¹⁰ This unwillingness to compromise to cultural diversity seemed like the opposite of multiculturalism, and a dangerous path detrimental to development.

However, it was not this simple. At times, a single Namibian national identity seemed to benefit the country’s development. The intention of the LRDC was to actively work to ensure that Namibia’s laws meet the needs of all Namibians.¹¹ The priority was not to specifically address the needs of certain ethnicities and cultural groups; instead, the LRDC would actively manage these needs to modify the law so that encouraged the prosperity of all Namibians. I felt out of place participating in work that contrasted my assumptions on multiculturalism. My intentions for this research paper are to try to understand what can be learned by moving away from my assumptions on cultural diversity and development, and consider what lessons can be learned from new contexts.

Research Question

My main research question is: What insights can be drawn from comparing Namibia and Canada’s relationship between cultural diversity and development? The intention of this question is to provide an evaluation of the relationship between cultural diversity and its impact on development in both Namibia and Canada, and to evaluate the consequences of each country’s approach.

⁹ *Tribalism*, *supra* note 8.

¹⁰ *Ibid.*

¹¹ *Law Reform and Development Amendment Act 4*, 1995.

A Most Different Comparative Study of Development Needs

Development, for the purposes of my research, is understood as “the real freedoms that people enjoy.”¹² This understanding of development includes political freedoms, economic facilities, social opportunities, transparency guarantees, and protective security.¹³ This diverse approach to evaluating development confronts the inadequacies of a linear development, seen as “a project of planners and engineers who set out to systemically remodel societies.”¹⁴ The understanding of development consequently intends to “shift from measuring economic production to measuring people’s well-being.”¹⁵ Using freedoms enjoyed as the economic, political, and social indicators of development allows for a comparative evaluation of Canada and Namibia – two countries with very different economic, social, and political contexts.

Canada and Namibia have different development needs. While Canada has been a country since 1867 and Namibia since 1990, neither country shows that development follows a single linear trajectory: both countries exemplify development successes that the other struggles to improve. Economic contrast is stark: Canada’s GDP per capita is ranked at 16th worldwide, Namibia is ranked 99th.¹⁶ The Gini index for income inequality ranks Canada as a middle country for equality.¹⁷ Namibia, in contrast, is ranked the 2nd most unequal country in the world, with only South Africa fairing worse.¹⁸ Social indicators similarly differ: Namibia scores as the 14th best country in terms of gender

¹² Amartya Sen, *Development as Freedom* (Oxford: Oxford University Press, 1999) at 1 [Sen].

¹³ *Ibid.* at 10.

¹⁴ Wolfgang Sachs, “Development: The rise and decline of an ideal.” (2000) Wuppertal Papers Working Paper No. 108 at 4-5 [Sachs].

¹⁵ Joseph Stiglitz, “Report by the Stiglitz Commission on the Measurement of Economic Performance and Social Progress” (Report by the Commission on the Measurement of Economic Performance and Social Progress) at 6.

¹⁶ International Monetary Fund, *World Economic Outlook October 2017* (Washington D.C.: International Monetary Fund, 2017) at 14.

¹⁷ World Bank, *Income Inequality and Income Distribution 2016* (Washington D.C.: World Bank, 2017) at 6.

¹⁸ *Ibid.*

equality, while Canada is ranked 35th.¹⁹ In Namibia, access to primary education includes 98% of Namibians yet only 87% of youths and 76% of adults are considered literate; in Canada, access to education and literacy is over 99%.²⁰ Political freedom remains similar: both Namibia and Canada are considered “Free” in terms of civil liberties and political rights.²¹

Canada’s cultural diversity has developed through a history of immigration and colonialism. Namibia’s cultural diversity is present in its Indigenous populations. Namibia’s intentions for development focus on poverty alleviation, economic equality, and the creation of the necessary infrastructure to support all Namibians.²² Canada’s development interests emphasize poverty alleviation, immigrant integration, and socially empowering minority groups.²³ These factors show that, while Canada presents numerous development successes, Namibia has can address development issues in a slower, yet still notable way. Namibia is still a young country, and it is likely to continue to increase its development capabilities. But the key contrast for my study is Namibia and Canada’s approach to cultural diversity and the impact this has on development.

As a comparative study, Canada and Namibia are a most-different comparative example.²⁴ The intention of a most-different comparative analysis is to generate possible hypothesis for further consideration.²⁵ Here, my generated hypothesis asks: does development require a specific approach to cultural diversity?

¹⁹ World Economic Forum, *Global Gender Gap Report 2016* (Cologny: World Economic Forum, 2017) at 80.

²⁰ United Nations, *Effective Literacy Program* (New York: United Nations, 2017).

²¹ Freedom House, *Freedom in the World 2016* (Washington D.C.: Freedom House, 2017).

²² Namibian Planning Committee, *Vision 2030* (Windhoek: Namibia, 2004) at xv [Vision 2030].

²³ Government of Canada, *Making Real Change Happen: Speech from the Throne to Open the First Session of the 42nd Parliament of Canada* (Ottawa: Government of Canada, 2017) online: <http://speech.gc.ca/en/content/making-real-change-happen>.

²⁴ John Gerring, “Case Selection for Case-Study Analysis: Qualitative and Quantitative Techniques” in Janet M. Box-Steffensmeier, Henry E. Brady, & David Collier, eds, *The Oxford Handbook of Political Methodology* (Oxford: Oxford University Press, 2008) 645 at 671.

²⁵ *Ibid.*

Paper Plan

To answer the question of what insights can be drawn from comparing Namibia and Canada's relationship between cultural diversity and development, I will argue both countries successfully achieve development in their chosen approach to cultural diversity, but this development only benefits groups that see themselves as a part of the national identity – be this identity singular or diverse.

The argument will be justified as follows. First, I will explain the dominant academic narrative that exist between cultural diversity and development. Second, I will explain Namibia's approach to cultural diversity. Third, I present the relationship between cultural diversity and development in Namibia. Fourth, I will research the relationship between Canada's approach to cultural diversity and development. Fifth, I will offer a comparative analysis of the approaches to cultural diversity between Namibia and Canada and make recommendations to improve each countries approach. My conclusion will theorize on what relationship exists in terms of cultural diversity and development. I hypothesize that the chosen approach to cultural diversity is the most beneficial for development when that chosen approach is a part of that country's national identity.

Part I: Cultural Diversity and Development

Canada's multiculturalism and Namibia's unitary approach to diversity fall within a wider literature of approaches to cultural diversity. First, I will explain the dominant academic narrative, that the ideal approach to cultural diversity to promote development is to embrace multiculturalism, like Canada's approach. Second, I will elaborate on criticisms of this narrative. Theories critical of the dominant narrative criticize multiculturalism for specific failures to create true equality and for its inability to be inclusive to all cultural groups. I will conclude this section by addressing what considerations are absent from this literature, and may be beneficial for alternative considerations on the relationship between development and cultural diversity, as Namibia shows.

The Dominant Narrative of Multiculturalism for Development

The dominant narrative on approaches to cultural diversity assumes that multiculturalism is beneficial to development. This narrative applies a “more inclusive conception of citizenship which recognizes... identities and which accommodates... differences.”²⁶ It is a reaction to models of citizenship that defined a normal citizen, where anyone who deviated from this model was subject to “exclusion, marginalization, silencing, or assimilation.”²⁷ These models of citizenship emphasized “citizenship as rights” where the goal was “to promote a certain sort of common national identity amongst citizens.”²⁸ Such scholars expand on the understanding of citizenship as rights, to allow diversity in how individuals identify as citizens and to expand on the obligations of government towards its citizens. It is here, in the expanded obligations to diverse citizens, that multiculturalism is understood to benefit development.

Scholarship on multiculturalism expands on the understanding of citizenship as rights to allow for diversity in the identification of citizenship. Here, scholars like T.H. Marshall emphasize that citizenship is not just a defined set of rights and responsibilities, but “an identity, an expression of one’s membership to a political community.”²⁹ To foster this identity, citizenship should be extended to include basic social rights, such as health care and education.³⁰ While Marshall would limit his own perspective on diversity by defining inclusive citizenship as a tool to consolidate nation-building, further scholars would expand on this limitation in order to address how an inclusive national identity can be fostered.

Multiculturalism requires more than just recognition of cultural diversity among citizens, it requires that the government foster this diversity. This is exemplified in the writings of Nancy Fraser, who applies multiculturalism to address both politics of

²⁶ Will Kymlicka, *Contemporary Political Philosophy: An introduction* (Oxford: Oxford University Press, 2002) at 327 [Kymlicka, *Political Philosophy*].

²⁷ *Ibid.*

²⁸ *Ibid.*

²⁹ *Ibid* at 328.

³⁰ *Ibid.*

redistribution and politics of recognition.³¹ Here, not only should citizenship be extended to include basic social rights, it should be extended to include a recognition of the hierarchies that exist between citizens because of their identities. As Fraser explains, politics of redistribution imply that government policies and structures actively address the group differences inherent in socioeconomic inequalities.³² The politics of recognition similarly requires that governments affirm group differences by addressing cultural injustices.³³ The assumption is that multiculturalism can best address issues of redistribution and recognition between the inequality of cultural diversity.

It is a consequence of the obligations on government to actively address cultural diversity that multiculturalism is assumed to be beneficial to development. First, as Marshall proposes, to foster individual identity in a political community, citizenship must include social rights for all, regardless of their identity. This, according to Kymlicka, allows for a new understanding of citizenship that allows for the expression a plurality of cultures. Second, governments must actively address any inequalities inherent in these cultures. As Fraser explains, diversity must be actively recognized and redistribution must address inequalities between cultural groups. Consequently, multiculturalism facilitates development, as it actively requires governments to promote diversity and create equality within this diversity.

Criticisms of the Dominant Narrative

Criticisms of multiculturalism as beneficial for development address two specific issues; the first criticism sets out that multiculturalism fails to create true equality, and thus, development across society. Here, the failure is that multiculturalism to only recognizes diversity, rather than actively fostering diversity.³⁴ While multiculturalism calls for equality in both treatment and individual rights, it fails to extend to “what

³¹ Nancy Fraser, “Social Justice in the Age of Identity Politics: Redistribution, Recognition, and Participation” in Grethe Peterson, ed, *The Tanner Lectures on Human Values* vol. xix (University of Utah Press, Salt Lake City 1998) 1 at 2.

³² Nancy Fraser, “Rethinking Recognition” (2000) 3 *New Left Rev* 107 at 109.

³³ *Ibid.*

³⁴ Charles Taylor, *Multiculturalism: Examining the Politics of Recognition* (Princeton: Princeton University Press, 1994) at 61 [Taylor].

members of distinct societies really aspire to, which is survival.”³⁵ The criticism is that multiculturalism is not active enough in ensure the survival of specific cultural or social groups, and thus, these groups do not experience true development.

The second criticism is that multiculturalism is unable to include all cultural and social groups, and thus, is unable to support development within these groups. As Taylor explains, multiculturalism intends to offer “a neutral ground on which people of all cultures can meet and coexist.”³⁶ The reality is, however, that multiculturalism remains “the political expression of one range of cultures.”³⁷ Certain cultures and social groups are consequently “incompatible.”³⁸ Taylor criticizes multiculturalism of failing to be “culturally neutral” and calls it reflective of a dominant western culture.³⁹ This criticism pinpoints an inability for multiculturalism to ensure development within cultural and social groups that may not reflect the dominant culture.

Expanding the Dominant Narrative for this Paper

While criticisms of the dominant narrative of multiculturalism for development exist, I intend to question this dominant narrative, and consider if multiculturalism is always necessary for development. As the second criticism of this narrative explains, multiculturalism often reflects a dominant culture, and thus fails to adequately support development. This dominant narrative reflects one of the main issues with most narratives of development, that there is a single development model that can be implement through law and government policies.⁴⁰ Here, the diversity of post-colonialism movements is a useful reminder that true development must address a multitude of possible laws and policies, all around freedom.⁴¹ A country like Namibia may show that multiculturalism will not always promote development, instead showing that, in specific contexts of newfound independence, alternatives to multiculturalism may be beneficial.

³⁵ Taylor, *supra* note 34 at 61.

³⁶ *Ibid* at 62.

³⁷ *Ibid*.

³⁸ *Ibid*.

³⁹ *Ibid*.

⁴⁰ Sachs, *supra* note 14 at 5.

⁴¹ Sen, *supra* note 12 at 2.

Part II: Namibia's Approach to Cultural Diversity

Namibia's approach to cultural diversity emphasizes a single national identity. Instead of recognizing its cultural diversity, Namibia has, in its government policies and legislative framework, endeavored to create a country where all Namibians identify as Namibia, regardless of ethnicity, language, culture, religion, geographic region, or anything else. First, I will explain the historical context that produced this approach. Second, I will explain the legal and policy framework that creates and maintains this policy.

The Historic Context of a Single Namibian Identity

First, Namibia, or as it was known prior to its independence, South West Africa, was a colonial creation, with arbitrary borders imposed regardless of the identities of Indigenous populations. During the 19th century, European settlement in Namibia was sparse, mostly German, and isolated to the coast.⁴² No formal borders were established until the Berlin Conference in 1885 and its subsequent treaties, which granted colonial rule to Germany, and arbitrarily divided Namibia based on geographic landscapes and hypothetical resource interests.⁴³ The arbitrariness of the borders drawn during the Berlin Conference is well known, and its impact for Namibia would be clear – Namibia's larger Indigenous communities would be segregated between countries, and smaller communities would be inexplicably included within borders.⁴⁴ This was a "partition done without any consideration for the history of society."⁴⁵ Namibia would see a slow influx of English, Afrikaans, and South African settlers as the country was captured by Great Britain during World War I, placed under South African administration by the League of Nations, then retained as a province of South Africa until independence in 1990.⁴⁶ But the long-lasting effect on Namibia is clear: the country's borders would be established arbitrarily around Indigenous communities, with a variety of

⁴² Wallace, *supra* note 7 at 97.

⁴³ *Ibid.*

⁴⁴ Stelios Michalopoulos & Elias Papaioannou, "The Long-Run Effects of the Scramble for Africa" (2011) National Bureau of Economic Research Working Paper No 17620 at 10-13.

⁴⁵ *Ibid* at 2.

⁴⁶ Wallace, *supra* note 7 at 205.

settler populations colonizing. Historically, there was no single Namibian identity, and the longevity of Namibia after independence would have to respond to this absence.

Second, to understand why Namibia has chosen to promote a single national identity, it is important to reflect on the social divisiveness implemented during apartheid. Apartheid was officially implemented in Namibia by the South African administration in 1961; it would remain until independence in 1990.⁴⁷ While the system of apartheid was a legally institutionalized segregation and hierarchy between whites, mixed raced, and black Namibians, it established a segregation and hierarchy between Namibia's Indigenous populations.⁴⁸ Black Namibians were moved to townships created as a consequence of apartheid, such as Windhoek's Katutura, which was further divided along the lines of Indigenous ethnicity and languages, with each ethnic community segregated from the others.⁴⁹ The segregation was taken one step further, as the implemented pass system restrict black employment and travel opportunities based on ethnicity.⁵⁰ Ethnic groups were assigned specific employment tasks based on arbitrary assumptions, which resulted in a clear social status between each group.⁵¹ Identity was a clear source of conflict, not only in the subjugation of black Indigenous Namibians, but between groups of black Namibians. The legacy of this was a social division that Namibia, as a post-apartheid country, would have to respond.

The Legal and Governmental Structures of a Single Namibia Identity

Winning its independence in 1990, Namibia's new government had to respond to the reality that the country included a diversity in identities created by its colonial history and the divided society reiterated during apartheid. The governing SWAPO party would choose the anti-apartheid slogan "One Namibia, One Nation" – a call for the creation of a single Namibian identity, equal before the law regardless of ethnicity.⁵²

⁴⁷ Wallace, *supra* note 7 at 250.

⁴⁸ *Ibid.*

⁴⁹ *Ibid* at 289.

⁵⁰ *Ibid.*

⁵¹ *Ibid.*

⁵² *Ibid* at 305.

This desire for single national identity would be reflected in the legal structure and government policies of this new country. “One Namibia, One Nation” is present in Namibia’s National Reconciliation Policy, its Constitution, and its National Development Plans. Each of these documents emphasizes a single Namibian identity by recognizing equality, ending tribalism, and reiterating a single Namibian identity.

Namibia’s National Reconciliation Policy

As a response to Namibia’s colonial history and to apartheid, Namibia adopted a policy of National Reconciliation in 1990. It was here that the country confirmed “One Namibia, One Nation” as official policy, that a single national identity was necessary for the success of the new nation.⁵³ Consequently, Namibia would “combat any manifestations and tendencies of tribalism, regionalism, ethnic orientation and racial discrimination.”⁵⁴ The policy specifically intended to counter “tribalism” – the prioritization of a specific culture and people, and their control over scarce resources, politics, and society.⁵⁵ The intention was to create an equal between all citizens, regardless of ethnicity.

This policy of reconciliation enabled Namibia’s first government to produce new symbols for Namibia’s identity. Namibia created a new flag, a new national anthem, and entirely new symbols of government.⁵⁶ English was chosen as the only official language over any Indigenous languages or Afrikaans.⁵⁷ Heroes Day was established as a national celebration, to celebrate the sacrifices necessary for liberation.⁵⁸ National reconciliation was realized in the creation of a new Namibian identity, one that did not rely on either Namibia’s colonial identity, nor enable any specific ethnicity over another. Instead, the newly established identity was to distinctly separate itself from all

⁵³ SWAPO, *Political Program of the South West Africa People’s Organization* (Lusaka: SWAPO, 1990) at 2.

⁵⁴ *Ibid* at 6.

⁵⁵ *Ibid*.

⁵⁶ John Fosse Lief, “Negotiating the Nation: Ethnicity, nationalism, and nation-building” (1994) 3:3 *Independent Namibia: Nations and Nationalism* 427 at 434.

⁵⁷ *Ibid*.

⁵⁸ *Ibid* 435.

previous identities, to ensure the success of a newly independent Namibia.

Namibia's Constitution

Namibia's new Constitution became law in 1990, with the intention of providing the legal framework for the new nation. The Constitution established the context for a single Namibian identity. The Preamble states "We the people of Namibia: will strive to achieve national reconciliation and to foster peace, unity, and a common loyalty to a single national state; committed to these principals, have resolved to constitute the Republic of Namibia as a... unitary State securing all our citizens justice, liberty, equality, and fraternity."⁵⁹ The Preamble emphasizes the necessity for unity to maintain a just, free, and equal single national state. Read with the provisions against tribalism and traditional authority, it shows how the Constitution advocates for a single Namibian identity.

The Constitution establishes further provisions against tribalism. Article 40 and 63 require that members of both the Cabinet and the National assembly, the Executive and Legislative branches of government respectively, must "remain vigilant and vigorous for the purposes of ensuring that the scourges of apartheid, tribalism, and colonialism do not manifest themselves in any form."⁶⁰ These two articles empower both the Executive and Legislative branch of government to counter the tribal interests of a specific group to the benefit of all Namibians.

Finally, the Constitution confirms that the Parliament retains authority over all common and customary law. Article 66 (1) establishes that all the customary and common law established prior to independence remains valid, but Article 66 (2) enables parliament to repeal or modify any of these laws.⁶¹ While the customary laws of specific ethnicities and cultures are allowed, Parliament has authority over these laws. Parliament therefore

⁵⁹ *The Constitution of the Republic of Namibia*, 1990 at Preamble.

⁶⁰ *Ibid* at Article 40 (1); Article 63 (1).

⁶¹ *Ibid* at Article 66 (1)-(2).

retains the ability to limit any diversity established through “legal pluralism” that is contrary to a single Namibian identity.⁶²

Namibia’s National Development Plans

To structure the country’s development and economic progress, the Namibian Government implemented *Vision 2030* and the *Harambee Prosperity Plan*. These policies reflect the government’s intention to create a unitary Namibian identity.

Namibia Vision 2030 – Policy Framework for Long-Term National Development outlines Namibia’s approach to development concerns. Initiated in 2004, the Vision was set to achieve: “a prosperous and industrialized Namibia, developed by her human resources, enjoying peace, harmony and political stability.”⁶³ The document reiterates that the prioritization of a “pervasive atmosphere of tolerance, in matters relating to culture, religious practices... ethnic affiliation, and differences in social background” over a single Namibian identity has limited the country’s ability to “overcome the legacy of extreme inequalities based on race and left behind by the apartheid regime.”⁶⁴ The Vision outlines that Namibia is a “multi-racial community of people living and working together in harmony, and sharing common values and aspirations as members of the Namibian Nation.”⁶⁵ The intention is not to inhibit any culture or identity, as the *Vision* concedes that constitutional protections exist for the individual to hold their own religious and cultural beliefs.⁶⁶ Rather, the Vision intends to empower individuals in the Namibian nation, and consequently, it does not concede specific needs to any cultural groups in Namibia’s society.

In 2015, President Hage G. Geingob released the *Harambee Prosperity Plan (HPP)*, a development plan inspired by Vision 2030 and effective from the start of 2016 to the end of 2020. The plan affirmed that an “Era of prosperity for all”

⁶² Oliver C. Ruppel & Katharina Ruppel-Schlichting, “Legal and Judicial Pluralism in Namibia and Beyond: A Modern Approach to African Legal Architecture” (2011) 64 J of Leg Pluralism 33 at 40.

⁶³ *Vision 2030*, *supra* note 22 at 15.

⁶⁴ *Ibid* at 9.

⁶⁵ *Ibid*.

⁶⁶ *Ibid* at 17.

necessitated “One Namibia. One Nation.”⁶⁷ The plan identifies five pillars for development: governance, economics, social progress, infrastructure development, and international relations. The pillar on effective governance and service delivery recognizes the need for transparency and accountability to counter corruption for either personal or community benefit.⁶⁸ The pillar on social progression recognizes the need for all Namibians to cooperate in terms of service provision and resource management to ensure that all Namibians are adequately assisted in social growth.⁶⁹ It further recognizes the need for all education and vocational programs to make Namibians competitive external to Namibia, rather than between Namibians themselves.⁷⁰ HPP furthers the intention to develop a single Namibian identity, and it begins to show the impact this has on Namibia’s development.

Promoting a Single Namibian Identity

As a new country, Namibia has endeavored to prioritize a Namibian cultural identity above all other identities. The Namibian government is not actively attempting to assimilate specific cultural groups, rather, the intention is to create a Namibian identity that all can identify with. This new identity takes priority over Namibia’s diversity. The next section will examine what consequences this single identity has on development in Namibia.

Part III: Development and Cultural Diversity in Namibia

Development in Namibia is a major priority for the country’s current government. While the agenda for development and the creation of a single national identity is successfully articulated in government rhetoric, the success of these policies indicates a clear tension in the management of cultural diversity. The promotion of a single Namibian identity is both beneficial and detrimental to Namibian development. It is beneficial in that it has enabled the Namibian government to create social programs that address the totality of Namibia’s inequality; it is detrimental in that it has caused clear tension over the definition of this identity. This

⁶⁷ *The Harambee Prosperity Plan*, 2016 at 5 [Harambee].

⁶⁸ *Ibid* at 17.

⁶⁹ *Ibid* at 38.

⁷⁰ *Ibid* at 40.

section will conclude by addressing the present reality of cultural diversity in Namibia – distinct cultures with distinct development needs continue to exist.

The Benefits of a Single Namibian Identity for Development

The benefits of a single Namibian national identity for development are as follows: first, the Namibian government, because of its emphasis a single Namibian identity, can enact development laws that address inequality within this identity. The *Namibian Equitable Economic Empowerment Framework Bill*, passed in 2015, intends to address the socio-economic position of “previously disadvantaged persons.”⁷¹ The Bill creates economic and social incentives for private companies whose ownership accurate reflects Namibia’s diversity.⁷² Rather than isolating specific social inequalities, the Bill intends to create equality amongst all Namibians. The Bill focuses on groups racially marginalized during apartheid, but conceding to support marginalized social groups, specifically women.⁷³ Consequently, the intention of this policies is to support development for all Namibians.

Similarly, Namibia’s education policy has benefited development through its emphasis of a single Namibian identity. The Namibian Constitution mandates that primary education will be provided free of charge, which was extended to secondary education in 2016.⁷⁴ The intention here was to create an equal education system that included all Namibians, and mandated government support. Its language of instruction is English, schools are no longer racially segregated, and cultural celebrations are reflective of a Namibia’s independence struggle above all else.⁷⁵ The new education system, which is considered more effective and inclusive, has managed to include groups previously excluded

⁷¹ *Namibian Equitable Economic Empowerment Framework Bill*, 2015 at Preamble.

⁷² *Ibid* at 2.2-4.

⁷³ *Ibid* at Preamble.

⁷⁴ *Supra*, note 59 at Article 20 (1)-(2).

⁷⁵ Olga Bialostocka, “Dialogic Education as an approach to multiculturalism for social cohesion in Namibia.” (2017) 15:2 *Globalization, Societies, and Education* 271 at 275 [Bialostocka].

from public education.⁷⁶ It is, by creating an education system that emphasizes a single national identity, that Namibia has been able to ensure that all Namibians receive a basic education.

Second, Namibia's governing SWAPO party has remained inclusive to all Namibians by advocating specifically for a singular Namibian identity, allowing for political development. SWAPO party has, since its creation, retained "One Namibia, One Nation" as a part of its party policy.⁷⁷ SWAPO Party has seen an increase voter support, from 72% in 1994, 75% in 1999, 76% in 2004 and in 2009, to 80% in voter support, a stark contrast to other recent post-colonial African countries.⁷⁸ This increased inclusivity has further allowed for SWAPO's inclusive development policies and indicates political development.

Third, Namibia's judiciary and political institutions continue to remain representative of Namibian society – not one culture, ethnicity, or identity dominates, but rather, the development of all Namibians is prioritized. While Sam Nujoma and Hifikepunye Pohamba, Namibia's first and second presidents, were both from the majority Ovambo ethnicity, Namibia's newest president, Hage Geingob, comes from the minority Damara group.⁷⁹ Both the SWAPO party and all institutions of Namibia's government follow the *Zebra Policy*, an official policy managed by the Ministry of Gender Equality that ensures that all government positions, including all levels of elected and party officials, are equally divided between men and women.⁸⁰ The *Racial Discrimination Act, 1991*, has similarly been employed in both *Kauesa v Minister of Home Affairs* and *Goagoseb v Minister of Home Affairs*, to ensure racial equality to white Namibians.⁸¹ Both cases involved racial discrimination against white Namibians. Here, legal decisions, government policies, and party decisions have all maintained equality to all Namibians,

⁷⁶ Bialogstocka, *supra* note 75 at 275.

⁷⁷ Wallace, *supra* note 7 at 305.

⁷⁸ Government of Namibia. Elections Results at <http://www.gov.na/elections>.

⁷⁹ Wallace, *supra* note 7 at 310.

⁸⁰ *Zebra Policy*, 2014.

⁸¹ Salome M. Chomba, "The Universality of Human Rights in Namibia" in Anton bolts & Nico Horn eds, *Human Rights and the Rule of Law in Namibia* (Windhoek: Macmillan Namibia, 2009) 187 at 189-190.

empowering the development of a Namibian identity above any specific groups.

A Single Namibian Identity and its Detriments for Development

The promotion of a single Namibian identity has had following detrimental effects on development; first, the promotion of a single Namibian identity has exacerbated specific regional ethnicities, creating a situation of violence and political conflict which has limited serious development. The most evident example of this in Namibia is the Caprivi conflict, an armed dispute between the Caprivi Liberation Army (CLA) and the Namibian government, where the CLA fought for the succession of then Caprivi Strip, now known as the Zambezi Region.⁸² The source of the conflict was rooted in the minority Lozi and Mafwe people, who populated the Caprivi Strip, and their desire to remain distinct in culture, language, and politics from Namibia.⁸³ While the succession movement was defeated, there has been continued political isolation to the Zambezi Region and the Lozi people.⁸⁴ After the conflict, the Caprivi African National Union Party was formed, which has remand politically dominant in the region.⁸⁵ Consequently, the area is not granted significant investment, and it is ranked the poorest populated region in Namibia.⁸⁶ Development has not succeeded here.

Second, the promotion of a single Namibian identity has been unable to mitigate issues around traditional lands, limiting development of some Indigenous communities. This has created clear divisions and political retractions against both the Namibian identity and its current government. Upon winning independence, the Namibian government seized colonially administered lands, and has managed them through commercial farming contracts and game reserves.⁸⁷ Here, Namibia is supposed to benefit from

⁸² Wallace, *supra* note 7 at 312.

⁸³ Bennet Kangumu, *Contesting Caprivi: a history of colonial isolation and regional nationalism in Namibia* (Basel: Basler Arika Bibliographien, 2011) at 4 [Kangumu].

⁸⁴ *Ibid* at 6.

⁸⁵ *Ibid* at 8.

⁸⁶ *Ibid* at 286.

⁸⁷ Sidney Haring, "The Constitution of Namibia and the Land Question: The Inconsistency of Schedule 5 and Article 100 as Applied to Communal Lands

the profits associated with the management of these lands.⁸⁸ But most of this land was never vacant; groups were forcibly removed from these territories during apartheid. As a result, the Landless Peoples Movement, a new political organization, has made claim for the return and redistribution of ancestral to specific cultural groups.⁸⁹ While the Namibian government has prioritized economic development, some Namibians feels they would be better off if they were able to locally administer these lands, allowing for both economic and social development.

Namibian Cultural Diversity in Constant Development

While there are both clear benefits and detriments in Namibia's dominant identity and its relationship to development, it is worth noting that cultural diversity continues in Namibia. Although English has been chosen as the official national language, Namibia's Indigenous languages continue to thrive.⁹⁰ Personal interviews and government surveys both indicate that most Namibians learn English in school, but continue to learn traditional languages at home, while many, regardless of ethnicity, still learn Afrikaans.⁹¹ Distinct from the years of apartheid, the culturally mixed education system allows many young Namibians to learn multiple Indigenous languages. Similar examples are recorded in terms of cultural practices, such as dance, music, family ceremonies, and food; the uniqueness of Namibia's traditional cultures is continually celebrated, and many Namibians with one ethnic background celebrate the practices of other ethnic backgrounds.⁹² Culturally diversity continues.

The celebration of diversity has become a part of the singular Namibian identity because such celebration was banned during apartheid. Namibians are, for the first time, discovering the cultures of their neighbors, as they are no longer isolated and

with the "Rights and Freedoms" Guaranteed Communal Land Holders" (1996) 12:3 CNUY L Research 467 at 470.

⁸⁸ *Ibid.*

⁸⁹ *Ibid* at 473.

⁹⁰ Bialogstocka, *supra* note 75 at 275.

⁹¹ Karen L. Biraimah, "Moving Beyond a Destructive Past to a Decolonization and Inclusive Future: The Role of Ubuntu-Style Education in Providing Culturally Relevant Pedagogy in Namibia" (2016) 62:1 Intl Review of Ed 433 at 436.

⁹² Bialogstocka, *supra* note 75 at 275.

antagonized by apartheid.⁹³ So, while the Namibian government intends to create a single Namibian identity, Namibians can appropriate and experience all cultures that make up this identity. Cultural diversity is ingrained within “One Namibia, One Nation” so long as it is inclusive, and not the root of exclusive tribalism.

Part IV: Development and Cultural Diversity in Canada

Canada’s approach to diversity is distinguished by multiculturalism. Multiculturalism establishes an equality between citizens, regardless of their cultural or ethnic identities. First, I will explain the policy of multiculturalism as it exists in Canada. Second, I will evaluate the relationship between multiculturalism and development in Canada. While multiculturalism typically benefits development, there are some clear areas for possible improvement.

Canadian Policy and Jurisprudent on Multiculturalism

Multiculturalism became official policy in Canada in the passing of the *Canadian Multiculturalism Act* and the *Charter of Rights and Freedoms*. The Act stated it was policy of the Government of Canada to “recognize and promote the understanding that multiculturalism reflects the cultural and racial diversity of Canadian society and acknowledges the freedom of all members of Canadian society to preserve, enhance and share their cultural heritage.”⁹⁴ Multicultural policy is not only designed to foster equality before the law, but to “recognize and promote the understanding that multiculturalism is a fundamental characteristic of the Canadian heritage and identity and that it provides an invaluable resource in the shaping of Canada’s future.”⁹⁵ The rights established in the Act are enshrined in the *Canadian Charter of Rights and Freedoms*, which states “This Charter shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians.”⁹⁶ The *Canadian Multicultural Act* in combination with the Charter outlines that every Canadian receives equal treatment

⁹³ Bialogstocka, *supra* note 75 at 275.

⁹⁴ *The Canadian Multiculturalism Act*, RSC 1985, (4th Supp), 1988, s. 3(1).

⁹⁵ *Ibid* at section 3 (b).

⁹⁶ *The Canadian Charter of Rights and Freedoms*, s.27, Part 1 of the *Constitution Act*, 1982, being Schedule B to the *Canada Act 1982 (UK)*, 1982, c.11.

by its own government, a government which respects and celebrates diversity.

The policies of multiculturalism in Canada have been further defined through jurisprudence, which has emphasized equality between cultures and a procedural fairness for all. First, multiculturalism allows both cultural freedom and protection for diversity. As *R v Big M Drug Mart* shows, the courts have emphasized an active multiculturalism, favoring diversity, and thus allowing for a secular day of rest for religious reasons.⁹⁷ Similarly, in *R v Edwards Books*, the court stated that no law could be just if it had a cohesive effect on another cultural group.⁹⁸ Here, while a day of rest could be legally mandated, it could not prevent specific groups from moving this day according to their religious or cultural beliefs. Equality between cultural groups is further defined in both *R v Keegstra*, where the court states that multiculturalism “cannot be preserved let alone enhanced if free reign is given to the promotion of hatred against identifiable cultural groups.”⁹⁹ While the court has typically employed multiculturalism to ensure equality between cultures, this has not been prioritized in every case.

Equality between cultures may be in the intention in multiculturalism, but as the *Alder v Ontario* case shows, multiculturalism should be used, as in the view present by McLachlin J., to develop “greater integration effort and the promotion of social cohesion.”¹⁰⁰ In *Alder*, this perspective is used to justify policy support for a “strong public secular school system attended by students of all cultural and religious groups.”¹⁰¹ L’Heureux-Dube J. points out that the failing of this understanding of multiculturalism is that it is unable to ensure the “recognition and continuation of these communities.”¹⁰² Here, the issue is whether multiculturalism should be used to preserve, enhance, and accommodate differences, or to justify discrimination for the legislative goal of encouraging a more tolerant and society. The long term legal effect of this is unclear: in *Multani v Commission Scolaire*, the court ruled that a religious object could not be

⁹⁷ *R. v Big M Drug Mart Ltd.*, [1985] 1 SCR 295, 1985 CanLII 69 (SCC).

⁹⁸ *R. v Edwards Books and Art Ltd.*, [1986] 2 SCR 713, 1986 CanLII 12 (SCC).

⁹⁹ *R. v Keegstra*, [1990] 3 SCR 697, 1990 CanLII 24 (SCC).

¹⁰⁰ *Adler v. Ontario*, [1996] 3 SCR 609 at para 27, 1996 CanLII 148 (SCC).

¹⁰¹ *Ibid.*

¹⁰² *Ibid* at para 86.

prohibited from schools, but it could only be worn under specific conditions.¹⁰³ Here, the court is both allowing diversity, but, in requiring specific conditions to be met, discriminating.

Second, Canadian jurisprudence has prioritized a procedural fairness within multiculturalism. Here, the court has emphasized human dignity as a necessary component to multiculturalism, as in *Law v. Canada*, which establishes that multiculturalism must promote human dignity “so that an individual or group feels self-respect and self-worth.” The intention of multiculturalism “enhanced when laws recognize the full place of all individuals and groups within Canadian Society.”¹⁰⁴ The court emphasizes a contextual approach to determining if human dignity has been violated, considering all “traits, history, and circumstances.”¹⁰⁵ The court allows for multiculturalism to be considered in terms of evaluating the human dignity aspects of equality. Thus, multiculturalism is beneficial for the management of specific development issues.

Multiculturalism and Development

Canada’s approach to multiculturalism intends to address citizenship, bilingualism, and Indigenous peoples. While most immigrant groups and Quebec experience some development, true development is absent in many Indigenous communities.

First, Canadian multiculturalism has been effective in creating an inclusive environment for immigrant groups. This should, however, be qualified by some clear issues of inclusive development. Canada remains attractive to immigrants, accepting over 250,000 new permanent residents each year.¹⁰⁶ The statistical quantity indicates that Canada is successful in ensuring integration of new immigrants.¹⁰⁷ Yet, this should be qualified. As previous jurisprudence examples indicated, it is unclear if these new immigrants experience accommodation or a necessary

¹⁰³ *Multani v Commission scolaire Marguerite-Bourgeoys*, 2006 SCC 6 at para 71, [2006] 1 SCR 256.

¹⁰⁴ *Law v. Canada (Minister of Employment and Immigration)*, [1999] 1 SCR 497 at para 53, 1999 CanLII 675 (SCC).

¹⁰⁵ *Ibid.*

¹⁰⁶ Kymlicka, *Political Philosophy*, *supra* note 26 at 367.

¹⁰⁷ *Ibid.*

integration.¹⁰⁸ New immigrants and visible minorities experience a disproportionately high level of income, poverty, and unemployment.¹⁰⁹ Visible minorities continue to be underrepresented in the federal public service¹¹⁰ and express concerns in terms of safety, access to justice and public services.¹¹¹ While Canada is attractive to immigrants, there are clear failures that must be improved for continued development.

Second, Canadian multiculturalism allows for an inclusion of Quebec, a distinct subnational group. While federalism and official bilingualism serve as an effective means to include Quebec in development, there are still clear indicators of the inability of multiculturalism to ensure inclusivity. Quebec continues to exist as a distinct federal subunit, with territorial autonomy, a local majority, and expressions of meaningful self-government.¹¹² This has resulted in a clear institutional completeness, which, because of the official status of the French language, has allowed for the creation of a full range of unique public institutions.¹¹³ The result of this is true development, without having to assimilate into a dominant English speaking community. Quebec's participation in the Canadian federation, however, is not on equal status with other Canadian provinces – the inability to sign the Meech Lake Accord has meant that Quebec has remained separate without its distinctiveness acknowledged from the rest of Canada.¹¹⁴ This puts into question the ultimate success of development between Canada and Quebec.

Third, Canadian multiculturalism intends to support self-government rights and treaty relationships to Indigenous communities. It is this area of multiculturalism that indicates the clearest failure for development for Indigenous peoples. While

¹⁰⁸ Canada, Senate Report, *Reducing Barriers to Social Inclusion and Social Cohesion Part II* (Ottawa: Senate, 2013) at 18 [Senate, *Reducing Barriers*].

¹⁰⁹ *Ibid.*

¹¹⁰ *Ibid* at 19.

¹¹¹ *Ibid* at 21.

¹¹² William Kymlicka, "The Canadian Model of Diversity" in Stephen Tierney, ed, *Multiculturalism and the Canadian Constitution* (Vancouver, UBC Press, 2007) 61 at 79 [Kymlicka, "Canadian Model"].

¹¹³ *Ibid.*

¹¹⁴ Ian Peach, "The Death of Deference: The Implications of the Defeat of the Meech Lake and Charlottetown Accords for Executive Federalism in Canada" in Stephen Tierney, ed, *Multiculturalism and the Canadian Constitution* (Vancouver, UBC Press, 2007) 91 at 95.

Canada boasts an inclusive multiculturalism, previous policy towards First Nations people directly intended to assimilate this population.¹¹⁵ The consequences of this systematic destruction of culture have only begun to be evaluated.¹¹⁶ *The Truth and Reconciliation Commission Report*, published in 2015, was only the first step of many necessary to improve the lives of Canada's Indigenous peoples, recognizing the long term social consequences of residential schools.¹¹⁷ Over 17% of Canada's inmate population is First Nations.¹¹⁸ First Nations peoples experience specific health care issues, in terms of access to health care and medical support, and consequently experience a disproportionately high amount of diabetes and lower than average life expectancy.¹¹⁹ Most notably, over 400 First Nations communities have reported serious problems with their drinking water.¹²⁰ While there are communities that have successfully managed self-government, and Indigenous individuals who have succeeded at development, overall, it appears as if multiculturalism has served as a weak tool to support development within First Nations Communities.

Canada has championed multiculturalism, and has had development successes. The clear benefits of multiculturalism for development should be qualified – specific cultural groups have failed to achieve true development. While multiculturalism has made Canada inclusive to minorities, it has, in specific examples, failed to go beyond inclusivity and truly foster diversity. The successes and weaknesses of multiculturalism serve as useful comparative elements for alternative approaches to cultural diversity.

¹¹⁵ Kymlicka, "Canadian Model", *supra* note 112 at 81.

¹¹⁶ Canada, Truth and Reconciliation Commission of Canada, *Summary of the Final Report of the Truth and Reconciliation Commission of Canada* (Ottawa: Truth and Reconciliation Commission of Canada, 2015) at v.

¹¹⁷ *Ibid.*

¹¹⁸ Juristat, *Adult Correctional Statistics in Canada (2015/2016)* (Ottawa: Statistics Canada: 2017) at 3.

¹¹⁹ Senate, *Reducing Barriers*, *supra* note 108 at 63.

¹²⁰ *Ibid.*

Part V: Comparing Development and Cultural Diversity between Canada and Namibia

The relationship between cultural diversity and development in both Namibia and Canada is distinct. Namibia has, through its prioritization of a single national identity, addressed specific development issues, such as equality for all Namibians, political inclusivity, and representation in institutions. The country has struggled to retain geographically distinct groups in this identity, and it has been unable to redistribute previous colonial lands to Indigenous populations. Canada has, through its multicultural policies, attracted significant immigrant populations, include a subnational group, yet has struggled to include Indigenous peoples in development. The developmental consequences of each country's approach to cultural diversity showcases the benefits and weaknesses of each approach. It is not feasible that either country adopt a new approach to cultural diversity, rather, a comparison between Namibia and Canada indicate where current policy could be compromised for specific development outcomes.

Canadian Diversity and Recommendations for Namibia

Canadian multiculturalism has three valuable lessons for Namibia; first, multiculturalism has enabled Canada to successfully recognize and foster a subnational Quebec. Namibia's decision to promote a single national identity has had consequential effects for minority groups isolated by geography, specifically in the Zambezi Region. Here, Canada may exemplify an effective way of accommodating the needs of the cultural minorities in Zambezi – the Lozi and Mafwe people could be similarly granted administrative and institutional independence. The source of conflict, and impediment to development, continues to be a political tension over a control of government administration and institutions.¹²¹ The needs of specific groups requires a clear negotiation and accommodation, which has been effective in the development of Quebec through federalism and language rights.¹²² Namibia could extend similar governmental independence and language rights by allowing for Lozi and Mafwe languages to be used in government and in schools, and

¹²¹ Kangumu, *supra* note 83 at 79.

¹²² Kymlicka, "Canadian Model", *supra* note 112 at 9.

similarly conceding federal power to the regional government.¹²³ Such policies could be effective for increasing development for regionally isolated and culturally distinct groups in Namibia.

Second, multiculturalism has allowed Canada to remain inclusive to new immigrant groups. Namibia's decision to promote a single national identity has resulted in an exclusive national identity that has embraced Namibia's history, but it is an identity that remains exclusive to Namibians who have experienced this identity. Immigration to Namibia remains low, and government policies, such as the *Harambee Prosperity Plan*, intend to address this through "the importation of skilled labor" and "financial investment."¹²⁴ It may be indicative that specific cultural groups would struggle to see themselves as a part of the development of the cultural identity of Namibia. Consequently, Canada's inclusive language on immigrant inclusion in multiculturalism would serve as a useful means to increase Namibia's attractiveness to immigration. This could increase both the number of immigrants coming to Namibia, but also the diversity of where these immigrants come from. Namibia's language of "One Namibia, One Nation" could be expanded to include more than just a reaction to a history of colonialism and apartheid, but a celebration of its ability to be inclusive towards equality for all individuals on Namibian soil.¹²⁵ It would ensure that new cultural and ethnic groups would experience development in Namibia.

Third, Canadian multiculturalism has required that the Canadian judiciary actively find opportunities to define the nuances of multiculturalism. Here, the Canadian judiciary has actively addresses multiculturalism in cases where the main issue itself is not specifically multiculturalism. Examples include cases on freedom of speech and freedom of religion, both which the Supreme Court addressed within the context of multiculturalism, explaining how their decisions added to the understanding of diversity in Canada.¹²⁶ This judicial activism serves to clarify and

¹²³ See *The Charter for the French Language and The Royal Commission on Bilingualism and Bi-Culturalism* for possible legislative inspiration.

¹²⁴ *Harambee*, *supra* note 67 at 34.

¹²⁵ See *The Citizenship Act* for similar legislation.

¹²⁶ Joan Small, "Multiculturalism, Equality, and Canadian Constitutionalism: Cohesion and Difference" in Stephen Tierney, ed, *Multiculturalism and the Canadian Constitution* (Vancouver, UBC Press, 2007) 196 at 209.

elaborate on the meaning of cultural inclusivity in Canada. Such activism is absent in Namibia's young judiciary, which has repetitively "failed to clarify the law and interpret the constitution in a manner that reaffirms the... agenda of our nation."¹²⁷ While there may be an absence of actual cases on issues of cultural identity, the Namibian Supreme Court has not taken opportunities to expand on cultural identity in relatable cases. Because of this, many of the nuances of Namibia's single identity remain unclear and ambiguous.¹²⁸ Here, the recommendation is not that multiculturalism would benefit the development of Namibia's judiciary. Rather, the recommendation is that Namibia's judiciary should actively try and define what Namibia's one identity means for inclusivity and development.

Namibian Inclusivity and Recommendations for Canada

Challenging the dominant assumption on cultural diversity and development, Namibia's emphasis of a single identity indicates two valuable lessons for Canada; first, Namibia's emphasis of a single national identity, created as a response to the country's history, has been beneficial in including Namibia's Indigenous people in development. SWAPO's "One Namibia, One Nation," originally a slogan and later official policy, was a direct reaction to the colonial history and cultural divide implemented by apartheid.¹²⁹ This served to create a unified identity that prioritized the development potential of all Namibians, a clear divergence from apartheid policies that limited the development of specific cultural and ethnic groups.¹³⁰ While Canadian multiculturalism is inclusive, it has been criticized for reflecting a single dominant culture.¹³¹ This is further complicated by the fact that Canadian multicultural policy was developed prior to an official attempt at reconciliation Canadians and Canada's Indigenous peoples.¹³² Multiculturalism failed to recognize the

¹²⁷ Yvonne Dausab & Kevin Lee Pinkoski. "Alfred Mew Visser v Minister of Finance: A Missed Opportunity to Clarify the Equality Provision Within a Namibian Disability Rights Paradigm" Dunia P Zongwa & Yvonne Dausab, eds, *The Law Reform and Development Commission at 25: A Quarter Century of Social Carpentry* (Windhoek: Ministry of Justice, 2017) 84 at 86.

¹²⁸ *Ibid.*

¹²⁹ Wallace, *supra* note 7 at 308.

¹³⁰ *Ibid.*

¹³¹ Taylor, *supra* note 34 at 63.

¹³² Kymlicka, "Canadian Model", *supra* note 112 at 79.

unique needs of Indigenous peoples when it was first created.¹³³ Attempts to establish a Canadian identity in respect of Indigenous cultures thus needs to reflect on this failure. Such an inclusion must be aware of the limitations and biases of multiculturalism, and their consequences on indigenous identity. To be inclusive to indigenous communities, Canada needs to reflect on the history of multiculturalism, and continue to work to reconcile the idea of multiculturalism with the historical subjugation of Indigenous peoples. Canada could, as Namibia has done, actively pursue projects to ensure equal development for Indigenous peoples.¹³⁴ Here, Namibia's single national identity serves as a reminder that multiculturalism is not a single solution that addresses all issues of diversity and development.

Second, by emphasizing a single national identity, Namibia has implemented specific programs to ensure equality within this identity. The two most notable examples of this are Namibia's *Zebra Policy* on gender equality and Namibia's *Equitable Economic Empowerment Framework Bill*. Both examples intend to develop economic and political equality within the Namibian Identity. Such policies may be innovative, but they serve as a reminder that multiculturalism may only enable equality between groups, rather than foster this identity. But, by fostering a single national identity, equality can be developed internally to this identity. Here, equality is not limited to cultural groups, but inclusive of specific social groups, such as women or disadvantaged majority populations. Canada could, following Namibia's example, create official policies of gender equality in public administration and political parties, or ensure a basic standard of living for all Canadians. Multiculturalism does not enable such policies, and does not develop equality within specific social groups.

Challenging the Dominant Assumption on Cultural Diversity and Development

Neither Canadian multiculturalism nor Namibia's single identity is a perfect approach to cultural diversity for the benefit of development. Yet, the dominant assumption on cultural diversity

¹³³ Kymlicka, "Canadian Model", *supra* note 112 at 79.

¹³⁴ See *Namibian Equitable Economic Empowerment Framework Bill*, 2015 for similar legislation.

and development continues to emphasize multiculturalism. Multiculturalism has its clear benefits; it is inclusive to immigrant populations and multiple national groups within one nation. A single identity can adequately address a shared history while ensuring equality within this identity beyond cultural equality. Multiculturalism may serve as a useful tool to ensure some of the development needs of Namibia, but it is not a solution to all those needs. The dominant assumption that multiculturalism will always benefit development is only an assumption, and in some contexts, such as that of Namibia, it may not always be ideal.

The chosen approach to cultural diversity is the most beneficial for development when that approach is a part of that country's national identity. The promotion of a single Namibian identity is the most beneficial to groups who understand this as a part of the country's national identity – as a response to a divisive history of apartheid and colonialism, a single Namibian identity is inclusive to all, thus creating an inclusive identity that has never existed. It is limited in its ability to be inclusive to groups who, either because of when they arrived in Namibia or where they geographically are in Namibia, are unable to identify with such an identity. Multiculturalism in Canada allows for a similar conclusion: it remains beneficial to communities who see themselves as a part of Canada's national identity. New Canadians see multiculturalism as beneficial to their migration; Quebec sees multiculturalism as an integral part of accommodating French language and Quebec culture. But for groups who do not relate with this national identity may not be included in its diversity. Whether promoting a single identity or multiculturalism, both Namibia and Canada show that development can be limited by a strict approach to cultural diversity.

Conclusion

This paper has argued that Namibia's approach to cultural diversity is not an impediment to development. It successfully benefits the creation a new, post-colonial identity, and actively works to create equality within this identity. In comparison to Canadian multiculturalism, Namibia struggles to ensure development for regional groups, for new immigrants to Namibia, and for a judicial understanding of equality. Canada can benefit from a reflection on Namibia's approach to equality within its national identity, and the historical awareness of systemic

inequality. Neither country managing cultural diversity in a more successful or appropriate way, both approaches have strengths and weaknesses that can only be improved through considerations of alternative contexts. This research shows is that there is no single approach to cultural diversity.

Even if Namibia's approach to cultural diversity ran against my assumptions and personal belief in multiculturalism, the single Namibian identity is a context-specific development that has successfully created development in the country. Yes, Namibia has potential for increased development; the country's approach to development will be the most successful if it is a product of Namibia's unique needs and context. While Namibia and Canada are a most different case study, this stark difference shows how even an approach to cultural diversity cannot be generalized. But the successes of alternative approaches should be embraced, and concessions should be made when a dominant approach is unable to address the development needs of some groups. As a Canadian working at the LRDC in Namibia, the limitations of multiculturalism could not be ignored, no matter how it challenged my personal assumptions. Above all, a context-specific approach, open to external alternatives, will have the clearest benefit for development.

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