

## Part 3

### Constitutionalism and Dominant Party Systems



# Chapter 11 The Tortuous Path to Party Institutionalisation in Mozambique

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## 1. Introduction

The political landscape in Mozambique has been characterised by a complex and often contentious process of party institutionalisation. Since the end of the civil war, the adoption of the General Peace Agreement (GPA) in 1992, and the inception of multiparty democracy in the years thereafter, the country has struggled with the establishment of stable and enduring political parties other than the dominant Mozambique Liberation Front (Frelimo), which has held power since independence.

In the course of three decades of multipartyism, Mozambique has shifted from a two-party system, dominated by the Frelimo and Mozambican National Resistance (Renamo), to a single-dominant-party system controlled by Frelimo. To consider Renamo first, it suffered from two breakaways – initially in 2001, with the establishment of the Peace and Development Party (PDD), and again in 2008, with the creation of the Democratic Movement of Mozambique (MDM).<sup>1</sup> In 2024, Venâncio Mondlane, a Member of Parliament (MP) and former advisor to Renamo's president, left Renamo following tensions with its leader. Running as an independent in the presidential election with the backing of the Optimist Party for the Development of Mozambique (PODEMOS), Mondlane emerged as the second most-voted candidate, according to preliminary results from the electoral commission. Taking Renamo's performance in this election into consideration, it is clear that Mondlane drew considerable support from its traditional base, marking what could be regarded as the third major breakaway from the party.

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<sup>1</sup> A Nuvunga and J Adalima, *Mozambique Democratic Movement: An Analysis of a New Opposition Party in Mozambique*, Studies on Political Parties and Democracy Edition, Mozambique, Friedrich Ebert Stiftung (2011), <http://library.fes.de/pdf-files/bueros/mozambique/09174.pdf> (accessed 30 December 2024).

Secondly, as regards Frelimo, its consolidation as the sole dominant party stemmed in good part from its use of state resources for its benefit, which in turn contributed to the erosion of opposition parties, notably Renamo. Amidst this bipartisanship, smaller parties and coalitions struggled to gain traction, facing numerous obstacles to their establishment.<sup>2</sup> As a result, the involvement of political parties in governance besides Frelimo encountered significant constraints, primarily of a legal nature. These challenges arose from the architecture of the Mozambican electoral system, which despite its provision in theory for proportional representation, operates in effect on a winner-take-all basis.

Based on a desktop review and the authors' first-hand research on party politics, this chapter explores Mozambique's tortuous path towards political party development by examining the challenges that party structures face, the influence of historical legacies, and the impact of current electoral dynamics. Through this analysis, we aim to shed light on the broader implications of party institutionalisation for democratic governance in Mozambique.

After this introduction, section 2 delves into the evolution of the party system since the start of Mozambique's democratisation. The section highlights how the two main political parties, Frelimo and Renamo, have marginalised small parties due to these parties' limited role in the peace process. Section 3 considers the legal framework for political parties' institutionalism from a historical perspective by foregrounding, on the one hand, the tension between the provisions of the law and how political parties function in practice, and, on the other, the dominance of Frelimo, which makes it difficult to implement meaningful reforms. Thereafter, the chapter assesses how political parties are nurturing the state of democracy in the country. The conclusions in section 5 underscore that party institutionalisation has been heavily skewed towards a winner-takes-all model. This works primarily to the benefit of Frelimo, and raises the need for reforms that ensure a more inclusive and democratic political framework.

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2 A Nuvunga, "From the Two-Party to the Dominant-Party System in Mozambique, 1994–2012: Framing Frelimo Party Dominance in Context," Erasmus University Rotterdam, Unpublished PhD Thesis (2014); A Nuvunga and M Salih, "Mozambique's 2009 Elections: Framing Democratic Consolidation in Context", 9 (2010) *Journal of African Elections*, pp 34–54; E Sitoe, Z Matsimbe, and A Pereira, *Parties and Political Development in Mozambique*, Johannesburg, EISA Research Report 22 (2005); A Nuvunga and M Salih, "Party Dominance and Electoral Institutions: Framing Frelimo's Dominance in the Context of an Electoral Governance Deficit", 5 (2013) *Africa Review*, pp 23–42.

## 2. The evolution of the party system since 1991

Following a prolonged civil war that spanned 16 years,<sup>3</sup> Mozambique underwent a political transformation when it adopted a new constitution in 1990 and lifted the ban on political parties imposed by the Frelimo government in 1977. The 1990 Constitution provided, *inter alia*, for freedom of expression and the press (Article 48), freedom of assembly (Article 52), political participation (Article 53), and the right to private property (Article 82). Chapter 1(3) declares that “[t]he Republic of Mozambique is a State of law, founded on pluralism of expression, democratic political organisations, and the respect and guarantee of fundamental human rights and freedoms”. Consequently, the prohibition of political parties was lifted, inaugurating a multiparty system in Mozambique through Law No. 7/91 on Political Parties, enacted on 23 January 1991.

Over the past more than three decades of Mozambican democracy, the political-party landscape has undergone significant transformation in two distinct phases – the first saw two-party domination by Frelimo and Renamo, and the second, the growing dominance of Frelimo and the decline of Renamo

### 2.1 1994–2004: Two-party domination by Frelimo and Renamo

The first phase spanned the ten years between the inaugural democratic elections in 1994 and 2004. During this period, Frelimo emphasised its identity as a former liberation movement, drawing on its historical role in leading the country’s struggle for independence from Portugal and securing peace after the conflict with Renamo. Conversely, Renamo positioned itself as the “mother of democracy”, claiming credit for having forced Frelimo to shift from a socialist regime to a liberal democratic system.

In the inaugural multiparty democratic elections of 1994, Frelimo and its presidential candidate, Joaquim Chissano, won with 44.33 per cent and 53.30 per cent of the votes, respectively, while Renamo and its presidential

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<sup>3</sup> The armed conflict between the Frelimo government and Renamo began in 1976 and lasted until 1992. For detailed insight into this conflict, see M Hall, “The Mozambican National Resistance Movement (Renamo): A Study in the Destruction of an African Country”, 60 (1990) *Africa*, pp 39–68; A Vines, “The Business of Peace: ‘Tiny’ Rowland, Financial Incentives and the Mozambican Settlement”, 3 (1998) *Accord*, pp 66–74; A Vines, *Renamo: Terrorism in Mozambique*, London, James Currey (1991).

candidate, Afonso Dhlakama, followed with 37.78 per cent and 33.73 per cent.<sup>4</sup> Ideally, a coalition government between the two parties would have been beneficial, as Renamo lacked experience in operating outside the context of armed conflict. The absence of a coalition government after the 1994 elections marginalised Renamo from post-election discussions about resource allocation. Meanwhile, Frelimo capitalised on its governmental authority to endorse decentralisation policies and strategies, bolstering its political stronghold while eroding Renamo's influence. The governance strategy adopted by state institutions consistently aimed at marginalising and weakening the opposition, particularly Renamo. Consequently, two additional peace agreements were necessitated after the GPA was signed in 1992. Under Dhlakama's leadership, Renamo used the threat of renewed conflict as leverage to pressure Frelimo into addressing key issues, including systemic electoral irregularities.

Despite strong electoral competition, Frelimo emerged victorious once again in the 1999 elections. Under the majority-based electoral system, Renamo's success in key constituencies such as Nampula, Zambézia, Tete, Manica, and Sofala – which together account for nearly two-thirds of the Mozambican population – did not translate into an overall victory. Moreover, Frelimo's narrow victory in 1999 raised suspicions of electoral fraud.<sup>5</sup> The official results reportedly gave Chissano a contentious win, with 2,338,333 votes (52.3 per cent) compared to Dhlakama's 2,133,655 votes (47.7 per cent) – a slim margin of 205,000 votes.<sup>6</sup> In subsequent elections, however, Renamo's performance declined for various reasons, as discussed in the following sections.

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<sup>4</sup> National Elections Commission (CNE), "Official Map of the Results of the Elections of the President of the Republic", I Series, No. 47, 23 November 1994, <https://archive.gazettes.africa/archive/mz/1994/mz-government-gazette-series-i-supplement-dated-1994-11-23-no-47.pdf> (accessed 31 October 2024).

<sup>5</sup> J Hanlon, *25 Anos de Fraude Eleitoral Protegida Pelo Secretismo*, Maputo, Centro de Integridade Pública (CIP) (2024), <https://www.cipmoz.org/wp-content/uploads/2024/02/25-anos-de-fraude-eleitoral-protegida-pelo-secretismo.pdf> (accessed 18 November 2024).

<sup>6</sup> A Van Dokkum, "Moçambique-Eleiçāo Presidencial de 1999, Vitória Infundada" (July 2021), [https://www.researchgate.net/publication/352902547\\_MOCAMBIQUE-ELEICAO\\_PRESIDENCIAL\\_DE\\_1999\\_vitoria\\_infundada](https://www.researchgate.net/publication/352902547_MOCAMBIQUE-ELEICAO_PRESIDENCIAL_DE_1999_vitoria_infundada) (accessed 28 July 2024).

## 2.2 Since 2004: Growing dominance of Frelimo and decline of Renamo

Electoral competition remained strong until 2004, the year of the third presidential and parliamentary elections. The latter marked a further decline in voter turnout: whereas voter participation in the inaugural 1994 elections was high at 89 per cent, it dropped to 79 per cent in 1999 and fell sharply to less than 50 per cent in 2004, reaching just 35 per cent. The decline favoured Frelimo by allowing it to win easily in presidential and legislative elections. Two main factors contributed to this trend.

First, Frelimo changed its presidential candidate, replacing Chissano with Armando Guebuza. Serving as Frelimo's secretary-general from 2002 to 2004, Guebuza leveraged state resources for a two-year election campaign and re-established Frelimo's influence across all provinces and districts, which delivered electoral gains for the party. The second factor relates to Renamo's position. Although Mozambique has a proportional-representation electoral system, the representation it affords does not translate into effective governance, as the President serves as the central authority while Parliament wields only limited influence. This dynamic is due largely to the executive branch's control of both the judiciary and Parliament, which diminishes the effectiveness of opposition parties with seats in Parliament. Additionally, political parties receive little to no funding, with only those represented in Parliament receiving minimal budget allocations to support their operations.

Despite enjoying substantial support, particularly in the central and northern regions, and its significant presence in the National Parliament, Renamo faced challenges in providing resources to its members and supporters.<sup>7</sup> Consequently, disillusioned with the situation, many of them began to abstain from voting, which presented a significant setback for Renamo. At the same time, Renamo suffered from two breakaways due to tensions within its leadership. In 2001 Raul Domingos established the PDD after being expelled from Renamo following the 1999 elections. Domingos had previously served as Renamo's chief negotiator in the 1992 GPA with the Frelimo government and was appointed head of the Renamo parliamentary group after the 1994 elections.

Seven years later, tensions mounted with another important figure in the party, Davis Simango. Simango served as Renamo's mayor of Beira

<sup>7</sup> A Nuvunga, "Mozambique's 2014 Elections: A Repeat of Misconduct, Political Tension and Frelimo Dominance", 16 (2017) *Journal of African Elections*, pp 71–93.

(Mozambique's second-largest and most significant city), delivering a strong performance. However, he faced a surprise replacement by another candidate and eventual expulsion from the party after opposing this decision. Subsequently, in 2009 he ran again for mayor of Beira, this time as an independent candidate, securing victory with 62 per cent of the votes – by contrast, Frelimo's candidate obtained 32 per cent and Renamo's, 3 per cent.

During this period, Frelimo solidified its status as the dominant party in the political landscape, while Renamo's performance faltered.<sup>8</sup> Following the 2009 election, Renamo's president alleged fraud and chose to retreat to the bush to mobilise his forces against Frelimo's ongoing violations of the GPA. This escalated tensions, resulting in localised confrontations between government forces and Renamo's soldiers. Following negotiations (supported by Mozambique's development partners), a second peace agreement was signed in 2014 between Dhlakama and then President Guebuza. The agreement marked the end of the military hostilities which had persisted since 2012,<sup>9</sup> paving the way for elections that led to Frelimo's new leader Filipe Nyusi's rise to power in 2014.

### 2.3. Since 2018: The consolidation of Frelimo's dominance

The death of Afonso Dhlakama in 2018 further weakened Renamo's position. Ossufo Momade succeeded him, but his ascent was not the result of internal democracy and caused discomfort within the party ranks. Momade's leadership has been widely criticised as lacking charisma and marked by perceived weakness. Having served as an MP for 20 years following the 1994 elections, he had lost touch with the grassroots and become accustomed to the comforts of urban life in Maputo. Renamo,

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8 Bertelsmann Stiftung, BTI 2020 Country Report – Mozambique, Gütersloh, Bertelsmann Stiftung (2020), [https://btiproject.org/fileadmin/api/content/en/downloads/reports/country\\_report\\_2020 MOZ.pdf](https://btiproject.org/fileadmin/api/content/en/downloads/reports/country_report_2020 MOZ.pdf) (accessed 30 December 2024); CanalMoz, “Ultrapassado Obstáculo Guebuza/Páunde: Antigos Combatentes Abrem Espaço Para Outros Pré-Candidatos”, *Facebook*, 24 February 2014, [www.facebook.com/CanalMoz/posts/607318489337252/](https://www.facebook.com/CanalMoz/posts/607318489337252/) (accessed 22 February 2024).

9 Voice of America (VOA), “Governo e Renamo Assinam Acordo para o Fim das Hostilidades”, *VOA Português*, 24 August 2014, <https://www.voaportugues.com/a/governo-e-renamo-assinam-acordo-para-o-fim-das-hostilidades/2426618.html> (accessed 18 November 2024).

under Momade's leadership, has not effectively challenged the government since Dhlakama's death. Consequently, it lost its ability to pose a credible threat to Frelimo, particularly after Nyusi and Momade signed another peace agreement in 2019.<sup>10</sup>

Following this agreement, the rapid dismantling of the remaining Renamo military bases sparked speculation that Momade had been influenced by Frelimo to sever ties with these bases, lead the party from Maputo, and embrace its status as the second-largest party in parliament. Contrary to his predecessor, Momade accepted the Special Status of Leader of the Second-largest Party in Parliament,<sup>11</sup> which grants him funds from the state budget amounting to nearly USD 1 million per year – these are allocated to his office without any requirement of accountability.<sup>12</sup>

The 2023 local elections revealed Momade's apparent lack of drive to secure political power. After initially calling for nationwide protests over alleged electoral fraud, he directed leaders to halt the demonstrations despite Renamo's refusal to recognise the results. When they refused to comply with Momade's instructions, they faced legal charges. The police accused them of inciting public disobedience, which led to their house arrest until the end of their terms as mayors of Nacala Porto and Nampula municipalities. In Maputo, Mondlane (at the time an MP for Renamo) had police encircling his residence.<sup>13</sup> Once again, Renamo's top leadership, notably Momade, remained conspicuously silent on these developments, a silence that persists to this day. The sections below highlight the challenges of implementing the country's legal framework on political parties.

10 A Sebastião, "Moçambique: Nyusi e Momade Assinam Acordo de Paz", *Deutsche Welle*, 1 August 2019, <https://www.dw.com/pt-002/moçambique-nyusi-e-momade-assinam-acordo-de-paz-na-gorongosa/a-49845768> (accessed 22 February 2024).

11 See Law No. 33/2014 of 30 December 2014. Dhlakama did not accept the privileges associated with that role, such as a government-provided residence, state security, or state budgetary support. He chose instead to rely on resources he could mobilise independently, which enabled him to retreat to the bush and rally his soldiers in response to government actions that undermined Renamo.

12 E de Salema, "Estatuto Especial do Líder do Segundo Partido com Assento Parlamentar", *Carta de Moçambique*, 10 June 2020, <https://cartamz.com/index.php/opiniao/carta-de-opiniao/item/5341-estatuto-especial-do-lider-do-segundo-partido-com-assento-o-parlamentar> (accessed 22 February 2024).

13 Centro Para Democracia e Direitos Humanos (CDD), "Frelimo Está a Usar a Justiça Como Arma de Arremesso Contra Opositores Políticos", 20 December 2023, <https://cddmoz.org/wp-content/uploads/2020/07/Frelimo-esta-a-usar-a-Justica-como-arma-de-arremesso-contra-opositores-politicos.pdf> (accessed 22 February 2024).

### 3. The legal framework regulating political parties

Law No. 7/91 on Political Parties sets the legal parameters governing the formation of political parties and delineates their operational guidelines. It is regarded as one of Mozambique's progressive statutes, given that it provides ample room for citizens to establish political parties and engage in political-party activities irrespective of ethnicity, race, or religion. Despite criticisms that it is deficient when it comes to addressing illicit political financing, its fundamental principles uphold fairness and inclusivity in the political domain.<sup>14</sup>

The legal framework acknowledges and safeguards political parties as the rightful institutions for organising the country's political landscape. Consequently, parties have a central role in the electoral process as entities that shape and guide democratic exercise. However, the Constitution does impose limitations: Article 76 states that party names containing expressions directly related to any religious confessions or churches are prohibited, as is the use of emblems that can be confused with national or religious symbols. Additionally, since 2018, it is up to the Constitutional Council to decide on the legality of the statutes of political parties and coalitions, as well as the legality of actions challenging elections and deliberations by political-party bodies.<sup>15</sup>

#### 3.1 Parliamentary thresholds for political parties

The foremost challenge to multipartyism in Mozambique lies in the historical and political trajectory the country has followed since the GPA was signed in 1992, a trajectory that perpetuates the marginalisation of parties other than Frelimo and Renamo. Concerning power-sharing, the two parties agreed that a threshold of 5 per cent of the national vote is necessary to secure seats and form a parliamentary group. As a result, in 1994, none of the smaller parties could form parliamentary groups save for the coalition known as the Democratic Union, which obtained 5.2 per cent.

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14 E Cortez, A Orre, B Fael, et al., *Costs and Consequences of the Hidden Debt Scandal of Mozambique*, Moçambique, Centro de Integridade Pública (CIP) and Norway, Chr. Michelsen Institute (2021), <https://www.cmi.no/publications/file/7841-costs-and-sequences-of-the-hidden-debt-scandal-of-mozambique.pdf> (accessed 27 February 2024).

15 Article 243(2)(e) and (f) of the Constitution, as amended in 2018.

Moreover, under the proportional representation system, the size of a parliamentary group determines the number of its members who are eligible to sit on Parliament's Permanent Committee (CPAR) and its sub-committees. Generally, the heads of each parliamentary group sit on the CPAR, which is responsible for coordinating the activities of the plenary, sub-committees, and national groups. For sub-committees, members are nominated by the groups and then elected by the plenary. Vote declarations are made in person, and are exclusive to each parliamentary group. Each group nominates a member to be elected as the Speaker. Parliamentary groups can propose laws.<sup>16</sup> Parties with parliamentary seats are also entitled to have representatives in all other state bodies, based on proportional representation in Parliament. This mechanism allows political parties with seats in Parliament to have representatives in electoral bodies and the Constitutional Council.

In 2004, the 5 per cent electoral threshold was abolished after extensive debate about its impact on smaller parties' ability to enter Parliament. However, this change did not increase smaller parties' presence in Parliament. Parliamentary rules introduced in 2009 stipulated that a political party needed at least nine elected MPs to form a parliamentary group. In that year's election, the newly formed MDM won only eight seats, falling short of the requirements to establish a parliamentary group under existing rules. However, a later revision of the parliamentary regulations lowered the threshold to eight MPs, allowing the MDM to establish a parliamentary group. This change solidified its position as the third-largest party in Parliament, where it remains represented to date. This arrangement aimed to break the two-party system by introducing a third party. However, in practice, it remains largely a two-party system, given that the MDM is not regarded as influential enough to shift the political landscape and that its presence in Parliament is seen as purely symbolic.

### 3.2 The status of political parties in the electoral system

Unlike the previous constitution that was adopted in 1990, the current Constitution, adopted in 2004, includes a section outlining the general principles of the electoral system. Its Article 135(1) states that "universal, direct, equal, secret, personal and periodic suffrage constitutes the gener-

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16 Articles 183(1)(b) and 196 of the Constitution.

al rule for designating the holders of the elective bodies of sovereignty, provinces and local power". In the same vein, Article 135(3) provides that

the supervision of elections registration and all electoral acts are the responsibility of the National Elections Commission (CNE), an independent and impartial body, whose composition, organisation and functioning and powers are established by electoral law and regulated by law.

In 2018, a constitutional amendment introduced provincial assemblies. In addition, independent candidates are now allowed for the presidential position, while all other positions – such as those for the National Parliament, provincial assemblies, provincial governors, and local authorities – are still limited to candidates nominated by political parties.

Since the advent of multiparty elections in 1994, political parties have been represented in electoral bodies such as the CNE and the Technical Secretariat for Electoral Administration (STAE). This arrangement, facilitated by then UN Secretary-General, Boutros Boutros-Ghali, was designed to build trust between Frelimo and Renamo. At the time, Renamo saw participation in these electoral bodies as essential for monitoring the electoral process and influencing it in its favour. However, this was far from the case because the proportional representation system favoured Frelimo, with its majority in Parliament allowing it to exert influence on the composition of these bodies from the national to district level.

Despite recent changes permitting the inclusion of members of civil society organisations, Frelimo's dominance remains unchallenged. This is because such organisations must still submit their candidates' names for approval via political-party representatives within these institutions. Additionally, the government has the prerogative to appoint an extra member. As a result, the governing party controls the CNE through its parliamentary majority and the government appointee. As for STAE, the general director is appointed by the government and is a public official, whereas the two deputies are chosen by the majority parties in Parliament (Frelimo and Renamo). This structure is mirrored at the national, provincial, and district levels.

This partisan arrangement is also evident in the Constitutional Council, the institution responsible for ruling on electoral disputes and validating election results produced by electoral bodies. Five of the seven Constitutional Council judges are appointed by Parliament according to proportional representation. The other two are appointed separately: one by the

President, who also serves as the President of the Constitutional Council, and the other by the Superior Council of the Judiciary.<sup>17</sup>

This underscores Frelimo's significant influence on electoral governance, which undermines the independence of electoral bodies and contributes to the "Freylimisation" of public institutions. Moreover, the electoral system, based on closed lists, not only grants the mandate solely to the political party, which retains the prerogative to recall elected MPs but, crucially, also makes re-election contingent on the favour of the party leadership rather than the popularity or performance of the individual MP.

Implementing meaningful reforms is challenging because the state is controlled entirely by Frelimo by its majority parliamentary representation. Additionally, nominated members often lack the necessary technical capacity. Therefore, under the dominant-party system currently prevailing in Mozambique, the independence of electoral administration bodies increasingly appears to be a mirage.

### 3.3 Intra-party democracy

Article 74(2) of the Constitution states that political parties' internal structure and functioning must be democratic. However, internal democracy in Mozambique's political parties remains notably limited, despite what their statutes may claim. Apart from Frelimo, most parties do not hold regular elections, and when elections do occur, they are often marred by exclusion, manipulation, and corruption. In some cases, candidates are physically barred from running, as in the case of Renamo in 2024, while others face internal mechanisms or directives that are designed to exclude them, such as Frelimo's process for nominating presidential candidates for 2024. Exacerbating this problem is the lack of institutions for overseeing and regulating internal democracy within political parties. This gap in oversight is a significant weakness in upholding standards of internal democracy. The discussion below takes up this theme by examining the state of internal democracy in Mozambique's major political parties in greater detail.

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<sup>17</sup> Article 241(1) of the Constitution, as amended in 2018.

### 3.3.1 Frelimo

As mentioned, Frelimo is the only political party in Mozambique that consistently holds internal elective conferences from the local to the national level. This is facilitated by the overlap between the party and the state, given that Frelimo's leaders often hold key government positions and leverage state resources for political activities, especially during election periods.

While Frelimo may project an image of having a relatively democratic culture, particularly in internal election processes, there are indications of authoritarian tendencies among the party's leadership. For instance, during the succession process following Guebuza's tenure in 2014, an attempt was made to limit the pool of presidential candidates.<sup>18</sup> However, internal pressure, especially from the Association of Combatants of the National Liberation Struggle,<sup>19</sup> forced the party to expand the candidate pool and include two additional names.<sup>20</sup>

A similar situation unfolded during the selection of Frelimo's presidential candidates in 2024. The party's central committee initially shortlisted three candidates, but further names were proposed during the plenary, ultimately leading to the election of Daniel Chapo as Frelimo's presidential candidate. Provincial leadership elections in Gaza and Zambézia were also marred by interference. In Zambézia, when the candidate favoured by the Maputo leadership was not elected, the results were nullified and the provincial committee leadership was disbanded for failing to secure the national leadership's preferred candidate.

### 3.3.2 Renamo

Despite branding itself as a champion of democracy, Renamo exhibits significant deficiencies in its democratic culture. Although the party has been

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<sup>18</sup> CanalMoz, "Nervosismo na Frelimo. Paúnde Diz Que Não Há Espaço Para Mais Candidatos", *Facebook*, 13 December 2013, [https://www.facebook.com/140291742706598/posts/580570602012041/?locale2=es\\_LA&paipv=0&eav=AfZLrlWW-Wb\\_vw\\_rDgzPWPEsGrylokaQCvs7RItkBMc97Oh7oSv4fNhTSIqtnF1\\_lNg&\\_rdc=1&\\_rdr](https://www.facebook.com/140291742706598/posts/580570602012041/?locale2=es_LA&paipv=0&eav=AfZLrlWW-Wb_vw_rDgzPWPEsGrylokaQCvs7RItkBMc97Oh7oSv4fNhTSIqtnF1_lNg&_rdc=1&_rdr) (accessed 27 February 2024).

<sup>19</sup> CanalMoz, *supra* n. 8.

<sup>20</sup> L Matias, "Luísa Diogo e Aires Aly Adicionados à Lista de Pré-Candidatos da Frelimo", *Deutsche Welle*, 27 February 2014), <https://www.dw.com/pt-002/luisa-diogo-e-aires-aly-adicionados-à-lista-de-pré-candidatos-da-frelimo/a-17463936> (accessed 27 February 2024).

represented in the National Parliament and some municipalities, it has not transformed itself internally from a guerrilla movement to a conventional political party. Until Dhlakama's passing away, Renamo operated both as a political party and a military organisation.

During periods of tension with the government, Renamo's generals who were not MPs often claimed to be the "owners" of the party, a move designed to legitimise decisions that benefit the leadership. However, there have been two notable instances of a lack of internal democracy in Renamo: the selection of Momade to succeed Dhlakama as the leader of the party,<sup>21</sup> and Momade's response to Mondlane's scrutiny of his leadership following the 2023 local elections.

Momade's term as party president expired in January 2024, prompting Mondlane to file a precautionary measure with the Judicial Court of Maputo City demanding the scheduling of a party congress and the annulment of dismissals by Momade that were allegedly beyond his mandate. Mondlane argued that this would "restore democracy" within the party. The court ruled in his favour, requiring Renamo's president to call an elective congress in which Mondlane was a candidate.<sup>22</sup> However, on the day of the congress, he was barred from entering the venue by security despite his being a legitimate delegate, causing him to miss the election. Momade was re-elected with 57 per cent of the vote.<sup>23</sup> Three months later, Mondlane, who had been a member of Renamo for six years, renounced his party membership.<sup>24</sup>

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21 Throughout its more than 30 years of existence, Renamo has had only two presidents.

22 Alto Molocue Court, Precautionary Notice No. 8/2024, pp 34–36. See *Carta de Mocambique*, "Sucessao na Reanamo: Tribunal ordena Renamo a Admitir Venâncio Mondlane no Congresso", 15 May 2024, <https://www.cartamz.com/~cartamzc/index.php/politica/item/16601-sucessao-na-renamo-tribunal-ordena-renamo-a-admitir-venancio-mondlane-no-congresso> (accessed 1 November 2024).

23 "Ossufo Momade reeleito para a presidência da Renamo", *Ikweli*, 17 May 2024, <https://ikweli.co.mz/2024/05/17/ossufo-momade-reeleito-para-a-presidencia-da-renamo/> (accessed 29 October 2024).

24 N Mboane, "Venâncio Mondlane já não é Membro da Renamo nem Deputado do Parlamento", *O País*, 3 June 2024, <https://opais.co.mz/venancio-mondlane-ja-nao-me-mbro-da-renamo/> (accessed 29 October 2024).

### 3.3.3 The MDM, other parties, and extra-parliamentary groups

When the MDM was formed in 2009, it appealed to many as an alternative to the two-party system, but disillusionment was soon to come. The party has been criticised for its alleged lack of internal democracy, particularly during the tenure of its founder, Daviz Simango.

According to the MDM's statutes, the authority to create and dissolve its political committee rests with the party's congress. However, in violation of these statutes, Simango dissolved the political committee just 10 months after the party's founding, citing the need to introduce a new dynamic in its operations. This sparked an internal power struggle between the party's office in Maputo – home to the general secretariat and other governing bodies – and Beira, where the office of the party president was located. In 2010, Simango appointed his elder brother, Lutero, as head of the MDM parliamentary group, a decision widely seen as the peak of Simango's practice of allocating senior party positions to family members.<sup>25</sup> Simango's leadership became a point of contention within the party, with figures such as the mayor of Nampula, Mahamudo Amurane, accusing him of disregarding democratic principles, resisting power alternation, and unilaterally selecting party members for the National Assembly.<sup>26</sup>

When Simango passed away in 2021, his succession was contentious due to his centralised management style. As the elective congress approached, none of the succession candidates were publicly known except for Lutero Simango. This posed a dilemma: choose an unknown candidate, or support Lutero Simango, which would reinforce the perception that the MDM was in effect a Simango family enterprise.<sup>27</sup> Ultimately, Lutero Simango was elected party president, securing 87.9 per cent of the vote.<sup>28</sup>

The situation among extra-parliamentary parties is even more challenging, as they lack the resources to function effectively as institutions. Only

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25 Nuvunga and Adalima, *supra* n. 1, p 28.

26 "Amurane diz que MDM e Daviz não são alternativa para Moçambique", *Moçambique Terra Queimada*, 30 May 2017, <https://ambicanos.blogspot.com/2017/05/amurane-diz-que-mdm-e-daviz-nao-sao.html> (accessed 27 February 2024).

27 VOA, "Analista Fernando Lima alerta para o colapso do MDM na eleição de um líder anónimo", *VOA Português*, 8 June 2021, <https://www.voaportugues.com/a/analista-fernando-lima-alerta-para-o-colapso-do-mdm-na-elei%C3%A7%C3%A3o-de-um-l%C3%ADder-an%C3%B3nimo/5921156.html> (accessed 29 October 2024).

28 "Mozambique: Lutero Simango Elected President of the MDM", *Club of Mozambique*, 6 December 2021, <https://clubofmozambique.com/news/mozambique-lutero-simango-elected-president-of-the-mdm-206196/> (accessed 29 October 2024).

the president is widely known in most small parties, and the party headquarters often operate as the president's domain. In such circumstances, internal democracy is essentially non-existent.

### 3.3.4 Conclusions on intra-party democracy

The absence of internal democracy in parties, coupled with opaque political and electoral financing practices, not only fosters vote-buying within party ranks but also leaves parties susceptible to illicit funding and money laundering. This undermines the institutionalisation of political parties on two fronts. First, it sustains Frelimo's political dominance at the expense of other viable parties, a trend that in turn erodes the overall quality of governance in the country; and, secondly, it diminishes the ability of political parties to aggregate and articulate societal interests, thus curtailing their role in fostering democracy, development, and peace.<sup>29</sup>

Internal democracy in Mozambique's parties is notably feeble. In all parties, especially those with representation in Parliament – Frelimo, Renamo, and MDM – the cult of party leadership is prevalent. It is a state of affairs reinforced by the organisational structures and operational dynamics of these parties, as well as the design of the electoral system itself. This has resulted in a decline in parties' popular legitimacy, as evidenced by increasing electoral abstention and diminishing vote shares in successive elections.

## 3.4 Financing of political parties

Mozambique lacks a dedicated law regulating the financing of political parties. Instead, the issue is addressed inadequately by three separate laws that focus on funds from the state budget while neglecting private financing. This omission creates an avenue for parties to finance themselves through funds of dubious provenance, such as the proceeds of corruption, kidnappings, drug trafficking, and money laundering.

Apart from Law No. 7/91 on Political Parties, the relevant laws regulating party finance are Law No. 2/2019 (enacted on 31 May 2019), which delin-

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<sup>29</sup> A Nuvunga, *supra* n. 2; A Nuvunga and E Sitoé, "Party Institutionalisation in Mozambique: 'The Party of the State' vs the Opposition", 12 (2012) *Journal of African Elections*, pp 109–142.

eates the legal procedures for the election of the President of the Republic and MPs; and Law No. 3/2019 (also issued on 31 May 2019), which set out the legal framework for the election of members of provincial assemblies and provincial governments. According to Article 17 of the Law on Political Parties, financing may be sourced from (a) contributions from party members; (b) donations and legacies; (c) funds allocated in the general state budget; and (d) other forms of financing. There is no explicit mention of private financing, which creates a potential gap in funding under Article 17(d). This omission, coupled with the absence of a regulatory mechanism, might be facilitating the exploitation of illicit financing channels.

Frelimo enjoys access to state resources, which gives it a significant advantage over the opposition in several ways. First, Frelimo affiliates hold positions in public entities ranging from state corporations to government agencies and diplomatic missions, allowing it to command an extensive patronage network. For instance, within Frelimo's Political Commission, the party's highest governing body, key ministers are appointed to lead internal working commissions aimed at channelling funds to the party. For the 2024 elections, for example, the Prime Minister and the Minister of Finance headed a working group on Finance and Logistics. This practice came to light during a scandal in which the former Minister of Finance had been crucial in securing an illegal loan for the country without parliamentary approval.

According to Article 178(2)(p) of the Constitution, it is the responsibility of Parliament to authorise the government to contract loans that extend beyond a fiscal year and set the limits for guarantees to be issued by the state. It is alleged that large bribes were paid to secure contracts to supply boats and equipment to state-owned companies in Mozambique. The deal was funded by USD 2 billion in loans by the London branches of Credit Suisse and VTB Capital. Bankers working for Credit Suisse have admitted to receiving millions of dollars in kickbacks to arrange the deal.<sup>30</sup> Recently, the issue was brought before a New York court in a case implicating Frelimo's leadership. Documents revealed that bank transfers totalling about USD 10 million were used to finance the party's campaign.<sup>31</sup>

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30 D Namburete, "How Public Interest Litigation Led to Invalidation of Illegal Mozambican Debt", *Afronomics Law*, 4 August 2020, <https://www.afronomicslaw.org/2020/08/04/how-public-interest-litigation-led-to-invalidation-of-illegal-mozambican-debt> (accessed 11 November 2024).

31 Cortez et al., *supra* n. 14, p 11.

Another party-funding irregularity surfaced in 2021, when it emerged that, between 2012 and 2021, the Tax Authority, headed by a member of the Frelimo Political Commission, had allowed the Frelimo party to import goods valued at about USD 7.6 million while evading approximately USD 3 million in taxes through customs exemptions.<sup>32</sup>

Moreover, Frelimo's campaign funding often stems from public entities, with the State Participation Management Institute being one avenue through which such financing occurs.<sup>33</sup> Additionally, Frelimo operates a holding company, SPI-Gestão e Investimentos SARL, which secures profitable contracts with the state and strengthens its financial resources.<sup>34</sup> In contrast, the opposition lacks similar avenues for accessing resources, resulting in a heavily skewed and unequal playing field as regards financial backing.

In the absence of specific legislation governing private financing, the prevailing trend is for entities to seek to finance Frelimo in exchange for lucrative contracts with the state. This pattern benefits the ruling party significantly, enabling it to solidify its power base and prolong its term in office.

#### 4. Political parties, organised crime, and the state of democracy

Numerous studies highlight that Mozambique is a significant transit and consumption hub for drugs, with the indications being that the drug trade thrives under the protection provided by Frelimo.<sup>35</sup> For example, Mohamed Bachir Suleman, named a drug baron by the United States government in

32 B Nhamirre, *Financiamento Político Ilícito em Moçambique: da Manipulação do Procurement Público à Venda de Isenções Aduaneiras*, Maputo, CIP (2022), <https://www.cipmoz.org/wp-content/uploads/2022/05/Financiamento-politico-licito-illicito-em-Mozambique-1.pdf> (accessed 26 February 2024).

33 Evidências, “Saque às Empresas Públicas: As Boladas do Fim de Mandato”, 25 March 2021, *Evidências*, <https://evidencias.co.mz/2021/03/25/saque-as-empresas-po-sisublicas-as-boladas-do-fim-de-mandato/> (accessed 27 February 2024).

34 “Moçambique para todos”, *Macua*, 17 November 2010, [https://macua.blogs.com/moambique\\_para\\_todos/2010/11/spi-o-bra%C3%A7o-financeiro-da-frelimo.html](https://macua.blogs.com/moambique_para_todos/2010/11/spi-o-bra%C3%A7o-financeiro-da-frelimo.html) (accessed 27 February 2024).

35 CDD, “Beatriz Buchili Deve parar de se Lamentar e Atacar os Grandes ‘Barões’ da Drogas Dentro da Frelimo Porque tem Mecanismos para o Fazer”, 4 February 2024, <https://cddmoz.org/wp-content/uploads/2020/07/Beatriz-Buchili-deve-parar-de-se-lamentar-e-atacar-os-grandes-baroes-da-droga-dentro-da-Frelimo-porque-tem-mecanismos-para-o-fazer.pdf> (accessed 27 February 2024).

2010, has been a major financier of Frelimo's campaigns for many years. His support dates back to the Chissano era in the 1990s and continued until recent years. In May 2007, Chissano presided over the inauguration of the Maputo Shopping Center – then the largest in Mozambique and owned by Suleman. Suleman frequently donated to Frelimo as well as senior officials in the police and tax authorities. In 2009, *Savana*, a weekly newspaper, reported that Suleman contributed USD 1 million to President Guebuza's election campaign. He was also invited to a fundraising dinner for Frelimo's 2014 presidential candidate, Nyusi. However, Suleman does not appear to be well-regarded within Nyusi's inner circle.<sup>36</sup>

Collusion between political parties – particularly Frelimo – and drug networks has fuelled rampant organised crime in Mozambique. Kidnappings, for example, have become increasingly common over the past decade. It is estimated that nearly 150 businesspeople have been kidnapped over the last 12 years, with 100 others reportedly leaving the country out of fear for their safety.<sup>37</sup> The outlook therefore appears bleak, given the significant challenges facing the institutional development of political parties. Frelimo, in particular, is marred by internal factional conflicts that extend to the functioning of the state. These intense struggles within the party, driven by opportunism, hinder its political evolution, transforming it into a battleground for individuals lacking a national developmental agenda.

There have been allegations of politicians involved in organised crime, as evidenced by numerous incidents. In November 2022, a Frelimo MP representing the Zambézia constituency was allegedly linked to drug trafficking by the National Criminal Investigation Service of Zambézia.<sup>38</sup> Renamo brought this issue to Parliament, prompting the creation of a parliamentary

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36 J Hanlon, *Heroína continua sendo uma das maiores exportações*, Maputo, Centro de Integridade Pública (CIP) (2018), <https://www5.open.ac.uk/technology/mozambique/sites/www.open.ac.uk.technology.mozambique/files/files/Heroina%20continua%20sendo%20uma%20das%20maiores%20exportac%C3%A7%C3%A3o%C3%A7%C3%A3o.pdf> (accessed 1 November 2024).

37 Agencia Lusa, "Mozambique: Almost 150 Business People Kidnapped, 100 Left the Country over 12 years – CTA", *Club of Mozambique*, 25 July 2024, <https://clubofmoambique.com/news/mozambique-almost-150-business-people-kidnapped-100-left-the-country-over-12-years-cta-262758/> (accessed 1 November 2024).

38 CDD, "CPI vai Concentrar-se na Informação de Venâncio Mondlane e não no Crime de Tráfico de drogas Envolvendo um Deputado", 23 December 2022, <https://cddmoz.org/wp-content/uploads/2020/07/CPI-vai-concentrar-se-na-informacao-de-Venancio-Mondlane-e-nao-no-crime-de-trafico-de-drogas-envolvendo-um-deputado-1.pdf> (accessed 11 November 2024).

commission of inquiry to investigate allegations of a drug kingpin among the MPs. The commission consisted of seven members: four from Frelimo, two from Renamo, and one from the MDM.<sup>39</sup> In the end, it found no evidence implicating any MP in the drug trafficking case that arose in Zambézia province.<sup>40</sup>

These dynamics unfold against a backdrop where the youth feel unrepresented by Frelimo or any other party. However, the entrenched political culture within these parties stifles the emergence of alternative political forces capable of championing youth interests and mobilising those who feel disconnected from the electoral system, thus perpetuating their marginalisation.

Hence, political parties are failing to fulfil their role, leading to repercussions that undermine both the present and future state of democracy in Mozambique. Despite three decades of democratic journey, the people have not reaped its benefits. There has been a notable absence of democratic dividends, resulting in stagnant living conditions for many. While democracy remains valued by Mozambican citizens, the latest Afrobarometer results suggest growing scepticism towards democracy as mediated through political parties.<sup>41</sup> Additionally, political instability, including the conflict in Cabo Delgado's northern region, may also stem from the lack of democratic dividends over the past 30 years. The prospect ahead is thus one fraught with continued challenges in the foreseeable future.

## 5. Conclusion

Political-party development in Mozambique has been characterised by significant challenges and dynamic shifts, all of which shape the current

39 Orfeu Lisboa, “Moçambique: Deputado Suspeito de Envolvimento em Tráfico de Drogas”, *Radio France Internationale (RFI)*, 29 December 2022, <https://www.rfi.fr/pt/%C3%Alfrica/20221229-mo%C3%A7ambique-deputado-suspeito-de-envolvimento-e-m-tr%C3%Alfico-de-droga> (accessed 11 November 2024).

40 Folha de Maputo, “Não há envolvimento de deputado no caso de tráfico de drogas, avança a AR”, *Folha de Maputo*, 2 March 2023, <https://www.folhademaputo.co.mz/pt/noticias/nacional/nao-ha-envolvimento-de-deputado-no-caso-de-trafico-de-drogas-avanca-a-ar/> (accessed 22 November 2024).

41 Afrobarometer, “Fewer than Half of Mozambicans Feel ‘Completely Free’ at the Ballot Box, Afrobarometer Survey Shows”, *Afrobarometer*, 24 October 2023, <https://www.afrobarometer.org/wp-content/uploads/2023/10/News-release-Fewer-than-half-of-Mozambicans-feel-%E2%80%99completely-free-in-voting-Afrobarometer-24oct23.pdf> (accessed 1 November 2024).

political landscape. The entrenched dominance of Frelimo, coupled with internal divisions in Renamo and the marginalisation of smaller parties, points to a complex pattern of party institutionalisation, one with profound implications for democratic governance.

This chapter has underscored the fact that while Mozambique theoretically operates under a proportional representation system, political practice leans heavily towards a winner-take-all model that disproportionately favours Frelimo. This imbalance weakens parliamentary oversight, reducing the legislature to a body that largely rubber-stamps the dominant party's agenda. Consequently, the popular legitimacy of parties has waned through rising electoral abstention and diminishing vote shares in successive elections. Furthermore, the persistent use of state resources by the ruling party to consolidate power, alongside legal and institutional barriers faced by emerging parties, highlights a democracy still in its nascent stages and struggling to ensure a level playing field for all political actors. This environment has also provided fertile ground for criminal syndicates to operate within political parties and exert influence on the political system. Coupled with historical legacies and evolving electoral dynamics, these factors present formidable obstacles to the growth of a robust democracy.

Mozambique must hence undertake comprehensive electoral and political reforms and bolster institutional mechanisms that foster a more equitable and representative political landscape. This entails revising electoral laws, building the capacity and independence of electoral institutions, and cultivating a political climate conducive to diverse participation and genuine competition. The Constitutional Council should be transformed into a Constitutional Court, with members elected through the same process as other judges rather than being appointed by Parliament, which risks politicisation. The Constitutional Court must have a clear mandate to decide on electoral matters. Additionally, the CNE and STAE should be depoliticised and restructured into technical and independent institutions with appointments made through a public selection process. STAE should be legally and administratively subordinate to the CNE. Moreover, a robust political-party financing law is essential, alongside an independent institution to oversee party expenses. This institution should monitor sources of funding and expenditures during election campaigns.

A more inclusive and democratic political framework in Mozambique demands sustained efforts from all stakeholders, including political parties, civil society, and international partners. By addressing the entrenched challenges outlined in this chapter, Mozambique can chart a course towards

a more democratic and stable political future, one reflective of its diverse populace and responsive to the needs and aspirations of all its citizens.

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