The challenges of democratization

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From the struggle for independence to the ongoing separatist war in Cabinda, control of the state and natural resource wealth have been at the root of Angola’s conflicts. All peace accords essentially tried to solve the question of the political regime and the exercise of power. At independence in 1975, a ‘one-party regime’ was established, which suppressed citizens’ rights and left no space for democratic development. However, Angola was not left behind when the end of the Cold War sent a wave of democratization across Africa. Democratization was one of the main pillars of the political negotiations leading to the Bicesse Accords, and elections took place in September 1992. But the ‘winner takes all’ model of the elections and the refusal of the National Union for the Total Independence of Angola (UNITA) to accept the victory of the Popular Movement for the Liberation of Angola (MPLA), combined with an incomplete demobilization process and the absence of established national organizations capable of mediation, led to the resumption of war. The fact that this war was finally brought to an end in 2002 by military force means that political negotiation and democratic processes have still not been sufficiently consolidated as generally accepted norms for managing the country. From this perspective, the creation of a truly participative democracy continues to be the crucial challenge for the construction and consolidation of peace.

The restrictions on democracy during the post-1992 conflict

During the war that followed the 1992 elections, the government argued that restrictions placed on the budding democratic opening were exceptional steps necessitated by the armed conflict. While a state of emergency was never declared, the government adopted an array of measures, postures and inactions that hindered the development of the same democratic regime that was supposedly being defended.

Both sides used the conflict to justify the violation of human rights. The mutual radicalization involved practices such as the indiscriminate mobilization of children for military action, in violation of international human rights conventions. Human rights violations outside the theatre of war also went unchecked. Military and paramilitary forces, police and politicians enjoyed impunity on the grounds that unity had to be preserved. The government’s approach targeted and criminalized independent journalists, who faced intimidation or even assassination for publishing news about corruption or articles of a military or ‘security’ nature. One case that inflamed public opinion was the government offensive against journalists and newspapers that published the interview given by Jonas Savimbi to Voice of America in March 2001.
A number of measures also impeded the foundation and development of civil society activities and associations (such as the Association for Justice, Peace and Democracy (AJPD)). Changes of the law in 1995 regarding political parties’ access to the airwaves and the right to reply hindered their political participation and the transmission of their positions through the major state-owned media outlets. The government accused civic associations of being anti-patriotic (for welcoming international organizations’ human rights reports), of working for ‘the enemy’, and of behaving as political opponents – allegations that created an atmosphere of intimidation and sanctioned heavy-handed security measures against their leaders.

The constitutional right to expression became a virtual ‘decree’ requiring police authorization for everything, and several political activists were imprisoned during this time for exercising this right. Any opposition to government that had the capacity to influence the masses was treated as a ‘way of facilitating the enemy’s penetration’. On the other hand, the government was unable to bring into effect the constitutional and legal institutions linked to the defence of citizens’ fundamental rights, such as the Court of Accounts (implemented only in 2002), Constitutional Courts, the Attorney-General, the Ombudsman and the High Authority against Corruption. Organizations with greater socio-political balance, such as the National Council for Social Reconciliation and the National Media Council that were established in the 1992 constitutional review, did not function. Combined with the submission of legal power to a ‘single command’ under the pretext of the war, such ‘gaps’, omissions and lack of functionality completed the net of restrictions on the emergence of democracy, and constituted a closed circle of obstructions to the democratic process.

This restricted democracy fuelled the belief among some citizens that, with a political class dependent on the existence of war, peace was indispensable to the emergence of democracy. This led the political and social movements to prioritize the struggle for peace, on the basis that war was clearly a powerful pretext for impairing democracy, which at the time amounted to little more than the existence of a constitution, an array of formal laws, a multi-party parliament and some independent newspapers, as well as the inhibited emergence of a few civic associations.

Throughout the war, the MPLA’s focus on consolidating its own position was evident, whether through the increasingly narrow politicization of institutions and society or the privatization of the economy for the benefit of the political elite. These phenomena have hindered the emergence of a democratic state after the war.
Post-war trends

After the signing of the Luena Memorandum by the government and UNITA in April 2002, the nation witnessed a military peace, allowing the silencing of the guns. In reality, arms were laid down because one of the parties was defeated, not as a result of a ceasefire which anticipated political negotiations, nor as a direct and explicit result of the struggle by the democratic political parties and those sectors of civil society that were against the war. Two years after the Memorandum, the reduction of peace to a military logic has hindered the development of the democratization process, as the latter is entwined with social peace, a condition that in turn makes democracy effective. The lack of transparency, sincerity and political will to reach real peace is apparent in the perversiveness of war in Cabinda.

The delay and restrictions on democratization, combined with the transfer of state property to sectors of society with close links to political power, and the policy of secrecy with regard to public finances and the rendering of state or state-owned company accounts, are hampering the implementation of a ‘social peace’. Thus the absence of effective democratization endangers the consolidation of peace, as peace can only exist alongside freedom, the capacity to share, transparent political competition and social justice – realities that are in opposition to absolute control of society through the politicization of institutions and the privatization of the state.

Two symptoms are emerging in the post-war situation. The first regards the difficulty in satisfactorily completing the tasks envisaged in the Luena Memorandum, such as the demobilization and social reintegration of soldiers, the disarmament of the civilian population, and UNITA’s own participation in public office; this is combined with the re-emergence of political intolerance, which is evident in several statements addressed to the government by UNITA officials. The second symptom is evident in people’s sometimes violent reactions against government policy and abuses of authority, such as the compulsory transfer of housing from one zone to another to accommodate real estate interests, the demolition of markets without new structures being built, blatant theft from kunguilas (informal money changers) and zungueiras (street sellers) by policemen, and other repressive behaviour. In the provinces especially, there is generally little political freedom or public debate, nor any questioning of anti-democratic government measures. Fear continues to be citizens’ normal frame of mind.

In the context of a multidimensional crisis including extreme poverty (about 70 per cent of Angolans live on less than a dollar a day), very high unemployment, and a lack of investment in social sectors such as health and education, the protests – some of which are already becoming violent – are a sign that peace has not been consolidated. This calls attention to the lack of a ‘pact’ (demanded by both civil society and political opposition parties) between the different political and social forces, to address the causes of the war and the continued violence, such as hunger, glaring social inequalities and lack of freedom. Instead, the government continues to create obstacles to the activity of organizations defending citizens’ interests, such as Mãos Livres (Free Hands), SOS Habitat, Cabinda’s civic association Mpalabanda and Jubilee 2000. A crucial component of this strategy of restricting democratic space is the refusal to allow Rádio Eclesiá, linked to the Catholic Church, to extend its signal to the whole national territory unless it changes its editorial line, as demanded by the President. ‘National reconciliation’ has been restricted to the distribution of political positions among UNITA members formerly at war with the government.

The policy of restricted democracy has led to the marginalization of the role of the opposition parties (viable only within democratic contexts) and the absence of an active civil society. Whether they are in the Assembly or not, political parties have been unable to stop the rampant corruption in the state apparatus, demand the rendering of accounts, or enforce the constitution through the enactment of its institutions. Given that both political parties and organized civil society play the role of mediating forces in the political arena, since they channel citizens’ concerns in a constitutional manner, their ineffectiveness compels the mass of citizens to directly confront the regime, which is personified for them in a repressive police force. This situation reinforces the MPLA’s conviction of the need for increased investment in means of repression, which is obvious from the General State Budget, which in 2004 still allocates 32 per cent for defence and security, a higher percentage than that spent by the United States and Soviet Union during the Cold War.

The elections and the new Constitution – a difficult birth

Angolans have voted only once in their lives, in 1992. The MPLA has a majority in the National Assembly and can pass any law it pleases. In 1996, the MPLA voted to extend its mandate on the pretext of the war. Despite the official end of the war on 4 April 2002, the party in power is unwilling to set a date for elections on the grounds that it is first necessary to meet 14 requirements; a goal not achievable, in its view, before 2006. These requirements range from the adoption of a new Constitution and a new electoral law to the revitalization of the rural economy, in addition to reaching a national consensus on
Angola’s development until 2025. The opposition parties, including UNITA, and sectors of civil society have called for elections in 2004 (especially the FpD) or 2005, in order to prevent the National Assembly from extending its mandate without popular legitimacy, and to bring an end to the autocratic style of the MPLA and the President. The President’s failure to consult any political parties about the forthcoming elections has already resulted in a walkout by the opposition members of the Constitutional Committee, until this body carries out the consultation prescribed in the Constitution.

There is general weariness regarding the system of government, and the vast majority sees the election as an opportunity for change. The great political challenge of the elections, whenever they are held, will be to ensure a more even playing field than in 1992 – a significant challenge, given the party-in-power’s omnipresence not only in the government and state structures but in all sectors of society. In this context, there is continuous concern about the need for de-politicization of institutions and of society, as MPLA cells are still present in work places, mostly in the state sector, and the party’s direct control over Resident Committees and Neighbourhood Coordinators is only being dismantled partially and gradually. The politicization of the judiciary, police and other state services, public companies, banks, sports clubs, foundations, etcetera, is an additional obstacle to overcome.

In January 2004, the Constitutional Committee approved the basic principles for a ‘Draft Constitution’ elaborated by a technical committee. This draft envisages a presidential model of government without any countervailing powers; according to Article 47 of the Draft Constitution, “The Head of Government is the Head of State and the Commander-in-Chief of the Armed Forces”. In line with this, among other powers, the Head of Government appoints and dismisses provincial governors, the President of the National Bank and de-politicizes as well as guiding their activities. The President also dissolves Parliament. However, Article 9 of the Draft Constitution states that, “The Republic of Angola is a unitary and indivisible State that respects in its organization the principles of autonomy of the organs of local power and of administrative decentralization and deconcentration”. The Constitution does not include provision for the election of provincial governors; instead governors are nominated in accordance with the proposal of the largest party in the provincial legislative elections, which will rule in a deconcentrated form, in other words, where local bodies represent central power. The MPLA ceded this point to UNITA, which fought with the rest of the opposition parties for governors to be elected, as a counterweight to the presidential system. Only at local level (i.e. municipalities and communes), are bodies elected and administrative powers decentralized. Apart from that, the Draft (Article 227) provides for a ‘National Council for Local Affairs’, as a consultative and non-permanent body of the National Assembly.

**Without democratization there can be no social peace**

In conclusion, the democratic process in Angola is experiencing a difficult and dangerous period, given that peace and democracy are interdependent yet neither is fully realized. The war provided the justification for the restriction of the democratic process, and this persists in the idea that the military victor can shape the political system at its discretion.

That the democratic process is incomplete and somehow stalled is demonstrated by the failure to fully enact constitutional institutions, as well as by the postponement of electoral competition, while autocratic structures are maintained. It can also be detected in the existence of arbitrary and coercive systems, as well as an increased militarization of society and obstructions to the existence of associations and unions, all of which are stirring riots and leading to violence. With the prevailing party-state relationship and the concentration of wealth within a political minority, there is a continued failure to share resources and power. The state is in fact currently an appendix to the party in power, which in turn absorbs it through an undeclared oligarchy (or ‘kleptocracy’). The ‘democratic deficit’ is also visible in the paralysis of the National Assembly, which is incapable of legislative initiative and of monitoring the action of the executive. Finally, it is evident in the non-existence of a continuous and inclusive dialogue able to formulate proposals to overcome the great national challenges, such as genuine national reconciliation, the fight against poverty, environmental degradation and sustainable development.

In March 2004, 30 civic associations and parties including UNITA launched a campaign called ‘Peace without democracy is fantasy’ under the sponsorship of Open Society-Angola. The campaign is not limited to the capital, but organizes meetings and demonstrations in the provinces, from Cabinda to Huambo and the Lundas, based on a Manifesto for Democracy, which states, among other things, that “at present (…) the exercise of liberties and rights is the greatest challenge facing the Angolan people.”

If Angolans intend to preserve and consolidate peace, they must have the courage to face these challenges and to make the democratic process real.