

Maria Curie-Sklodowska University in Lublin

Faculty of Political Science

Miguel Naueje

Presidency In The Political System Of The Republic Of Angola Over The Period
Of 1992-2010

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Associate Prof. Wojciech Sokół, PhD

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Summary in English

In the presented study, the author attempted to reply to several questions concerning the place and role of the President in the political system of the Republic of Angola. Therefore, the aim of the analysis is to examine, among others, the answers to the following research questions: 1) What is the character and conditioning of contemporary Angola?; 2) What were the genesis and developmental stages of Angola's political system?; 3) What was the role of presidential leadership in contemporary political history of Angola?; 4) Does the presidential election in Angola have a competitive character?; 5) What was the dynamics of the political and constitutional status of the President of Angola, as well as the adequacy of those changes for democratization and development of the country?; 6) How does the institutional, political and business background influence the maintaining of a strong presidency in the Republic of Angola? In connection with the aforementioned research questions, pertinent hypotheses were formulated.

The tradition of presidency in the Republic of Angola is not long. It began with achieving independence in 1975 and continues to the present, being still subjected to the process of changes and adaptation to a specific internal and external situation. An institution of Head of State has functioned in Angola within various regimes and government systems which have been in force since achieving independence. The institution of Head of State as a political authority in the country was regulated by the appropriate provisions of the Constitution of the People's Republic of Angola (1975), as well as by the Constitution of the Republic of Angola of 1992 and by the Constitution of 2010.

The institution of the President was established after achieving independence in the People's Republic of Angola, where the political system was based on single-party governance for 17 years. It was impossible at that time to embrace political competition, as well as to run in fair elections to various political authorities in the country. On this account, citizens were deprived of the rights to elect their representatives, to stand for election, to control the government's operations and to influence the political reality. The one-party system with strong presidential power, which was effective in the People's Republic of Angola, resulted in a political monopoly for one party only - the MPLA (*Movimento Popular de Libertação de Angola - the People's Movement for the Libetration of Angola*) whose leader performed the most significant function in the country. Furthermore, the lack of pluralism and openness of the political system contributed to the Civil War, which limited Angola's chances for development and democratization, as well as for proper operation of political institutions which existed at that time.

At the beginning of the 90s of the 20th century, in face of the worldwide collapse of the communist bloc, the ruling party rejected the Marxist ideology and announced striving for introducing democracy and market economy. Consequently, the Angolan society started to hope that political institutions would operate in the proper manner and the government would fulfil its obligations. It was expected that the power would become divided between the particular authorities, specifically between a president, a prime minister, a parliament and a judiciary. In the new system, the President was supposed to represent national unity, pursuit

of freedom, consolidation of state's operations, assurance of peace, unity within the society and recognition of citizens' legal freedom to participate in political life actively. However, the hopes for positive changes proved to be premature. The political system of Angola, which officially incorporated democratic values into its catalogue of constitutional principles within the Constitution of 1992, had some defects from the very beginning.

Implementing the mechanisms of democratic electoral competition in Angola turned out to be a very demanding challenge. Even though the political system became open for political competition and fair election was implemented in the country, the ruling party (MPLA) had still a huge advantage in the Angolan political scene, as the MPLA exercised authority with barely any threat from its political competitors. The governing party controlled all strategic sectors of economy, financial institutions, banks, the media, public television, radio, newspapers and weekly magazines. MPLA's advantage over the opposition was overwhelming.

The Constitution of 1992 introduced a half-presidential system. In comparison to the status of a President of the People's Republic of Angola, there have been some alterations in the new political system concerning his creation, competence and relations with other authorities. According to the election ordinance of 1992, the President was elected in a general and direct election, based on a majority system. In order to win it was necessary to earn more than half of the valid votes cast. In 1992 the winner of the first round of the election was incumbent President José Eduardo Dos Santos. The second round of the election did not take place, as the opposition had withdrawn from the electoral process. Pursuant to the Constitution, president had at that time, among others, the unrestricted right to issue decrees, to hold referenda with the approval of the Parliament, as well as to appoint and depose a prime minister also with the approval of the Parliament. Furthermore, the President was entitled to dissolve the National Assembly and to introduce the state of emergency with the Parliament's approval. The Head of State promulgated the legislation, however he could refuse to sign it. The Parliament was able to repeal presidential veto by qualified majority.

As a consequence of introducing duality within the executive, there were conflicts over competences between the President and the Prime minister. Nevertheless, in the aforementioned case it was the President who had an advantage, as he used his constitutional prerogatives, and above all, his position of the leader of the ruling party to dispose of inconvenient prime ministers.

The culmination of changes from the beginning of the 21st century, and particularly the end of the Civil War resulted in the adoption of a new Constitution in 2010, which defined the political system of the country as a presidential one. The acceptance of new constitutional arrangements was also the effect of a situation which was more appropriate for the political system, as the president's dominance could not be disputed.

According to the presidential system introduced in 2010, the Head of the Office plays a significant role in the political life of the Republic of Angola and possesses enormous power which allows him to pursue an independent internal and external policy. Pursuant to the last basic law of Angola, a president guarantees political stability, symbolises national unity, represents the country and its interests within the region and the world, as well as ensures that provisions of the Law and the Constitution of the Republic of Angola are applied and followed. It lies within his competence to appoint and dismiss as follows: the vice-president, members of the government, ministers, ambassadors, secretaries and under-secretaries of state, governors and vice-governors of each province, the president of the National Bank, judges of the Constitutional Tribunal, and of the Supreme and Administrative Court, as well as prosecutors general and ombudsmen.

On the basis of the Constitution of 2010, the executive duality became dissolved. Thus, the President may choose the members of the government, as well as administer the executive authority independently. Additionally, the President has powers of the legislative authority. He is allowed to make use of his own legislative initiative on the forum of the Parliament, as well as to open the first Meeting of the Parliament. Moreover, he can deliver speeches to the Parliament and address the Nation.

The President plays a special role within internal policy, as he serves as the Head of the State, the chief of the government and the whole executive authority, the chief of the armed forces, as well as the representative of the nation and country. As a Head of the State, the President coordinates and directs the general policy of the country, manages the Government's operations, prepares a preliminary draft budget to be adopted by the Parliament, directs activities of the state administration and its subservient services, as well as determines the number of ministers in the government and their duties. Furthermore, he presents legislative initiative on the forum of the Parliament, defines assignments for vice-president and ministers, confers the status of General on soldiers, as well as appoints and dismisses the chief of police, the chief of national security, and the chief of intelligence and counter-intelligence services.

According to the effective electoral system, the President is elected in general election, as the first candidate of the winning party list. The National Assembly is entitled to initiate a procedure to remove a president from office. However, pursuant to the existing division of power, the President cannot dissolve the Parliament. With the approval of the Parliament, the Head of the State may declare martial law. His objection to laws passed by the Parliament can be overruled by a qualified majority within the National Assembly.

In the light of constitutional declarations, the current system of government has to pave the way for forming the state apparatus, improving the process of political development and holding fair election. It should also enable the citizens to participate in the public life, as well as allow to build trust between the people and the authority. In addition, due to the the present system of government it has to become possible to seek for one's own political and economic model that will match the cultural and ethnic reality of the country, as well as to understand the process of democracy based on African rules, in which state authority needs to be exercised by strong personalities who compel trust, respect and appreciation in the society. Power is concentrated in hands of a single person who holds responsibility for ruling the country and ensuring security.

The political practice in the Republic of Angola is subject to various evaluations. An example of such assessment are rankings of the American organisation Freedom House that prepares an annual report on the state of democracy and freedom in all the countries of the world and some dependent and disputed territories. The Freedom House experts assess the state of democracy in Angola in terms of political and civil rights in a very unfavourable way. Among the significant problems, attention is still drawn to such issues as corruption, nepotism, bureaucracy and a waste of public funds. Authors of the report underline the inconsistency between democratic values that are declared in the Constitution and restrictions on the political practice in terms of political pluralism, liberty of speech, operations of the public media, the right to assembly and other attributes of civil society in Angola. For similar reasons, contemporary Angola was not much better assessed with respect to its economic freedom.

Hypotheses posed in the introduction were verified positively. Hence, the first hypothesis was confirmed, due to which the conditions of recent political history of Angola were conducive to strong presidential leadership. Both political and cultural determinants, as well as conditions of the Civil War and external influences implicated the models of political systems in which the President played a significant role. The second hypothesis was also verified positively. The foregoing presidential elections only partially had a competitive character. The elections fulfilled a function which was characteristic for non-democratic systems, as they, above all, legitimised the political power within internal and external areas, stabilised the political situation, activated the citizens and non-governmental organisations and formed a certain democratic ritual. Similarly, it should be emphasized that the presented analysis has confirmed the third hypothesis. Regardless of the changes concerning a government system and official competences of the President, a strong presidency has always been a permanent element of Angolan statehood. Striving for maintaining it seems to be more important than implementing demands regarding the democratization of the political system. There is also a justification for the fifth hypothesis, according to which the political solutions and an extended institutional,

political and business background that have a huge impact on the strong position of the President.

The demonstrated study has validated the previous thesis that in case of such countries as the Republic of Angola, intents to form a classical system of government is only partially justified. Indubitably, the constitutional solutions of Angola over the period 1992-2010 formally resembled the presidential and half-presidential systems known from Western democratic countries. Nevertheless, the socio-political systems in the country, the established patterns of legal and political culture and the social acceptance for the leadership model in which president has a wide range of effective power, constitute the specificity of the political system of the Republic of Angola. In the light of the conducted analyses, it appears that despite various developmental stages of Angolan presidency, the closest to reality has been always the model of absolutist presidency with the elements of activist presidency.

Summary in English