5

Capital and Claims-Making

The historical trajectory of states-in-waiting – nationalist insurgent movements that claimed but had not yet received independence – was determined by many overlapping factors: their international-legal status vis-à-vis the United Nations, their popular support within their territories, the presence or absence of regional allies, their role in global Cold War politics, and the influence and impact of their international advocates, who often served as the connectors between these geopolitical spheres. In addition, a territory's possession (or lack) of economic resources desired by multinational corporations shaped the pathways of particular nationalist claimants. In Southern Africa, the presence of natural resources made advocacy networks thick, overladen, multiple, and intertwined.

Especially in the context of the Cold War, nationalist claimants could find support from a range of governments, corporations, nongovernmental organizations, and the advocates who operated between these realms. Competition at the United Nations among nationalists and advocates for each other's attention worked in both directions, creating what the advocate and World Peace Brigade member Reverend Michael Scott termed "bargaining football," where anticolonial nationalist movements vied for the notice, logistical support, and the legitimacy that international forums could provide.[1] Alongside this politicking at the United Nations, multinational mining companies sought to gain and maintain access to resources when colonies became new postcolonial states led by former nationalist

[1] Winifred Armstrong, notes on conversation, October 28, 1958, Box 3, Winifred Armstrong Papers, Schomburg Center for Black Culture, New York City.

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movements. This dynamic created multiple interests and increased the competition between claimants and advocates.

MINING NATIONALISM IN SOUTHERN AFRICA

South West Africa, present day Namibia, was a German colony from 1884 until 1915.[2] Following imperial Germany's defeat during the First World War, the territory became a League of Nations mandate administered by South Africa. When the League became the United Nations, League of Nations mandates were transformed into UN trust territories and placed along the path of eventual, theoretical independence. However, South Africa sought to absorb South West Africa within its own sovereign borders, rather than allow it to become a trust territory. In response, Namibian claimants and their advocates petitioned the UN from 1946 onward to prevent this territorial incorporation (particular ethnic groups in Namibia had also petitioned the League of Nations, protesting the violent abuses of German imperial rule). Attempting to navigate these competing forces, as a practical matter the United Nations categorized South West Africa as a "former League of Nations mandate" rather than as a South African province, trust territory, or independent state. Because it was a former mandate, Namibia had its own UN committee – the Committee on South West Africa – which became a crucial portal for its nationalist claims-making. As decolonization shifted global norms in favor of national self-determination, the UN General Assembly officially dissolved the mandate in 1966, recognizing the potentiality of Namibia's independence.[3] However, Namibia remained de facto South African territory until the end of the Cold War and the disintegration of apartheid, eventually becoming independent only in 1990.

[2] Regarding terminology of South West Africa/Namibia: The UN General Assembly adopted the name "Namibia" in 1966. Mburumba Kerina allegedly coined the name "Namibia" in conversation with Sukarno (the first president of Indonesia) sometime between 1960 and 1961; by 1962 many Namibian nationalists used it, but it was not agreed upon by all. There are arguments against using the term "South West Africa" because of potentially providing legitimacy to an apartheid state, and against using the term "Namibia" anachronistically, before it was in common use, and also arguments about when common use occurred in the years before 1966. In *States-in-Waiting*, I use the terms "Namibia" and "South West Africa" in analytical rather than strictly chronological context, in order to refer to nationalist conceptions of the territory versus those of international law.

[3] John Dugard, "The Revocation of the Mandate for South West Africa," *American Journal of International Law* 62, no. 1 (1968): 78–97.

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The international-legal dimensions of Namibia's struggle for national liberation are well known and well told.[4] In addition, the territory was integrated within international politics through mining interests. A mine can mean more than a mine: the promise of resources and development can represent more than what lies beneath the land; claims to territory and its resources are central to the demand for sovereignty.[5] Because of its German colonial past in which its colonizers did not recognize indigenous territorial rights, Namibia's subterranean resources were (and are) not the property of individual landowners but, rather, of the ruling South West African Authority (and today, the Government of Namibia).[6] Therefore, mining companies owned licenses to extract minerals rather than owning the mineral deposits themselves.[7] Who controlled the South West African/Namibian government, then, was directly related to who could receive a license to access the country's valuable mineral resources.

From 1907 onward, and intensifying after the Second World War, Tsumeb Mine in Northern Namibia was a productive copper mine and a center of regional migration and economic life. In the words of a migrant laborer family who moved to Tsumeb in the 1950s, "[I]t was a town like ... how do you call it, in a word? Manna? Milk and Honey!"[8] By local standards, Tsumeb was "big" and "bustling," though it took less

[4] Peter H. Katjavivi, *A History of Resistance in Namibia* (Paris: UNESCO, 1988); John Dugard, *The South West Africa/Namibia Dispute: Documents and Scholarly Writings on the Controversy between South Africa and the United Nations* (Berkeley: University of California Press, 1973); Siba N'Zatioula Grovogui, *Sovereigns, Quasi Sovereigns, and Africans: Race and Self-Determination in International Law* (Minneapolis: University of Minnesota Press, 1996); Ntina Tzouvala, *Capitalism as Civilisation: A History of International Law* (Cambridge: Cambridge University Press, 2020), 129–66.

[5] Charles Maier, *Once within Borders: Territories of Power, Wealth, and Belonging since 1500* (Cambridge, MA: Harvard University Press, 2016), 268–69.

[6] Sidney L. Harring, "The Constitution of Namibia and the 'Rights and Freedoms' Guaranteed Communal Land Holders: Resolving the Inconsistency between Article 16, Article 100, and Schedule 5," *South African Journal on Human Rights* 12, no. 1 (1996): 468–71; Robert J. Gordon, *The Bushman Myth: The Making of a Namibian Underclass* (Boulder, CO: Westview Press, 2000).

[7] There are different mining laws in South Africa. Government of South Africa, "Minerals and Mining Policy of South Africa: Green Paper." Available at www.gov.za.documents/minerals-and-ming-policy-south-africa-green-paper.

[8] Stephanie Quinn interview with Christina and Julianne Somes, Tsumeb, March 2016, from Quinn, *Labor, Urbanization, and Political Imagination in Namibia, 1943–1994*, dissertation, Department of History, Stanford University, Stanford, CA, 2019, p. 63.

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FIGURE 5.1 Tsumeb Mine, 2015. Photo: Lydia Walker

than a half hour to cross the width of the town by foot.[9] It was a company town where "life centered on the mine, a huge complex of buildings and monstrous machines where work never stopped."[10] According to the Namibian nationalist John Ya-Otto, Tsumeb mine

> attracted people from all over the country ... [members of the ethnic groups of] Hereros, Namas, Damaras, and Ovambos all lived side by side. Nearly all the men worked for the American Tsumeb Corporation as clerks, drivers, machine operators or staff in the company's hotels and white workers' bunkhouses. Most of the actual miners were contract workers who were confined to the compound, a cluster of big dormitories surrounded by a tall cement wall ... [T]he police were always ready to pick up anyone who strayed into town. Only on Sundays were the workers free to leave the compound ...[11]

Ya-Otto's reflection suggests the importance of Tsumeb mine as a regional nexus for the intermingling – which remained tightly controlled by apartheid segregation – of ethnic and racial groups, with a US-based multinational corporate employer. The issues of labor organizing, ethnic political alignment, and (the potential of) international oversight/interest converged at the mine.

[9] Quotes from John Ya-Otto, cowritten with Ole Gjerstad and Michael Mercer, *Battle-Front Namibia* (Westport, CT: Lawrence Hill & Company, 1981), 13. Reflections upon the size of Tsumeb town from Walker, personal visit, July 2015.
[10] Ya-Otto quote, in Ya-Otto with Gjerstad and Mercer, *Battle-Front Namibia*, 13.
[11] Ya-Otto quote, in Ya-Otto with Gjerstad and Mercer, *Battle-Front Namibia*, 13.

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Newmont Mining Company, which operated Tsumeb mine, owned 30 percent of the mine; American Metal Climax mining company (AMAX), 30 percent; Rhodesian/Roan Selection Trust, 14 percent; and multiple investors divided the final 26 percent.[12] Much of the anticolonial nationalist agitation and advocacy concerning Tsumeb focused on AMAX, as the larger and more famous company, rather than on Newmont, its operating company. Additionally, AMAX – both because of the ties that its founding chairman, Harold K. Hochschild, had to the African-American Institute (a civil society advocacy organization that facilitated connections between the United States and African anticolonial nationalists, as well as newly independent African governments) and because of the company's past desegregation of its labor force in Zambia – was considered a more sympathetic interlocutor and therefore a more productive target of nationalist agitation.[13]

The presence of a US multinational corporation that was perceived as sympathetic to anticolonial nationalism, combined with a labor force dominated by the Ovambo ethnic group, which composed the leadership of the nationalist South West African People's Organization (SWAPO) – made Tsumeb mine a prime site for nationalist claims-making and contestation. It situated South West Africa within the political and economic context of Southern African copper mining, and interconnected nationalist and anti-apartheid movements in Zambia, Rhodesia/Zimbabwe, and South Africa.[14] Simultaneously, South West Africa's status as a former League of Nations mandate set Namibian nationalists apart from other nationalist movements in that the Namibians had a direct portal for their

[12] Raymond Mikesell, *The World Copper Industry: Structure and Economic Analysis* (New York: RFF Press, 2013), appendix 1-1, Profiles of Selected Major Private Copper Producing Companies. Descriptions of the financials of Tsumeb mine in Dennis McCarthy, *International Business History: A Contextual and Case Approach* (Westport, CT: Praeger Press, 1994), 184–85. For an anti-apartheid activist report on Tsumeb mine with specific numbers they received from AMAX itself, see Tami Hultman and Reed Kramer, *Tsuemb: A Profile of United States Contribution to Underdevelopment in Namibia* (1973), African Activist Archive, Michigan State University.

[13] Harold K. Hochschild was chairman of AMAX board until 1957, when his brother Walter took over until Walter's retirement in 1966. Harold K. also was a member of the board of the African-American Institute from 1954 for nearly a decade. On the Northern Rhodesian labor "template," see Harold K. Hochschild, "Labor Relations in Northern Rhodesia," *Annals of the American Academy of Political and Social Science*, 306 (1956): 43–49.

[14] Newmont also operated Okiep copper mine in South Africa and had interests in particular Zamibian copper mines, while AMAX operated particular Zambian mines and had shareholding interests in Tsumeb as well as Okiep.

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international claims-making in the form of their own UN committee. The presence of this international stage shaped the Namibian independence struggle, while the regional context of resource extraction increased the number of international actors involved behind the scenes at the UN Committee on South West Africa.

Mining companies do not have a reputation for supporting anticolonial nationalist movements. Indeed, corporate support for liberation movements could potentially undermine the perceived legitimacy of the independence struggle itself. In the case of Namibia, this did not occur because the negotiations between nationalists, advocates, and corporate directors occurred behind closed doors. These negotiations and conversations with capitalists sat uncomfortably with nationalist movements' public claims-making and historical narrative-making. Because their meetings and correspondence *were* unofficial, "off the record," often secret, the connections they fostered are difficult to find in available records. Yet even in their limited documentation, these private exchanges make visible the presence of capital and capitalists in the process of decolonization, a presence that did not ignore state power but also did not rely upon it.

Certain conversations – such as those between SWAPO and mining companies – could not be made public for two reasons: First, because leaders of nationalist movements had no standing to be official negotiating partners with international institutions, governments, or corporations. Second, because if word of those negotiations reached their territories, it would tarnish the anticolonial, nationalist legitimacy of the leader in question by revealing his association with Western capitalist interests. As with many other states-in-waiting, Namibian nationalists benefited from private advocacy and were careful to distinguish between those entities they would associate with in public and those they would not.

BRANDING THE NATION-STATE-TO-BE

The nationalist movement that became SWAPO – which was recognized by the UN General Assembly in 1973 as the "authentic voice of the Namibian people" and has been the ruling party of independent Namibia since 1990 – was founded in Cape Town, South Africa, in 1957 as the Ovamboland People's Congress.[15] The date and

[15] Dates for the founding and the specific name of the Ovamboland People's Congress or Organization range from 1957 to 1959. Mburumba Kerina, "A Brief History of the South West Africa People's Organisation," undated (likely August 1, 1960), gives the

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circumstances behind SWAPO's founding are subject to debate in Namibian history, demonstrating the legacies of the contestations within the nationalist movement.[16]

In the late 1950s, a group of predominantly Ovambo workers and students, including Andimba Toivo ya Toivo, Jariretundu Kozonguizi (who was Herero), and Jacob Kuhangua met for private international-law discussions in the basement of Jack Simons, a professor at the University of Cape Town.[17] Simons's seminars dealt with South West Africa's international-legal mandate status and how to use it to craft a national independence strategy. Ya Toivo sent an audiotaped petition – hidden in a hollowed-out copy of Robert Louis Stevenson's *Treasure Island* – to the UN Committee on South West Africa, through Mburumba Kerina. Kerina, who was of mixed ethnicity, was the first Namibian to join Michael Scott in 1956 at the United Nations in New York City, when Scott petitioned the UN – as the personal, accredited representative of Herero chief Hosea Kutako – on behalf of Namibian nationalists, as he did annually from 1946 onward.

After Ya Toivo "got naughty" and sent the tape, the South African government deported him to South West Africa in December 1958, where

founding date as 1958. 372 File AS.50/2/3/2 (v.2), National Archives of Namibia South West Africa Secretariat AS-Series (hereafter, "NAN SWAS"). Andimba Toivo ya Toivo gave the date as 1957; Ya Toivo interview with the author, July 29, 2015. Ya Toivo passed away on June 9, 2017; I am very grateful to have had the opportunity to meet and interview him.

[16] A clear overview of the founding of and contestation between SWAPO and SWANU is in Lauren Dobell, *Swapo's Struggle for Namibia: War by Other Means* (Basel: P. Schlettwein, 1998), 27–32. In his study, Tony Emmett, *Popular Resistance and the Roots of Nationalism in Namibia, 1915–1966* (Basel: P. Schlettwein, 1999), argues that there were three groups involved in post-1945 Namibian petitioning: the "traditional" leadership (the Herero Chiefs' Council, who spoke through Michael Scott at the UN), contract workers (SWAPO), and the student diaspora (SWANU). Emmett shows how conflicts between these factions led to disunity and eventually to the rise of SWAPO as the dominant nationalist organization, but he also imposes a division between the SWANU "intelligentsia" and the labor-dominated SWAPO that simplifies their competitive dynamic. This reading has shaped much of the historiographical understanding of SWAPO-SWANU rivalry because of the importance of Emmett's work and the use of his rich interview collection by subsequent scholars.

[17] Toivo ya Toivo interview, July 29, 2015. Also referred to in Ray Alexander's Oral History, University of Cape Town Historical Collections. Simons and Alexander were placed on successive South African banned lists after 1952 and were kicked out of the country in 1965. Simons also provided a history, political economy, and international law curriculum to African National Congress nationalist insurgents in Zambian camps. Syllabus is in Simons's papers at the University of Cape Town's Historical Collections, if these papers were not damaged by the 2021 fire.

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he lived under surveillance for a decade.[18] He ran the general store (and allegedly SWAPO's regional intelligence operations) in Ondangwa (250 kilometers northwest of Tsumeb), where SWAPO members would link up before traveling to Tsumeb, a destination for Ovambo contract laborers who worked in the mine and were a source of SWAPO's recruits.[19] In 1968, the South African apartheid regime tried Ya Toivo for treason and imprisoned him for sixteen years on Robben Island with Nelson Mandela, a leader of the South African anti-apartheid movement and, eventually, the first president of post-apartheid South Africa.

While Ya Toivo remained in South West Africa, his Cape Town colleague, Kozonguizi – eventually the leader of SWAPO's rival, SWANU (the South West African National Union) – made his way to New York City and joined Kerina and Scott at the United Nations.[20] During the period from 1959 to 1960, Kerina, Sam Nujoma (who emerged as the leader of SWAPO and ultimately became Namibia's first president), and Kuhangua combined the ethnically defined Ovamboland People's Congress (founded in Cape Town) with the Ovamboland People's Organization (based in Windhoek) into the nationally defined South West African National Congress; in the early 1960s it was renamed the South West African People's Organization.[21]

In New York City in 1959, Kerina wrote to Ya Toivo stressing the importance of changing the nationalist movement's name in order to give the organization a "national character which can be of great use to" its political positioning at the UN.[22] The purpose of such a name change was

[18] Ya Toivo interview, 29 July 2015.

[19] Ya Toivo interview, 29 July 2015; Ellen Ndeshi Namhila, *Kaxumba kaNdola Man and Myth: The Biography of a Barefoot Soldier* (Basel: Basler Afrika Bibliographien, 2005).

[20] Kozonguizi formed SWANU before the Ovamboland People's Organization rebranded itself as the explicitly nationalist SWAPO. While there are differing accounts for the inability of SWAPO and SWANU to fuse into a single, long-lasting nationalist movement, the divisions were fueled by ethnic and personal tensions, particularly between Kerina and Kozonguizi. Ronald Dreyer, *Namibia and Southern Africa: Regional Dimensions of Decolonization* (London: Routledge, 1994), 34.

[21] A primary document that outlines this narrative is Sam Nujoma and Mburumba Kerina, "A Brief History of the South West African People's Organization – 1 August 1960," SWAS 372 File AS.50/2/3/2 (vol. 2), NAN. Thank you to Bernard C. Moore for sharing this collection. A synthesis of this nationalist historiography is described in Bernard C. Moore, Stephanie Quinn, William Blakemore Lyon, and Kai F. Herzog, "Balancing the Scales: Re-centering Labour and Labourers in Namibian History," *Journal of Southern African Studies* 47, no. 1 (2021): 1–4.

[22] Kerina to Ya Toivo, November 17, 1959, letter confiscated from Ya Toivo by SW African Authority, AACLRS.013, Box 2 Exhibit G, National Archives of Namibia (hereafter,

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to underline the national rather than the ethnic character of the organization. If other ethnic groups did "not want to cooperate . . . just go ahead and change" the movement's name, Kerina wrote. And if other groups chose to join – Kerina discussed the possibility of SWAPO's having a Herero vice president underneath Ya Toivo and Nujoma (who were Ovambo) – he emphasized that it was important *not* to alter the movement's current leadership to reflect the national character of the newly named organization.[23] Nationalist claims-making rather than ethnic affiliation was a project that Kerina knew SWAPO needed to perform, even if it was not yet an identity that existed on the ground. Kerina, Ya Toivo, and Nujoma were thinking long-term with their national aspirations. This nationalist rebranding, and the internal contention it obscured, showed the importance of advocating for a territorially rather than an ethnically defined nation (however colonial might be its boundaries) in order to gain international legitimacy and the potential of future recognition.

Enshrining these vestigial, colonial turned international-legal borders into national ("Namibian") and international (that of the United Nations) consciousness was a project, not predetermined, in 1959. Between 1957 and 1958, the UN Good Offices Committee on South West Africa considered splitting the territory, turning Ovamboland and surrounding northern areas (including Tsumeb) into a new kind of Trust territory, administered by South Africa (as it had been under the League of Nations).[24] This proposal would then have allowed the southern portion of Namibia to be annexed fully as a province of South Africa. In October 1958, the UN General Assembly rejected this proposal for "partition and annexation."[25] In his 1959 letter to Ya Toivo, Kerina argued for the importance of a national (rather than ethnic) framing for their claims-making – not necessarily because he wanted the movement to maintain Ovambo dominance, but because he believed that it was integral that the "national" geographic territory of the Mandate become the borders of what they hoped would become their eventual independent state.[26]

"NAN"). Katjavivi, *A History of Resistance in Namibia*, 44, cites an excerpt from this letter.

[23] Kerina to Ya Toivo, November 17, 1959.

[24] UN General Assembly, *Report of the Good Offices Committee on South West Africa*, October 30, 1958, A/RES/1243. Available at www.refworld.org/docid/3b00f07780.html.

[25] UN General Assembly, *Report of the Good Offices Committee on South West Africa*.

[26] I am grateful to Bernard Moore for articulating this point.

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Years later, in the late 1960s, after SWAPO had emerged as the dominant organization in the Namibian nationalist movement and the name "Namibia" had replaced "South West Africa" at the United Nations, national-territorial names remained a site of political dispute. In 1968, SWANU, SWAPO's by-then disempowered rival, petitioned the UN to "protest against the name Namibia."[27] Most of SWANU's membership came from a different ethnic group than that of SWAPO; tensions between the groups grew as SWAPO received more international support. SWANU's protest addressed issues of self-determination: "[W]e expect that our people should have been asked first before the christening ceremony was staged." The UN General Assembly gave "us a new name" and claimed it "to be our wish. . . . What next will be decided or done in our name?"[28] The UN's official name change of "South West Africa" to "Namibia" occurred with the support of some, but not all, Namibian nationalists. SWANU's objection to the name "Namibia" was a symptom of its antagonism toward SWAPO's ascendance at the UN. SWANU's rejection of the name also reflected a rebuff to the UN as the institutional "bequeather" of international recognition because the institution had legitimized Namibia under the framework of SWANU's rival. Even a name meant to symbolize a rebuff to colonialism by discarding a colonial label ("South West Africa") could share the imperial connotation of outsiders naming – and thereby determining – a people through bestowing international recognition.

At the United Nations in the late 1950s and early 1960s, SWAPO (under the mostly Ovambo leadership of Nujoma, Kuhangua, and Kerina) and SWANU (under the mostly Herero leadership of Kozonguizi) tried to present themselves as unified and nationalist rather than in competition and ethnically defined.[29] At the time, both organizations had limited name recognition within their country itself. According to one of their international advocates in 1961, Randolph Vigne (a South African Liberal Party politician and member of the anti-apartheid movement who went on a fact-finding mission to South West Africa in 1961), "[N]either SWAPO nor SWANU were known" in the country, ". . . [y]et

[27] "Petition from the National Executive of the South West African National Union (SWANU) sent to U Thant, Secretary-General of the United Nations from Windhoek on 15 September 1968," in *The African Liberation Reader*, ed. Aquino de Braganca and Immanuel Wallerstein (New York: Zed Press, 1982), 191–92.

[28] "Petition from the National Executive," 191.

[29] Kerina identifies as half Ovambo, half Herero, and was able to pass as mixed race to sneak out of South West Africa in 1952.

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the same [ordinary] people insisted that every man knew through the UN they might get their country back."[30] He argued that SWAPO lacked leadership in South West Africa and did nothing in-country: "all [wa]s centered in the work of the petitioners at the UN."[31]

Vigne's words can be read as disparaging the "naiveté" of a people who see their potential political deliverance in the hands of a distant international institution. At the same time, the sentiment captured ordinary Namibians' understanding of the importance of the United Nations as the authority that maintained their figurative separateness from South Africa, even as apartheid rule persisted. That figurative separateness had important long-term implications since it made it less likely that a future post-apartheid South Africa would rule a future independent Namibia.[32] However, in the immediate time horizon, Namibian nationalists grew increasingly frustrated with the slow pace and apparent futility of UN petitioning, as well as with Western governments' backing for South Africa; thus, many sought support from alternative international backers. Kerina (then still with SWAPO) traveled to Sukarno's Indonesia to study for his PhD at Padjadjaran University in Bandung and to seek international support;[33] Kozonguizi of SWANU went to communist China in 1960 to generate similar attention. While internal divisions within the members of the Namibian nationalist movement were externally portrayed as ideological, they were often personality driven.

While in Peking, Kozonguizi gave a radio speech in which he allegedly called the United States "imperialist" and the United Nations "incompetent."[34] Subsequently, he argued that his words had been

[30] Report of Randolph Vigne to National Committee, Liberal Party of South Africa, March 1961, p. 5. NAN, AACRLS 96 (hereafter, "Vigne March 1961 Report"). On some of the local politics concerning the prospect of UN intervention, see Molly McCullers, "'The Time of United Nations in South West Africa Is Near': Local Drama and Global Politics in Apartheid-Era Hereroland," *Journal of Southern African Studies* 39, no. 2 (2013): 371–89.

[31] Vigne March 1961 Report, p. 5. I think Vigne exaggerates, because he was not allowed to spend time in Ovamboland, which was the location of most SWAPO support.

[32] Mburumba Kerina interview with the author, May 4, 2016, where he recounted a conversation with Michael Scott that if the former League of Nations mandate dissolved and South West Africa became a fifth province of South Africa under international law, then there was no way a theoretical post-independent, democratically elected South African government would relinquish the territory.

[33] Interview with Kerina, May 4, 2016.

[34] Speech repeatedly described in: Kozonguizi to Brian Bunting Correspondence, October–November 1960, Brian Bunting Collection, Mayibuye Centre, University of the Western Cape. Also, Ruth First, *South West Africa* (New York: Penguin, 1963), 206–7.

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misquoted.[35] Yet, as the speech took on a life of its own, it was not the words that Kozonguizi may or may not have uttered but their reception and interpretation that mattered. For Western audiences, Vigne reported in 1961, "Kozonguizi's Peking speech brought the Cold War to South West Africa."[36]

In addition to SWANU's perceived communist affiliation, labor relations gave certain Western capitalists another reason to negotiate with SWAPO. As early as 1960, Newmont, the managing company of Tsumeb mine, held a meeting with the newly named SWAPO in New York City.[37] Newmont feared that SWAPO's nationalist organizing in Tsumeb could help the labor union that was trying to organize the primarily Ovambo workers at the mine.[38] Three of the SWAPO representatives at this 1960 meeting were Nujoma, Kerina, and Jacob Kuhangua, while Newmont's representative was its vice-president of global operations, Marcus Banghart (who was American). Banghart described SWAPO as potentially "dangerous."[39] It was a movement Newmont needed to take seriously in its future planning. The specific outcomes from this meeting are not known. However, the absence of SWAPO support for trade unions in Namibia until the mid-1980s marked a striking silence in its nationalist history.[40]

A transcript of this may be included in "Text of a Radio Broadcast Dated 19 August 1960, SW African National Union Chairman Interviewed in Peking" or "Text of a Radio Broadcast Dated 28 August 1960, Recorded Speech by Jariretundu Kozonguizi, President of the National Union of South West Africa" – both collected from UN General Assembly Committee on South West Africa, October 27, 1960, AC.4/447. From "Letter from the Permanent Representative of the Union of South Africa with Enclosures," held in Allard K. Lowenstein papers, Subseries 2.11, UNC-Chapel Hill Wilson Library. Also available through Aluka digital library.

[35] Kozonguizi tapes 1, TPA 48.4, Tony Emmett Interviews/Papers, Basler Afrika Bibliographien, Basel, Switzerland.

[36] Vigne March 1961 Report, p. 6.

[37] M. D. Banghart and F. A. Scheck, "Memorandum: Conference with Four Representatives of SWAPO," September 26, 1960. SWAS 372 File AS.50/2/3/2 (v. 2), NAN. Thank you to Bernard Moore for sharing this document.

[38] Banghart and Scheck, "Memorandum." This meeting is also described in Moore et al., "Balancing the Scales," 1–2.

[39] Banghart and Scheck, "Memorandum."

[40] Gretchen Bauer, *Labor and Democracy in Namibia, 1971–1996* (Athens: Ohio University Press, 1998), 45. The Mine Workers Union of Namibia was not founded until 1986, though a general strike occurred earlier – in 1971–1972. For an excellent study of the interplay between apartheid-state labor control and categorization, ethnic identity, and nationalism in Tsumeb, see Stephanie Quinn, "Infrastructure, Ethnicity, and Political Mobilization in Namibia, 1946–87," *Journal of Southern African History* 61, no. 1 (2020): 45–66.

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The disconnect between labor mobilization and SWAPO can appear counterintuitive because unionism and anticolonialism in many decolonizing contexts would seem to go hand in hand.[41] In particular, SWAPO's predecessor organizations had their roots in the activism of Ovambo contract workers.[42] The 1950s-era advocacy for South West Africa included the work of South African trade unionist Ray Alexander (the partner of Jack Simons, noted earlier, who taught international law in his basement to Ya Toivo and other South West Africans in Cape Town) in Lüderitz Bay on the Atlantic coast of Namibia, where she organized workers in the country's fishmeal and canning plants for the Food and Canning Workers Union.[43] However, unions could also be perceived as a potential threat because they provided an alternative source of popular mobilization to that of nationalist movements. It is not accidental that leaders of postcolonial states often clashed with trade unions as they attempted to consolidate their power after independence.[44]

It suited some international backers of anticolonial nationalism to publicly blame SWANU's alleged communism for their decision to back SWAPO in the early 1960s.[45] However, materially SWAPO had the potential to be the more useful partner, providing mining companies with

[41] Frederick Cooper, *Decolonization and African Society: The Labor Question in French and British Africa* (Cambridge: Cambridge University Press, 1996); Gareth Curless, "The Sudan Is 'Not Ready for Trade Unions': The Railway Strikes of 1947–1948," *Journal of Imperial and Commonwealth History* 41, no. 5 (2013): 804–22; Gareth Curless, "Introduction: Trade Unions in the Global South from Imperialism to the Present Day," *Labor History* 57, no. 1 (2016): 1–19.

[42] Nujoma and Kerina, "A Brief History."

[43] *Namibia: One Hundred Years of Struggle and Hope* (Philadelphia, PA: American Friends Service Committee, 1989), Ruth Brandon Papers, African Activist Archive, Michigan State University.

[44] For example, Kenneth Kaunda's main political opponent, Frederick Chiluba, ran the Zambia Congress of Trade Unions from 1974 to 1991, before becoming president of Zambia. Julius Nyerere described strikes as "evil things" or "the law of the jungle," in Issa Shivji, *Law, State and the Working Class in Tanzania, 1920–1964* (London: James Currey, 1986), 227. For Namibia, see Pekka Pelota, *The Lost May Day: Namibian Workers Struggle for Independence* (Jyväskylä: Finnish Anthropological Society, 1995).

[45] The Organization of African Unity recognized SWAPO as the sole legitimate authority in Namibia in 1968, the date when SWAPO's dominance of Namibian nationalism is usually charted. It is ironic that SWAPO was chosen by particular international advocates in the early 1960s as the noncommunist option within the Namibian nationalist movement when, by the 1970s, it would be identified with communism and, by the 1980s, identified by US president Ronald Reagan as a "Marxist-terrorist band"; Michael McFaul, "Rethinking the 'Reagan Doctrine' in Angola," *International Security* 14, no. 3 (1990): 131. For the larger regional context of SWAPO's alliance with Cuba during the 1970s and 1980s, see Piero Gleijeses, *Visions of Freedom: Havana, Washington,*

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a practical reason beyond Kozonguizi's alleged communism to support SWAPO's bid for leadership of the Namibian nationalist movement. This was a crucial moment before SWAPO's dominance was assumed or assured: Hidden issues of labor relations, regional ethnic divisions, and resource extraction made SWAPO the more useful prospective working partner for Newmont and AMAX in the long term. At the same time, in 1960, it was not guaranteed that SWAPO would lead Namibian nationalism – nor was it foreseeable that Namibian independence was still thirty years away. Indeed, independence seemed on the horizon for the territory's Copperbelt neighbors, where AMAX and other multinational mining companies had formed mutually beneficial relationships with emerging nationalist leaders, such as Kenneth Kaunda in soon-to-be-independent Zambia. Some mining companies had long-term goals of ongoing and future investment that stretched from the colonial through the postcolonial periods.[46] From this perspective, staying on the side of a potential, future government (and in the process, reinforcing that nationalist movement's legitimacy against that of their competitors) was practical politics.

SWAPO and SWANU claimed to represent the same state-in-waiting. Throughout the Cold War period, any actual ideological differences between the two groups mattered much less than the external, international projection of "communist" or "capitalist" ideology onto them and how their leadership responded to that projection. Ethnicity remained a silent, though salient, category for popular mobilization, subsumed by the "national" label required for achieving international recognition of nationalist legitimacy. The significance (and arbitrariness) of that label as a requirement for such recognition showed the relationship between claims-making and international institutional legitimacy for nationalist movements. Claims of national sovereignty needed external recognition to have the potential to be realized, even when predicated upon ideals of national *self*-determination.

PUBLIC CLAIMS-MAKING VERSUS PRIVATE ADVOCACY

In 1962, SWAPO had one of its first reorganizations. Its president, Sam Nujoma, broke with Kerina "because he had written to AMAX asking for

Pretoria and the Struggle for Southern Africa, 1976–1991 (Chapel Hill: University of North Carolina Press, 2013).

[46] Saima Nakuti Ashipala, "Sovereignty over Diamond Resources: (Re)-Negotiating Colonial Contracts in Southern Africa," in *Cultural Sovereignty Beyond the Modern State*, ed. Gregor Feindi, Bernhard Gissibl, and Johannes Paulmann (Berlin: De Gruyter, 2021), 65–86.

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money without the consent and agreement of SWAPO."[47] Nujoma made this statement in *New Age*, responding to an allegation made in that newspaper a month prior that SWAPO had expelled Kerina because the latter had been in negotiations with SWANU about merging the two organizations. Nujoma explained that, on the contrary, SWAPO had expelled Kerina because of his associations with Western capitalists rather than with alternative Namibian nationalists.[48] That explanation and the fact that Nujoma had published his remarks in *New Age*, a publication edited by Brian Bunting, a member of the by-then underground South African Communist Party, were both strong signals of SWAPO's public anti-capitalist politics.

It was crucial for SWAPO to avoid the *appearance* of closeness to AMAX and other Western financial interests. In his public statement on Kerina's expulsion, Nujoma mentioned that Kerina's negotiations with AMAX ran counter to SWAPO's position that "we do not commit ourselves to anything that might endanger the future of our country," highlighting AMAX's willingness to do business with the apartheid labor regime that controlled the staffing of Tsumeb mine.[49] Nujoma did not say that negotiating with AMAX was per se against SWAPO policy; rather, that Kerina's doing so without permission was against SWAPO policy. He also ignored the fact that Newmont, not AMAX, managed Tsumeb, and that he and Kerina had negotiated with Tsumeb management two years prior to Kerina's expulsion from SWAPO.[50] Because AMAX had a much larger international profile than Newmont, nationalist claimants often referred to AMAX as the owner of mining operations in which it was only a shareholder, instead of talking about the companies that actually managed specific mines – demonstrating the importance of Tsumeb mine as a focus of international attention as well as resource extraction.

[47] Sam Nujoma, "Kerina Expelled from SWAPO," *New Age*, November 8, 1962." Historical Collections, University of the Witwatersrand, Johannesburg, South Africa: "Mr. Kerina was officially expelled from SWAPO on October 20, 1962 at the meeting of SWAPO held at the UN headquarters in New York."

[48] Years later, Kerina, adrift from SWAPO, ironically turned to the political heirs of the right-wing, anticommunist, US-based clique that had advocated for an independent Katanga in the early 1960s. He asked them for financial support in return for providing material for anti-SWAPO pamphlets. National Community to Restore Internal Security, "A Citizen's Inquiry on Namibia and SWAPO," Kerina testimony, July 1981. PA/1117, NAN.

[49] Nujoma, "Kerina Expelled from SWAPO."

[50] Banghart and Scheck, "Memorandum."

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During their Cape Town period in the late 1950s, Ya Toivo and Kozonguizi became friends and colleagues with a range of South African communists such as Brian Bunting and Jack Simons, as well as liberals such as Vigne. The divisions between white South African communists and liberals were not of critical importance to Namibian nationalists in their early Cape Town years.[51] The apartheid state's crackdown in the early 1960s ended a period of "lawfare" where it had been possible for the anti-apartheid movement to use the courts to fight "for liberty" that could not be gotten "through legislation."[52] Many South African advocates for both the anti-apartheid movement and Namibian nationalist claims-making went into exile after the apartheid regime's bannings and imprisonments that followed the militant wing of the African National Congress (ANC)'s shift to violence in 1961 in the wake of the Sharpeville massacre.[53] (The ANC was the most prominent anti-apartheid organization in South Africa and has governed that country since 1994.) There was a degree of uneasiness between Namibian nationalists and the ANC. Namibian nationalists hesitated to incorporate the Namibian liberation struggle into the general anti-apartheid movement in South Africa, since they feared that a future Black majority–ruled South Africa would not be amenable to Namibian independence.[54] Yet in the early Cape Town years, Namibian nationalists worked fully with the South African anti-apartheid movement.

Throughout the 1960s, as many Namibian nationalist leaders were forced into exile by the South African government, they became participants in an anticolonial nationalist circuit of university education, military training, and expatriate living.[55] Kerina attended Lincoln University

[51] Ya Toivo with the author, 29 July 2015.

[52] Leon Levy with the author, 14 August 2015.

[53] At Sharpeville, South African police officers in a Black township killed 69 people who were peacefully protesting apartheid segregation laws. Simon Stevens, "The Turn to Sabotage by the Congress Movement in South Africa," *Past and Present* 245 (2019): 221–55; Humphrey Tyler, Bernardus G. Fourie and Patrick Duncan, "Sharpeville and After," *Africa Today* 7, no. 3 (1960): 5–8.

[54] Interview with Mburumba Kerina, 4 May 2016.

[55] Studies of other African anticolonial nationalists on this circuit include Ismay Milford, *African Activists in a Decolonising World: The Making of an Anticolonial Culture, 1952–1966* (Cambridge: Cambridge University Press, 2023); George Roberts, *Revolutionary State-Making in Dar Es Salaam: African Liberation and the Global Cold War, 1961–1974* (Cambridge: Cambridge University Press, 2021). This was the first wave of Namibian nationalist exiles, which was mostly made up of SWAPO and SWANU leadership. The majority of exiles, drawn from the rank and file of the movement, left the country 1974–1976, after Angolan independence meant a less secure northern border.

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in Pennsylvania, also the alma mater for Nnamdi Azikiwe and Kwame Nkrumah, the first presidents of Nigeria and Ghana, respectively. SWAPO members congregated in Algeria, Zambia, Tanzania, and Angola for military training and organization.[56] Funding for these scholarships, training programs, and camps came from a patchwork of external backers and advocacy organizations – and included financial support from AMAX channeled through the African-American Institute (with whom AMAX shared board members), an American advocacy organization that facilitated connections between the United States and students and leaders from newly independent African states and states-in-waiting.

Internal divisions *within* the Namibian nationalist movement took on Cold War colors as nationalists looked for international advocates – who, in turn, supported nationalist claimants based on a combination of the latter's perceived internal legitimacy, utility, and external position in the Cold War. By the late 1960s, SWAPO itself sought some communist backing (particularly from Cuba and China) but was likewise careful to distance itself from outright communist alignment so as not to alienate Western supporters.[57] While anticolonial nationalists attempted to manipulate Cold War tensions (with varying degrees of success), presenting dueling public and private faces to different strategic audiences, eventually their perceived position(s) within the Cold War alignment acted as a constraint on their possible actions. Kozanguizi's Peking speech and its aftermath, which marginalized his political party, provides an example of how detrimental both the immediate effects and the aftereffects of this characterization could be.

This focus on public versus private ideological orientations can make it easy to brand certain anticolonial nationalists as opportunists rather than legitimate nationalists. Further, the communist-versus-capitalist binary can be misleading as an analytical framework for understanding decolonization struggles. It obscures nationalists' own attempts to take advantage of the Cold War, sometimes by signaling support for one side or the other

[56] Jeffrey Byrne, *Mecca of Revolution: Algeria, Decolonization and the Third World Order* (Oxford: Oxford University Press, 2016), 249; Paul Trewhela, *Inside Quatro: Uncovering the Exile History of the ANC and SWAPO* (Auckland Park: Jacana Media, 2009); Gleijeses, *Visions of Freedom*; Christian Williams, *National Liberation in Postcolonial Southern Africa: A Historical Ethnography of SWAPO's Exile Camps* (Cambridge: Cambridge University Press, 2015).

[57] Chris Saunders, "Namibian Diplomacy before Independence," in *Namibia's Foreign Relations*, ed. Anton Bösl, André du Pisani, and Dennis U. Zaire (Windhoek: MacMillian Education Press, 2017), 30.

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in order to attract external backing, other times by owning its idioms and expressions. From the mid-1970s onward, SWAPO often used the language of Marxist-Leninist nationalist liberation groups in its public statements.[58] This performance has continued well beyond the Cold War era: in his eulogy for Ya Toivo upon his passing in 2017, Namibian president Hage Geingob addressed him as "Comrade Andimba," showing how liberationist political culture still permeated the organization's public pronouncements.[59]

AMAX AND SWAPO

The impact of decolonization on resource extraction and land ownership was cast as a Cold War ideological contest between communism and capitalism by Great Power politics. In the early 1960s, the Congo Crisis, precipitated by Katanga's attempt to break away from Congo-Léopoldville, provided the template for delegitimizing certain nationalists because of their close public association with Western capital. Within this environment, Namibian nationalists called attention to the continued imperialism of multinational mining companies and their interlocking directorates of shareholders, with a particular focus on Tsumeb Mine and AMAX's holdings there.

In December 1962, the UN Committee on South West Africa held hearings focused on Tsumeb mine and the wider context of Southern African copper mining. The Moroccan representative on the committee asked about resource extraction and development in that territory. Michael Scott of the World Peace Brigade, speaking to the committee as the personal representative of the Herero Chief Hosea Kutako, quoted from "The Team Rules Mining in Southern Africa," an article by the anthropologist and advocate Alvin Wolfe that heavily criticized AMAX.[60] This was at least the third time this article had been cited in testimony to a UN committee in a six-month period: Kenneth Kaunda of Northern Rhodesia/Zambia had referred to it in his April 1962 testimony on the mining companies who controlled resource extraction in the

[58] Ilina Soiri, *The Radical Motherhood: Namibian Women's Independence Struggle* (Oslo: Nordiska Afrikainstitutet, 1996), 66.

[59] Dr. Hage G. Geingob, "Eulogy to Cde. Herman Toivo Ya Toivo: A Life of Distinguished Service," June 23, 2017. Available at www.facebook.com/notes/dr-hage-geingob/eulogy-to-cde-herman-toiyo-ya-toivo-a-life-of-distinguished-service/835039316652560/.

[60] Alvin Wolfe, "The Team Rules Mining in Southern Africa," *Toward Freedom*, 11, no. 1 (1962): 1–3.

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Copperbelt, and Scott had previously used it in testimony against Katanga during the Congo Crisis in the early 1960s.[61]

During these December 1962 hearings, Kozonguizi of SWANU attacked US imperialism and neocolonialism, with a specific mention of AMAX and its subsidiary, Tsumeb Corporation.[62] Similarly, SWAPO submitted a sixty-page memo listing every foreign mining company with subsidiaries in South West Africa. These companies, the memo read, with their "giant, world-wide monopolistic interests and the influence that they wield in the political circles of their own countries, are partners in the invisible, internationalized forces which control the present and determine the future of South West Africa."[63] Thus, Namibian nationalists – whether or not of rival organizations – and their advocates drew direct lines between resource extraction and Western capitalist support for apartheid, using a similar script to anticolonial nationalist critiques of the Central African Federation of Rhodesia and Nyasaland as well as of Katanga.

AMAX was not pleased when unnamed friends at the US Mission to the UN notified the corporation about Kozonguizi's, Scott's, and SWAPO's statements at the December hearings. It submitted to the Committee on South West Africa a brief on Tsumeb Corporation, the details of US investment, and the limitations under which Tsumeb operated due to strictures of the South African regime.[64] As an addendum, AMAX noted the differences in the conditions of its employed African laborers in the Tsumeb region (very poor) and in its mines in (then) Northern Rhodesia (much better): the latter had become an example of how training and development programs might create a desegregated, highly skilled labor force. The company blamed the differences on the difficulties of dealing with the apartheid regime.

AMAX came away from the 1962 hearings of the UN Committee on South West Africa determined to be seen as supportive of certain

[61] Kaunda testimony to Special Committee on Decolonization, April 24, 1962, Lowenstein Papers, Subseries 2.11. Scott's testimony is described in F. Taylor Ostrander, "AMAX Internal Memo to Management," November 26, 1962, Box 25, Armstrong Hoover Papers.

[62] AMAX, "Evolution of the Recent Attacks on Mining Companies Operating in Southern Africa," December 1962, Box 25, Armstrong Hoover Papers.

[63] AMAX, "Evolution of the Recent Attacks." The SWAPO memo that is quoted in the internal, unauthored AMAX memo of December 1962 is also included in the Peter Katjavivi microfilms collections, PA 1/8/1.

[64] AMAX, "Evolution of the Recent Attacks."

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anticolonial nationalists rather than as a backer of settler-colonial regimes. Three years later, in 1965, a year after Zambian independence, AMAX decided to "contribute to, rather than back away from, the forces for change" in Southern Africa, "this most backward part of the developing world."[65] AMAX would "search out whatever opportunity exists to display in the explosive situation in South West Africa the same type of industrial statesmanship which has characterized [its] investment policy in Northern Rhodesia."[66] Under this policy, AMAX hired the advocate Winifred Armstrong, who had previously served in an unofficial capacity for then US senator John F. Kennedy as an advisor on African politics. Her personal connections and friendships with particular African anticolonial nationalists were useful in pursuit of AMAX's new policy of "industrial statesmanship."

In 1960, working for Kennedy when he was president-elect, Armstrong had tried to ease visa restrictions and financial difficulties for UN petitioners from South West Africa.[67] At AMAX, she continued the company's circumscribed support of particular South West Africans. Since 1962, according to an internal AMAX memo written in 1965, the mining company had committed nearly 9,000 USD "to assist in bringing South West Africans over to the US from Africa." Another internal AMAX memo, written earlier in 1965, notes, however, that because of the "necessity to veil the source of the funds" from the eyes of the South African government – as well as because of the relatively modest amount of the funds – "their public relations impact has been limited."[68] Namibian nationalists continued their refusal to publicly participate in AMAX-sponsored scholarship and development programs, nor did AMAX want to be directly linked to such support.

[65] Erasmus H. Kloman, Jr, AMAX internal memo, May 25, 1965, Box 25, Armstrong Hoover Papers. This was before AMAX hired Winifred Armstrong, first on a short-term contract in summer 1965. Kloman joined the US Office of Strategic Services during the Second World War, wrote his University of Pennsylvania dissertation on financial investment in West Africa, then worked at CIA, the Department of State, and AMAX (1961–1966). He wrote a contemporaneous article, "African Unification Movements," *International Organization* 16, no. 2 (1962): 387–404, that analyzed the difficulties of newly independent African states to work together on common economic problems.

[66] Kloman, AMAX internal memo, May 25, 1965.

[67] Winifred Armstrong, "Issues at the UN of Particular Concern to African States: Conclusions and Further Recommendations," December 1960 position paper, p. 20. Armstrong Papers, JFKL.

[68] Erasmus H. Kloman, Jr., confidential memo, March 17, 1965, Box 2, Armstrong Papers, the Hoover Institution.

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In 1965, Jacob Kuhangua of SWAPO privately asked AMAX for money to build and maintain a Dar es Salaam refugee center.[69] For AMAX, it was crucial that "the money should be used through some responsible agency," not received from the corporation directly. The company justified its assistance because "even though the fortunes of the exiled parties ... may be at a low ebb at present ... they might be of future importance."[70] Once again the Cold War context came into the picture: Erasmus Kloman Jr., an investment economist at AMAX, wrote in a confidential memo that Namibian nationalists in Dar es Salaam "ought not to be so highly dependent on help from the East"; instead, "they ought to be helped by the Western private sector."[71] For AMAX, the ideal model of US political aid was that provided by private enterprise and channeled through responsible nongovernmental organizations like the African-American Institute, an entity in which it exerted influence. The company was careful to support leaders whom it believed to be moderate, anticommunist, and nonviolent – in its view, peaceful political transition would lead to peaceful mining, preferably without nationalization of industry.

Kuhangua never got to run an AMAX–African-American Institute–SWAPO refugee center in Dar es Salaam.[72] The center was never built, and for good reason: neither SWAPO nor AMAX wanted to take the risk of making their connection public. However, their negotiations over the center showed how nationalist claimants and their international advocates embarked on complex dances of private alignment and public divergence.

AMAX's limited, careful advocacy had repercussions for the shape of the Namibian nationalist movement, not because it gave that movement substantial support but because of how that support was construed from the outside. As described earlier, Nujoma, the head of SWAPO, had publicly blamed his split with Kerina on the latter's negotiations with AMAX. The South West African Authority (which governed South West Africa for the apartheid regime) knew about AMAX's advocacy and used it to exacerbate inter-Namibian rivalries. One of their informal advocates told Kozonguizi of SWANU that South Africa's "intelligence service ... had learned of the relationship between SWAPO representatives in New York with AMAX" through "Top Secret correspondence between the

[69] Kloman, confidential memo, March 17, 1965.
[70] Kloman, confidential memo, March 17, 1965.
[71] Kloman, confidential memo, March 17, 1965.
[72] Armstrong interview, February 4, 2018.

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African-American Institute and the AMAX."[73] Kozonguizi was told that both US organizations were helping SWAPO because they considered SWAPO "pro-West in outlook, as against SWANU's hostile attitude towards the West."[74] While South African interests were hardly a reliable, disinterested source for AMAX's relations with SWAPO, it is telling how they found the issue of AMAX and African-American Institute's support useful to exacerbate fractures within the Namibian nationalist movement. Paradoxically, South Africa also characterized SWAPO as "communist" – another example of the strategic malleability of the "communist" and "capitalist" labels.

Like South Africa, AMAX kept itself informed about internal Namibian nationalist rivalries. Kerina, expelled from SWAPO, came looking for support from AMAX in 1966 for his own political projects. He expressed "high regard for the Hochschilds," the brothers who had held leadership roles at the corporation, but he felt that AMAX, through its financial contributions, was becoming dangerously aligned with SWAPO.[75] Winifred Armstrong, as AMAX's representative, clarified to Kerina that AMAX did not contribute to SWAPO but, rather, to the African-American Institute. She also made a note to AMAX management that the US State Department, the American Committee on Africa (an American anti-apartheid advocacy organization led by George Houser), and the foreign ministries of many Southern and Central African states regarded Kerina as "a double-dealer" and that his "many statements need to be taken with caution."[76]

In contrast, when Kuhangua of SWAPO came to AMAX asking for funding for the refugee center in Dar es Salaam, he mentioned that he understood AMAX's "policy of contributing only to organizations which administer or sponsor programs in which [it was] interested."[77] In making a subsequent funding request, Kuhangua also indicated "that the mines will be equally if not more important to an independent South

[73] Kurt Dahlmann, "One Man Many Parties: The Parties of the Non-Whites in SWA," undated manuscript used in South Africa's South West Africa International Court of Justice testimony, pp. 14–15. Kurt Dahlman Papers, PA 85, Basler Afrika Bibliographien.
[74] Dahlmann, "One Man Many Parties," pp. 14–15.
[75] Armstrong to F. T. Ostrander, February 17, 1966, Box 2, Armstrong Papers, the Hoover Institution.
[76] Winifred Armstrong to Harold K. Hochschild, June 28, 1966, Box 2, Armstrong Papers, the Hoover Institution.
[77] Armstrong to Hochschild, June 28, 1966.

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West Africa than they are at present," assuring AMAX of his and Nujoma's pro-American credentials.[78] Shortly thereafter, Kuhangua was knifed on the streets of Dar es Salaam by another member of SWAPO. Armstrong visited him in the New York City hospital where he was being treated; she noticed that Kuhangua's SWAPO colleagues were taking advantage of his disability to sideline him within the nationalist movement.[79]

THE SOUTH WEST AFRICA CASE AT THE INTERNATIONAL COURT OF JUSTICE

Back in 1957, Reverend Michael Scott had presented a memo to Ghana's new president, Kwame Nkrumah, on bringing the case of South West Africa to the International Court of Justice. In the memo, Scott argued that South West Africa was South Africa's Achilles heel – thus, it could be a backdoor to dismantling the growing structures of apartheid.[80] He suggested that such a case would show that South Africa had violated the "sacred trust" of the League of Nations mandate through apartheid rule and by its refusal to relinquish the territory.[81]

Scott's plan was not taken up until the pivotal year of 1960, when the UN General Assembly declared national self-determination an international norm. Moving to assert that norm, Ethiopia and Liberia, as African countries that had been members of the League of Nations, instituted proceedings against South Africa in the International Court on behalf of South West Africa.[82] The case challenged the legitimacy of South African rule of the territory and became the central piece of international advocacy on behalf of Namibian nationalist claims-making. After the case was taken up, Scott played a much less active role in Namibian claims-making. He did not enjoy warm relations with SWAPO, since he remained closer to the Herero Chiefly leadership and was skeptical of what he perceived as SWAPO's domination of other

[78] Winifred Armstrong to F. T. Ostrander, August 4, 1966, Box 2, Armstrong Hoover Papers.
[79] Winifred Armstrong, undated note, late 1966, Box 2, Armstrong Hoover Papers.
[80] Michael Scott, *A Time to Speak* (London: Farber and Faber, 1958), 350; Chris Saunders, "Michael Scott and Namibia," *African Historical Review* 39, no. 1 (2007): 35.
[81] Scott, *A Time to Speak*, 35. [82] Scott, *A Time to Speak*, 40.

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Namibian ethnic groups.[83] He placed his faith in the International Court to carry out a nonviolent international-legal strategy in pursuit of Namibian independence.[84]

Yet even Scott had doubts about the various structures he had hoped could resolve nationalist claims of self-determination. He pondered how "we" – the international community of the United Nations and the circle of civil society advocates with whom he worked (through its interstices) – can "write a Charter to promote human rights, and then proceed to ask for a committee to define them, for a Court of Justice to interpret them. That way lies disaster . . ."[85] Scott left a telling ellipsis after this statement, refusing to engage with the alternative to these international-legal structures, even as he critiqued them.

The South West Africa case at the International Court was the second major international institutional confrontation between South Africa and newly (or soon-to-be) independent nations, confrontations that illuminated the United Nations' potential to address questions of national liberation, self-determination, and discrimination in Southern Africa.[86] The first occurred in 1946 when Mrs. Pandit, pre-independent India's ambassador to the United Nations, brought up the issue of discrimination against South Asians in South Africa.[87] Among other sources, she used testimony procured by Scott, from when he worked in his parish in the Johannesburg slum of Tobruk during the 1940s; this testimony showcased the historical collaboration between Indian politicians and Western advocates as well as the utility of the United Nations as a forum to

[83] Examples of this perception in Scott's papers include Hosea Kutako to Scott, October 6, 1955, Box 74. Transcript of Cyrill Dunn interview with David Astor, May 10, 1975; and Scott editorial in the *Times* (of London) on Kutako's death, August 15, 1970, both Box 5, GMS Papers.

[84] Anne Yates and Lewis Chester, *The Troublemaker: Michael Scott and His Lonely Struggle against Injustice* (London: Aurum Press, 2006), 271.

[85] Scott, *A Time to Speak*, 239; Scott published his memoir two years before the International Court of Justice took up the South West Africa case.

[86] Teresa Barnes, "'The Best Defense Is to Attack': African Agency in the South West Africa Case at the International Court of Justice, 1960–1966," *South African Historical Journal* 69, no. 2 (2017): 162–77.

[87] Manu Baghavan, *The Peacemakers: India and the Quest for One World* (New Delhi: Harper Collins, 2012), covers Indian internationalism during the liberation movement and in the first decade of independence, with an emphasis on Mrs. Pandit's role. Mark Mazower, *No Enchanted Palace: The End of Empire and the Ideological Origins of the United Nations* (Princeton, NJ: Princeton University Press, 2013), 152–58, describes how Indian pressure prevented the UN from acquiescing to South Africa's annexation of South West Africa.

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support anticolonial nationalism. It also began the process of making South Africa a pariah state in postwar international politics.

The International Court's South West Africa case was a significant intervention, with far-reaching impact. In 1962, the Court issued an advisory opinion that seemed favorable to the plaintiffs (Ethiopia and Liberia) and gave certain Namibian nationalists observer status at the Court. Those given observer status included Nujoma of SWAPO but not Kozonguizi of SWANU, lending legitimacy to the former and undermining that of the latter. Then, in 1966, the Court handed down a surprise split verdict against the norm of self-determination, stating that the plaintiffs had no standing, having not established "any legal right or interest" in the case.[88] This "nondecision" closed the possibility that the United Nations institution could – or would – formally address and successfully arbitrate the legitimacy of nationalist claims.

During the case, both supporters and opponents of anticolonial nationalism and Namibian independence used intermediaries to provide evidence and testimony to international political and legal circles – the former against and the latter in favor of South Africa's continued control over South West Africa. South Africa employed their own missionary-anthropologist who argued for the legitimacy of apartheid, or "separate development," as "respectful" modernization that did not mean abandoning the "sacred heritage" of particular ethnic groups.[89] This emphasis on the categorization and "protection" of particular Namibian communities in South Africa's testimony was drawn from the Odendaal Commission (1964), a South African enquiry into the organizational and ethnic composition of South West Africa carried out for the purpose of preventing "the emergence of nationalism."[90] The Odendaal Plan outlined an organizational system for Namibia based around

[88] Spender ruling in Dugard, *The South West Africa/Namibia Dispute*, 261.

[89] Robert Gordon, "Anthropology at the World Court: The 1966 South West Africa Case," *History of Anthropology Newsletter* 31, no. 1 (2004): 1–11, and Robert Gordon, "The Making of Modern Namibia: A Tale of Anthropological Ineptitude?," *Kleio* 37, no. 1 (2010): 26–49, detail the work of Johannes Petrus van Schalkwyk Bruwer, an expert witness for the South African government at the International Court. International Court of Justice, *Pleadings, Oral Arguments, Documents. South West Africa Cases* (The Hague: International Court of Justice, 1966), p. 263.

[90] Timoteus Mashuna, "The 1978 Election in Namibia," in *Re-Viewing Resistance in Namibian History*, ed. Jeremy Sylvester (Windhoek: University of Namibia Press, 2015), 178.

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politically "independent" territorial entities. Namibian nationalists viewed Odendaal as a classic colonial "divide and rule" ethnic strategy. It linked ethnicity to territory in a manner meant to undercut the territorial foundations of the nationalist movement – which were, ironically, the structure of the Mandate.

At the International Court, South Africa's main source for up-to-date information on Namibian nationalism was Kurt Dahlmann, the editor of the *Allgemeine Zeitung*, Windhoek's German-language newspaper. Dahlmann immigrated to Namibia in 1958; as a former Second World War Luftwaffe pilot with his own airplane and a West German passport, he was one of the very few pro-apartheid white South West Africans or South Africans who had the means and documentation to travel around the decolonizing African continent. Flying himself, he attended most of the independence festivities across the continent and personally conversed with many of the Namibian nationalists in exile.[91]

In this way, Dahlmann became South Africa's "native political parties" expert for their case at the International Court of Justice, submitting a report that concluded, "Ethiopia and Liberia were opposed to any factual enquiry into the situation in South West Africa."[92] Instead, he wrote, their case rested on "the theory that an international legal norm [of national self-determination] exists which is objectively determinable."[93] Dahlmann questioned whether a people who lacked independence were necessarily oppressed, arguing that Namibian nationalists and their advocates had to make the case that *oppression* was the issue at hand, and that it existed in South West Africa. And if South Africa had to disprove "oppression" for the Court to rule in its favor, it could (and did) do so by discrediting the reliability of Namibian claimants at the UN. Therefore, the disorganization and in-fighting within the Namibian nationalist movement and their (according to Dahlmann) "exaggerated" claims at the UN mattered when judging the legitimacy of their cause. However, if the issue were the international-legal definition of South West Africa's *status* – mandate? independent state? South African province? – then what happened *inside* the territory did not matter.

[91] Author conversation with Dag Henrichsen, the archivist for Dahlmann's papers, May 25, 2016.
[92] Dahlmann, "One Man Many Parties," Conclusions, p. 3.
[93] Dahlmann, "One Man Many Parties."

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In brief, under Dahlmann's reasoning, if the issue were *how*, rather than *that*, South Africa ruled South West Africa, then it was necessary for Namibian nationalists to provide proof that South African rule oppressed people living in South West Africa. This, of course, was rather difficult for Namibian nationalists to do since, by 1966, those in a position to give testimony to the UN and the International Court had been in exile for a number of years. Parsing through the layers of obfuscation of what apartheid rule actually meant for black and mixed-race peoples in Namibia, Dahlmann made a pointed observation about the components of legitimacy for nationalist claims in international politics: Was South African rule *itself* illegitimate? Or was it *how* South Africa ruled South West Africa that was illegitimate? If the latter, how could evidence provided by "disorganized" nationalist factions, whose leaders lived in exile, demonstrate what the "Namibian people" "legitimately" felt? Dahlmann expressed concern about the legitimacy of Namibian nationalist claims-making in order to undermine any genuine discussion on the topic of Namibian independence. Nevertheless, the question that hid beneath his derailment of that primary issue was one with which advocates of independence themselves grappled: *What were the components of legitimate nationalism?*

CONCLUSION

Global structural forces of resource extraction and power politics shaped the actions of nationalist claimants, their advocates, and their opponents during postwar decolonization, an era when territorial control and international institutional recognition of "legitimate" states seemed to shift from year to year, or even week to week. The often-violent transition from colony to state mapped the boundaries of independent states onto regions with a host of internal nationalist claims.

Namibia's nationalist movement was shaped by factors that included Cold War politics, the territory's lucrative natural resources, its status as a former League of Nations mandate, the leadership of rival nationalist groups, and the complex networks of its international advocates that navigated between these spheres. That Namibia was a former mandate with its own UN committee, combined with its natural resources – a combination not present for many states-in-waiting – greatly influenced the strategies and networks involved in Namibia's struggle for independence.

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Material interests and ideological concerns are rarely separate spheres of political action.[94] The long, drawn-out, nearly thirty-year international advocacy campaign for international economic sanctions against apartheid South Africa demonstrated how material and ideological pressure points could be combined to generate political action.[95] In Namibia, Tsumeb mine became important to Namibian nationalist claims-making in part because it was a productive copper mine in a region whose labor force shared ethnicity with the dominant Namibian nationalist movement. In addition, the mine became a site for Western attention and therefore the potential of Western intervention in the politics of the region. Namibian nationalists and their international advocates attempted to harness the power of capital to serve their struggle for independence. Throughout this process, unofficial advocates facilitated the negotiations between capitalists and nationalists, which were often secret. That nationalists and advocates hid their affiliations with capital did not undercut the moral dimension of much of their work nor enable one to write off individual achievements as substitutes for state or corporate power – to do so would critically simplify the complex analytical and political terrain on which they operated.

South West Africa, as a former League of Nations Mandate rather than an official colony of South Africa, was, in Namibian nationalist Jacob Kuhangua's words, "neither territory nor nation" but an artificial creation, "an international balancing act that could not endure" in the long term.[96] South West Africa's artificial international creation as a former mandate provided the foundation for its nationalist claims-making – a strategy that made nationalists extremely reliant on international

[94] As exemplified by the New International Economic Order, a collaborative set of proposals in the 1970s from countries in the Global South to revise the postwar economic settlement for more favorable trading dynamics; see Amy Offner, *Sorting Out the Mixed Economy: The Rise and Fall of Welfare and Developmental States in the Americas* (Princeton, NJ: Princeton University Press, 2019); "Special Issue: The New International Economic Order," *Humanity* 6, no. 1 (2015); Christy Thornton, "A Mexican International Economic Order? Tracing the Hidden Roots of the Charter of Economic Rights and Duties of States," *Humanity* 9, no. 3 (2018): 389–421; Adom Getachew, *Worldmaking after Empire: The Rise and Fall of Self-Determination* (Princeton, NJ: Princeton University Press, 2019) 142–75.

[95] Simon Stevens, *Boycotts and Sanctions against South Africa: An International History, 1947–1970*, PhD dissertation, Department of History, Columbia University, New York, 2016; Anna Konieczna and Rob Skinner, eds., *A Global History of Anti-Apartheid: "Forward to Freedom" in South Africa* (London: Palgrave Macmillan, 2019).

[96] Kuhangua, UN Committee to Monitor the Declaration on the Granting of Independence, p. 442, BB/0991 NAN.

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advocates for the invitations, passports, visas, and funding required to access the United Nations and its related organizations. Advocacy (corporate, civil society, governmental, international institutional) had a significant role maintaining South West Africa/Namibia's territorial integrity because it was originally an international structure. Namibian nationalists were well aware of the precarious, double-edged benefit of their status as a former international Mandate, which combined the promise with the original denial of national self-determination.[97]

[97] Molly McCullers, "Betwixt and Between Colony and Nation-State: Liminality, Decolonization, and the South West Africa Mandate," *American Historical Review* 124, no. 5 (2019): 1704–8.

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