

### **3.6: THE ROLE OF THE CIVIL SOCIETY**

This section attempts to contribute to the understanding of the role played by such an important actor as civil society, in the process of democratic transition. The main aim of this discussion is therefore, to find out how socio-political and military factors may obstruct the 'birth' or emergence of civil society within the framework of the process of democratisation.

In general, most definitions of civil society seem to revolve around a significant section of the society that interacts with the state. There are diverse theoretical perspectives about civil society and its interaction within the state apparatus.

In Western political thought, civil society is described as a connectional concept: civil society links state and society, and at the same time acts independently outside the ambit of the state. As stated by Bratton (1988:416-7) the concept of civil society was introduced by Hegel in the Philosophy of Right to distinguish the family or an extended group based on clan or kinship ties from a community of producers. In Hegel's view organs of civil society are those whose function is to reconcile personal and private interests, whereas organs of the state are those whose members hold together the public interests of the community. Hegel expands his view further by asserting that state and civil society overlap by sharing administrative, coercive and judicial institutions.

Similarly, others have characterised civil society in the African context, as being part of a society that engages with the state to influence its behaviour but is simultaneously independent from it (Chazan 1991), or are defining civil society as being the way society is organised outside the state (Mujaju 1997:42).

Few others have characterised civil society as an oppositional force to the state, (Bayart 1986); (Chabal 1986); Mamdani, and Wamba-dia-Wamba. Michael Bratton who appears to reflect Alfred Stepan's view, makes a clear cut between public and private realms by defining political society as a sphere which includes political parties, elections and legislatures, but civil society as another sphere which encompasses neighbourhood associations, women's groups, and church groups (Bratton 1989:417-8). Whereas for Peter M.Lewis (1997:135) civil society is an organised realm of society operating within a public sphere.

Alex Tocqueville in *Democracy in America* regarded voluntary associations as contributing to both political and civil lives. His understanding was that associations create both the space for the development of political society through contesting laws that need to be replaced, and the development of civil society by inculcating democratic values. Tocqueville echoing Locke's idea of a limited government (Mujaju 1997:42), expands the notion of protecting the individual rights against the excesses of the state, by arguing that autonomous intermediate associations provide the ultimate guarantee that the

state will be unable to arrogate to itself more power than an active citizenry is willing to grant (Dunn 1986:417).

Despite many differences in the literature as to how civil society should be defined and how it should be related to the state, the most common ground is the distinction made at theoretical level between the public and private realms and how this interaction brings about any political and societal change.

Thus, the creation of civil society and associational life within the process of democratic transition should be part of the institutional pluralism needed for the prospects of democratic transition, particularly in Africa. This was especially so in countries like Angola and Mozambique where the state-society relations and opposition parties-society relations could have created the environment and compromise needed for a peaceful electoral transition.

It may be argued, therefore, that there seems to be consensus among scholars on the need for an enabling environment in order to get to a successful emergence of civil society capable of limiting state power and advancing the interests of large segments of the population. On this basis, (Bratton 1988:427) indicated that the emergence of an active civil society would also appear to depend on a number of contextual conditions.

By the same token (Azarya 1994:96) contended that a civil society does not just exist as a natural component of any society. It has to be construed, tended to, protected...,

otherwise it may wither and disappear. However, Bratton (1988:428) also warned that civic organizations can never completely replace the state in all its manifold functions, nor should they attempt to. Instead, they are well placed to exhort and assist political elites to adapt the state's actions to accord more closely with interests expressed by groups in society.

The democratic transition vis-à-vis civic society in both Angola and Mozambique followed almost the same path. The focus and priorities were given in negotiated pacts signed between the two main protagonists in each country, i.e., **MPLA** and **UNITA** under the 1991 Bicesse Accords for Angola, and **FRELIMO** and **RENAMO** under the 1992 General Rome Peace Agreement for Mozambique.

These agreements identified various challenging tasks that had to be undertaken before elections could be held. These were, among others, the cease-fire, disarmament and demobilisation of troops from both sides of the Bicesse and Rome Agreements as well as the hand-over of **UNITA** and **RENAMO**-held territories to their respective governments of Angola and Mozambique.

Given the high degree of hatred and suspicion caused by long years of civil war in Angola and Mozambique, it became particularly evident during the transition that peace had to be achieved first before engaging in other forms of democratic sustainability such as the formation of civil society which, besides requiring adequately funded programmes

and policies, could deviate the focus from the continuing compliance with the terms of peace agreements by the main parties.

Beyond the immediate issue of signing the peace agreements, were the difficult challenges of promoting a climate of harmony between former armed rivalries by providing sufficient mutual confidence that could reinforce the political will, capable to carry out the terms of the Bicesse and Rome Peace Agreement.

Besides these aforementioned reasons, in the case of Mozambique, one should not overlook that associational life and civil society were also affected by 16 years of **FRELIMO's** Marxist policies which as from independence in 1975, abolished the system of chieftainship or traditional leaders generally known in Portuguese as "Regulos,"<sup>62</sup> which had been an extension of the colonial administration in rural areas. As Turner et al (1988:154) put it: ... "Frelimo's policies to undermine traditional authorities and church leaders, as well as its forced 'villagization' alienated many rural Mozambicans"<sup>63</sup>.

Similarly in Angola, associational life and civil society were equally affected by the 16 years of the **MPLA's** Marxist-Leninist policies of political and socio-economic control related to Unita's guerrilla activities, especially among the civilian population, which

may have at best created an attitude of deep fear in the Angolan people, after so many years of civil war.

Therefore, Angola and Mozambique were for many years one - party states, and, as a result, these two countries did not have traditions of associational life. However, after the introduction of multiparty politics in both states, the Roman Catholic Church played a much more public role in the transition than any other religious denomination or civic organisations. This may be because the Catholic Church had great influence in Angola and Mozambique, partly since the Mozambican General Peace Accords were sponsored by the Catholic congregation of Saint Egidio in Rome. In the case of Mozambique, such successful political initiative contrasted with the initial Churches' relationship with **FRELIMO** that started with the Mozambican Christian Council (**CCM**), an umbrella body uniting seventeen of Mozambique's Protestant churches which were involved in a low-key and confidential dialogue with **RENAMO**, in Washington, D.C., in February 1988.

The contribution of the Catholic Church in the run-up to the elections in Angola and Mozambique was more incisive in the bishops' sharply worded pastoral letters, such as the Pastoral Messages of the Catholic Bishops of Angola dated 11 February, 1993 and 7 March , 1993 and the Pastoral Messages of the Catholic Bishops of Mozambique dated July and December 1994. The principles that underlined these moral-based pastoral letters without any legal enforcing capacity, were among others inculcating virtues of

tolerance and mutual respect, not only among the catholic laity but also among the population in general.

Responding to the challenge of democratic transition, the Catholic Church adopted the public discourse of reconciliation and forgiveness, the meaning of democracy and human rights, to enhance fellowship amongst citizens and political leaders alike. The Catholic Church also expressed its concern about respect of the dignity of every person, the right to associate as well as the right to legal protection. The voting process was regarded within political pluralism, as a birthright that should be stripped of any tribal, regional, ethnic, racial, religious or political consideration to embody the real sense of citizenship. Constraints surrounding the role of a civil society in these transitions were the very Peace processes of Bicesse and Rome, time constraint and limitations on financial and human resources, and the legacy of a one – party - state and armed opposition parties.

Neither the 1991 Bicesse Peace Accords for Angola nor the 1992 Rome Peace Accords for Mozambique did structurally create the conditions for civil society to operate in a more meaningful way, with exception to the Church. Basically the former belligerents were given the most active role in the democratic transition: **MPLA** versus **UNITA** and **FRELIMO** versus **RENAMO**. This situation inhibited the civil society to flourish in these countries which ought to have been a lever to protect and enhance the transitional process by strengthening to legitimise and contain pressures against the commitment to a peaceful and democratic transition.

The Bicesse and Rome Accords were “Partisan Agreements”<sup>64</sup> which did not give much room to civil society in Angola and Mozambique to engage in. Perhaps this was due to time constraint especially in Angola, where the peace process was established in a very short time. Yet in addition to this were the financial and human resources as well as lack of an agenda of action. In the case of Mozambique, the League of Human Rights was financially depended on Scandinavian governments.

The other constraining factor was the legacy of a one – party state in Angola and Mozambique. Although the new legislation provided for the separation of party and state, soon after the introduction of multiparty politics, it was still evident in the politicisation of civil society’s associational life. For instance, in Angola, the assassination in 1992, allegedly by **UNITA** of Dr. David Bernardino, director of the “Jango”<sup>65</sup> newspaper in Huambo, revealed the hatred of independent reporting. The other case was the murder on 18 January 1995 of Ricardo de Mello, the director of “Impartial Fax”<sup>66</sup>, which started in 1994 as an independent press, with investigating corruption within the Angolan government. Mello’s assassination was believed to have been organised by the Angolan government although President Jose Eduardo dos Santos’s timely condemnation of the killing denied any political connotation with such tragic event.

In Mozambique, although it was much better, one witnessed the springing up of newspapers and daily faxed news sheets, such as Mediafax, Metical, Savana, Demos and Megajournal and the emergence of social organisations like the **OTM** (Mozambican workers’ organisation), **CONSILMO** (Mozambican labour confederation), **ORAM**



(Organisation for rural mutual assistance) and **UNAC** (The National peasants union). The murder of Carlos Cardoso of Mediafax on 22 November 2000, compromised the democratisation of the Media. Cardoso was investigating the Banks' privatisation scandal and was very vocal in denouncing the illegal schemes of channeling millions of dollars provided for basic agricultural inputs to peasant households, that had gone missing and Sweden and Norway being the donor countries now demanded the money to be returned. In this regard, Hunguana commenting on State monopoly, Media ownership and democratisation of the Media said: "This democratisation occurs under the firm and clear leadership of the party and the state, and not at the convenience of individuals or small groups of individuals"<sup>67</sup>.

This clearly shows that civil society, of which Media is an integral part, was seen as a serious threat to the fragile foundations of the transition process in these countries, which due to many years of ravaged civil wars and the existence of armed opposition parties made it harder for the creation of institutional space necessary for the establishment of a social democratic society in Angola and Mozambique.