

TITLE PAGE

**MALAWI'S TRANSITION FROM NEO-COLONIAL RULE: FROM A
'CULTURE OF SILENCE TO A CLAMOUR OF VOICES?'**

By

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DECLARATION

I declare this thesis to be entirely my own work except where otherwise stated in the text.

A handwritten signature in black ink, appearing to read 'Domoka Lucinda Manda', is written over a horizontal dotted line. The signature is fluid and cursive.

Domoka Lucinda Manda

DEDICATION

I dedicate this thesis to my beloved parents, Ron and Hazel Manda.

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I extend my deepest gratitude to my supervisor, Ms Alison Jones. I am immensely grateful to her for her consistent patience and constant guidance throughout the course of this year.

Thanks are also due to my parents and siblings for constantly supporting and motivating me throughout this year. Without their constant support and love, I may never completed this task.

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ABSTRACT

The phrase a 'culture of silence' is attributed to Jerry Rawlings in the late 1980s, at a time when he was military head of state in Ghana. The irony is that he appeared to be complaining about the 'culture of silence' created by his own military regime. In a 'culture of silence' the masses are mute, that is, they are prohibited from taking part in the transformation of their society. In a neo-colonial state, a 'culture of silence' is imposed on the masses and peace and order are guaranteed by ferocious repression.

The basic premise that motivates this research is that the neo-colonial state, a by-product of the colonial state was influential in imposing the 'culture of silence' and fear in the lives of ordinary people. As such, a defining feature of the neo-colonial state, it is argued, is a 'culture of silence'. Definitions and analysis of the neo-colonial state follow lines of arguments put forward by African writers such as Claude Ake, Ngugi wa Thiong'o and Mahmood Mamdani. Within this broad paradigm of neo-colonialism, and analysis of Banda's Malawi is developed which pays particular attention to a 'culture of silence'. This in turn leads to an examination of the effect of liberalization on political and civic space in Malawi.

The dissertation then, examines civil society activities, during the period of transition of the Malawian state from *de jure* one-party to *de jure* multiparty. Here the key research question are: to what extent has an expansion of political space been accompanied by an expansion of civic space, and how, if at all, do civil society organizations ensure that government pays attention to the diversity of voices of the Malawian people? Are traditionally marginalized voices now heard? The objective is to examine to what extent the 'culture of silence' has been dismantled in terms of the opening up of political and civic space in order to enable a 'clamour of voices' to be heard.

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INTRODUCTION

1 Hypothesis

A 'culture of silence' emerges in a society due to the authoritarian tendencies of the state. In Africa, the emergence of a 'culture of silence' typically occurs in the neo-colonial state. Malawi under the Banda regime arguably is emblematic of the neo-colonial genre. Economic and political liberalization create a window of opportunity, not least through a Bill of Rights protected by an independent judiciary, for an opening up of civic space, enabling a 'clamour of voices' to be heard.

2 Research Problem

By taking Malawi as emblematic of on-going transitions from neo-colonialism in Africa today, and by interrogating selected aspects of civil society discourse and activities in today's Malawi, this dissertation aims to isolate and outline some of the areas of change as well as of continuity in the transition from neo-colonialism. The research problem therefore, is to uncover elements of meaningful change or otherwise as revealed by a process of qualitative research. Thus, the research methodology is twofold: (a) theoretical and analytical and (b) empirical and interrogatory. For both sections, neo-colonialism and legacies of neo-colonialism are deployed in the organizational framework.

3 Political context of the research

Particularly in the last decade, academic discourse about 'civil society' and 'democracy' has stimulated much research and lively debates within and across academic disciplines. "For many scholars and donors, civil society is an instrument, perhaps the most important one, which will make states more democratic, more transparent and more accountable".¹ As the quotation indicates, discourse about democracy and civil society tends to regard the two concepts as intertwined. It is therefore not surprising that democratisation initiatives in Africa would bring with

¹ Kasfir, N. (ed) (1998) Civil Society and Democracy in Africa. London: Frank Cass, p.1.

them a renewed interest in civil society activities. Generally, civil society is deemed a central tenet of the 'broader democracy project' and runs parallel with calls and campaigns for greater accountability and transparency from the public sector.²

In addition, when considering democratisation in African states, the pressure from foreign donors cannot be ignored. By the end of the 1980s Africa's military and single party regimes were looking increasingly antiquated in the light of changes elsewhere in the world, for example, the democratising initiatives that took place in Latin America, and Asia. The international financial institutions such as the World Bank and the International Monetary Fund began to insist that aid and investment had to be linked to political reform. Thus, around the end of the 1980s political conditionality was added to the economic conditionality that had emerged around a decade earlier.³ In retrospect, these external influences were very important in laying the groundwork for formal democracy. However, "it was often the resourcefulness, dedication, and tenacity of the continent's nascent civil societies that initiated and sustained the process of democratic opening and political liberalization".⁴

4 Concepts, methodologies and sources

Two broad concepts are utilized in this dissertation. The first is the concept of neo-colonialism. The second is the concept of civil society. The former informs the research in section one of this dissertation. The latter concept informs section two. However, of these two concepts, neo-colonialism is given primacy. This is because civil society in Malawi is perceived as emergent, that is, emerging from an era of neo-colonialism. It has therefore not coalesced and consolidated its existence.

² Kotze, H. Barbeton, C. & Blakc, M. (1998) Creating Action Space: The Challenge of Poverty and Democracy in South Africa. IDASA: David Phillips Publishers, p.81.

³ Wiseman, J. (ed) (1995) Democracy and Political Changes in Sub-Saharan Africa. London: Routledge, p.3.

⁴ Gyimah-Boadi, E. (1997) 'Civil Society in Africa: the good, the bad, the ugly', in <http://www.civnet.org/journal/issue1/egboadi.html>

4.1 The neo-colonial paradigm

Nkrumah's paper 'Neo-colonialism in Africa' can be regarded as a starting point for the discourse about neo-colonialism in Africa from the 1960s onwards. In this paper, Nkrumah argued that independence from colonialism is not much more than technical. Even though independent in name, "these countries continue the classical relationship of a colonial economy to its metropolitan patron".⁵ In fact, the former colonizing powers, international financial institutions, and superpowers such as the United States moved covertly and manipulatively in creating client states whose leaders in fact became pawns.⁶ These colonizing powers continued to exercise decisive influence on the economics, policies, and educational and cultural institutions of 'flag independence' African countries. Without the means to establish their own political and economic autonomy, African states became dependent countries, "compelled to continue within the old colonial framework".⁷

Nkrumah's argument has since been modified and extended by a variety of African and Africanist scholars. Thus, literature and theoretical debates are extensive. This dissertation privileges the work of respected and reputable African and Africanist scholars such as Ake (1981) Ngugi (1998) and Mamdani (1996). It also draws on general texts such as Chazan (1988), Chabal (1992) and Smith (1983) to name a few.

The method used is theoretical, analytical and comparative, that is, arguments are summarized and compared in light of similarities and differences. Features common to perceptions of neo-colonial states are then filtered and lifted. Banda's Malawi is then discussed and examined according to the general listed themes. The same method is method of analysis is applied. However, a major difference is that the literature on neo-colonialism in Malawi is relatively thin as compared to the wealth of literature on neo-colonialism in Africa. The former factor imposes limitations on Malawian research. As such, some of the authors are frequently referred to. For example, in this section, authors such as Williams (1978), Short (1974) and Phiri and Ross (1998) are constantly cited.

⁵ Nkrumah, K. 'Neo-Colonialism in Africa', in Mutiso, G. & Rohio, S. (ed) (1975) Readings in African Political Thought. London: Heinemann, p.420.

⁶ Ibid, p.419.


⁷ Ibid, p.420.

In the second section, the concept of civil society is discussed with specific reference to the arguments of Mamdani (1996), Monga (1996) and Chabal (1992). These works were chosen because of the author's emphasis on the effects of neo-colonialism on an emergent civil society. More specifically, utilizing Africanist perspectives of civil society, certain characteristics are highlighted. Again, a theoretical, analytical and comparative method is utilized.

This dissertation then shifts into empirical, qualitative research and data analysis. This is conducted and based on the findings obtained from the three strata of civil society in Malawi, namely, the religious community, women's organizations and the academic community. The methods of inquiry are empirical and interrogative. However, it must be noted that the choice to these three organizations was attendant on time and access. This section thus tackles a variety of issues depending on the specific nature and role of the organization within the Malawian context. In addition, general themes are highlighted and discussed to discern common perceptions within the Malawian context.

5 Chapter outline

In light of the above, the organizational framework of this dissertation begins by utilizing modes of analysis that examine neo-colonialism in Africa. Included in the first chapter are the impact and legacies of colonialism in order to illustrate a sense of continuity by post-independence African leaders. General themes on neo-colonialism are noted and lifted. These themes are then utilized to place the Malawian state in comparative perspective, and in particular, within the neo-colonial framework of analysis. This is the aim of chapter two. The third chapter examines the effects of neo-colonialism on political and civic space. Particular attention is paid to the Banda regime and how it systematically created a 'culture of silence'. Following from here, chapter four discusses the concept of civil society and particular reference is paid to the specific features of civil society in Africa. This chapter sets the scene for the qualitative analysis that follows. Chapter five discusses the methods of qualitative data analysis and explains why the three strata of civil society were chosen. Chapter six thus examines the activities of civil society in Malawi and also highlights specific



perceptions pertaining to the current context. Chapter seven provides the reader with concluding remarks with specific reference to the findings in the data analysis.

SECTION ONE: THE NEO-COLONIAL STATE IN AFRICA – A MALAWIAN CASE STUDY

CHAPTER ONE: THE NEO-COLONIAL STATE

1.1 The concept of the State

The African continent is one which encompasses “a rich mosaic of peoples, cultures, ecological settings and historical experiences. Therefore the political map of Africa captures the complexity that is the essence of the continent”.¹ In the first part of this chapter I examine the basic concept of contemporary African politics: the state.

As Chazan *et.al.* argue, “The concept of the state is inevitably elusive”.² However, they point out that it is scarcely a new concept in political analysis in both Europe and Africa. More importantly, growth in literature on the state in Africa began in the decade that followed the first wave of independence. Indeed, during most of the 1960s, the African state was virtually ignored.³ However, in the following decade, scholars began to examine the nature of the state in Africa. During this period, as Nyong'o argues, “the state was conceptualised (and rarified) as an instrument of capitalist exploitation”.⁴ Samoff adds that the state from this point of view, “was seen as synonymous with the ruling class, and special emphasis was placed on understanding the process of class formation, its characteristics, and its implications”.⁵ Neo-Marxists, on the other hand, sought to “dissociate the state from the ruling class by pointing out that although there is an affinity between the state and dominant groups, the two terms are hardly coterminous”.⁶ This was a marked departure from the latter definition. This shift in emphasis sought to explain that although “state institutions may reflect and in fact even

¹ Chazan, N. & Mortimer, R. & Ravenhill, J. & Rothchild, D. (1988) Politics and Society in Contemporary Africa. Boulder, Colorado: Lynne Rienner Publishers, p.4.

² Ibid, p.36.

³ Ibid, p.36.

⁴ Anyang'Nyong'o, P. (1983) cited in Chazan, N. *et.al.* (1988) *op cit*, p.37.

⁵ Samoff, J. (1982) cited in Chazan, N. *et.al.* (1988) *op cit*, p.37.

⁶ Ake, C. (1981) A Political Economy of Africa. London: Longman, pp.126-127.

produce social forces and conflicts; they are however, quite clearly distinct empirically”.⁷ Clearly from these two examples, Africanist scholars differed in their interpretations and conceptualisations of the state in Africa. This ultimately depended upon the angle from which they were viewing the state in Africa: namely, from the liberal perspective or the Marxist-Leninist perspective. However, throughout the vast amount of literature that has been generated, and depending on which side of the fence a scholar positioned him or herself, there is substantial agreement on the general definition of the state. Generally speaking, the state is seen as “the organized aggregate of relatively permanent institutions of governance”.⁸ It is therefore portrayed and defined as “the apex of the political system”⁹ or as “an instrument of exercising power and control”.¹⁰ It is also depicted as an organ that comprises “autonomous bureaucratic apparatuses of domination endowed with its material interests and political agendas”.¹¹ It is also argued that because the bureaucratic apparatus of the state is endowed with such features (as mentioned above), the ruling class therefore seek to dominate and control the state “through the creation and implementation of binding rules”¹² in order to ensure their domination over other institutions within the state. In short, the state, together with its bureaucratic apparatus, comprises “decision making structures (executives, parties, parliaments), decision-enforcing institutions (bureaucracies, parastatals, and security forces), and decision-mediating bodies (primarily courts, tribunals, and investigatory committees)”.¹³ Indeed, this is how most observers tended to characterize, describe and classify the post-colonial state in Africa in its basic format. In the sphere of analysis, the functioning of state institutions was the main focus of scholars in the 1960s and 1970s.

However, it was also during the decade of the late 1960s and 1970s that it dawned on scholars that a much fuller explanation was needed. The need for a more holistic analysis was a product of the socio-economic malaise in Africa which (analysts inferred) was

⁷ Chazan, N. *et.al.* (1988) *op cit*, p.37.

⁸ Duvall, R. & Freeman, J. R. (1981) cited in Chazan, N. *et.al.* (1988) *op cit*, p.37.

⁹ Chabal, P. (1992) Power in Africa. New York: St Martin’s Press, p.70.

¹⁰ Chazan, N. *et.al.* (1988) *op cit*, p.37.

¹¹ Fatton, R. (1992) Predatory Rule: State and Civil Society in Africa. Boulder, London: Lynne Rienner Publishers, p.1.

¹² Chazan, N. *et.al.* (1988) *op cit*, p.38.

¹³ *Ibid*, p.37.

reflective of endemic political problems. Therefore, understanding the root of this problem required a deeper analysis of the state in Africa. From here, various modes of analysis or approaches to analysing the post-independence state in Africa emerged. From the various perspectives that emerged, it was clear that there was little consensus among the proponents of each view. However, for the purposes of this thesis, I argue that there is a distinction between the descriptive (post-colonial) and the normative (neo-colonial) modes of analysis, as it is the latter that forms the conceptual basis of my thesis, especially regarding state-society relations that emerged in Africa from approximately 1960 onwards.

1.2 The state of scholarship from 1960s onwards

It is arguable that the descriptive (post-colonial) and the normative (neo-colonial) modes of analysis are divided into two main streams: Western empiricism (purportedly 'value-free' and hence, descriptive), and the neo-Marxist dependency analysis (by definition, anti-imperialism, anti-capitalism, anti-bourgeoisie, and pro-workers and peasants, hence implicitly value laden, even if it is called 'scientific'). Of these two dominant modes, each served the epistemological positions of the Americans and Soviets respectively. Each epistemology was narrowed down to hegemonic political ideologies: liberal democracy of the West and Marxism-Leninism of the Soviet bloc. During the post-independence decades, numerous academics descended on Africa, each armed with his or her theories of development.¹⁴ The theory and theme of American empiricism in particular was modernization theory that was shaped to fit the perceived requirements of 'developing nations'. Dependency theory, on the other hand, was the neo-Marxist answer to American modernization theory. In this sense, Africa became an ideological, epistemological and methodological battleground between East and West. The term 'post-colonial' has tended to be used mainly by Western political analysts, arguably to indicate a 'neutral' or descriptive mode. 'Neo-colonial' on the other hand, was used largely by scholars like Claude Ake, Samir Amin and others working within the

¹⁴ See Staniland, M. (1991) American Intellectuals and African Nationalists, 1955 – 1970. New Haven: Yale University Press.

dependency school, to critique conversion of imperialism into neo-imperialism, and the continuing exploitation of African resources and labour by developed nations.¹⁵

The evolution of this battleground stemmed from the quest for spheres of influence: namely, ideological, military and economic. One must remember that this period was when the Cold War between the Soviet bloc and the West was underway. Furthermore, these theories were based on the socio-economic malaise that bedevilled the continent. For example, in economic terms, the performance of most African countries had fallen far short of the vision of progress and well being anticipated by the leaders of anti-colonial movements. In addition, internal conflicts weighed heavily on the capacity of states to peacefully govern themselves and achieve some level of economic prosperity. But most importantly, many African leaders in an effort to gain total control, centralized power by establishing one-party states that attempted to control all facets of people's lives – that is the social, political and economic.¹⁶ In military dictatorships any expression of dissatisfaction towards government was likely to meet with heavy penalties.¹⁷ This ultimately led to the muting of opposition forces and an intolerance of dissenting opinions. This suppression of dissenting views thus altered state-society relations. The literature increasingly characterized the African state as statist and authoritarian. In some cases, leaders of post-independence states began to operate in a similar manner to that of their colonial predecessors.¹⁸ Therefore, it is arguable that the term 'post-colonial' was coined in acknowledgment of the extent to which African states were still shaped by their colonial inheritances. It is also arguable that many of Africa's problems were deepened and extended by Cold War competition, which resulted in financial aid for African dictators, irrespective of ethical considerations. It is against this background that modernization and dependency theories should be reviewed.

¹⁵ See, Ake, C. (1981) *op cit*. Also see Amin, S. (1976) *Unequal Development*, Sussex: Harvest Press.

¹⁶ Examples of states that replaced multi-party with one-party constitutions during the 1960s and 1970s are: Kenya, Zaire, Cote d'Ivoire, Zambia and Malawi.

¹⁷ Examples of states that became military dictatorships (no-party states) in the same period are: Nigeria, Niger, Libya, Ghana and Burkina Faso.

¹⁸ Examples of personalized authoritarian leadership following in colonial footsteps are: Mobutu Sese Seko of Zaire; Hastings Kamuzu Banda of Malawi; Daniel arap Moi of Kenya; Felix Houphuet-Boigny of Cote d'Ivoire.

Modernization theory “emanated from the West and was closely related to developments in United States political science in the 1950s”.¹⁹ The representatives of this discourse claimed to put the ‘science’ into political science, and engaged with newly independent African states as scholars and consultants. “Early studies conducted on African politics were mostly written from a modernization perspective, or political development perspective”.²⁰ Its analysts assumed that a focus on transformation from traditional to modern environments would lead to a generalizable theory of development, and in addition, put an end to Africa’s woes. Modernization theory was captured in two processes: economic and political. Underlying these processes was the basic premise that purported: if Africa followed a particular path of development it would be able to catch up to the West through “rapid industrialization, increased economic activity and interaction, what would be achieved is an acceleration of growth”²¹ that would benefit the state and “establish procedures for equitable resource allocation”.²² In political terms, modernization implied institutional expansion, the rationalization of government apparatus, power concentration, some measure of political participation, and an augmentation of capacities in order to meet growing demands.²³ Through this prescribed model of development, the modernization theorists attempted to construct ‘value-free’ depictions of the *modus operandi* of African states in the late 1960s and 1970s. However, Western empiricist conceptions of development were not to go unchallenged.

In the 1970s and 1980s, a new school of thought, neo-Marxist dependency/underdevelopment theory came into vogue and sought to challenge Western empiricism. This group of scholars operated on the opposite assumption that African progress was being impeded by forces (international and domestic), bent on exploiting the continent’s resources.²⁴ This school of thought used Lenin’s theory of imperialism as its baseline, and argued that the West, by peddling capitalism and liberalism, had altered the structural relationship between the First World and the Third World, and therefore

¹⁹ Chazan, N. *et.al.* (1988) *op cit*, p.14.

²⁰ Ibid.

²¹ Rist, G. (1997) The History of Development: From Western Origins to Global Faith. London: Zed, p.78.

²² Chazan, N. *et.al.* (1988) *op cit*, p.14.

²³ Higgot, R. A. (1983) cited in Chazan, N. *et.al.* (1988) *op cit*, p.14.

²⁴ See Chazan, N. *et.al.* (1988) *op cit*, p.16.

had given rise to the incapacitating syndrome of dependency. Likewise, they argued that chronic problems of underdevelopment and poverty in African states largely were the consequences of Western neo-imperialism. Mamdani in his critique of modernization theory succinctly summarises the emergence of dependency theory.

Dependency theory emerged as a powerful critique of various forms of unilinear evolutionism. It rejected both the claim that the less developed countries were traditional societies in need of modernization and the conviction that they were backward pre-capitalist societies on the threshold of a much-needed bourgeois revolution.²⁵

Bayart offers us a different perspective on the origins of the dependency school of thought. He in a sense opposes the theory's application to Africa.

The dependency school, originated in the observation of Latin American economic patterns. Its application to Africa gave rise to an increase in dogma and hypocrisy rather than to a careful study of political dynamics.²⁶

Mamdani's critique of certain trends in dependency theory gives a more precisely argued picture than Bayart's. He argues, "alongside modernization theory and orthodox Marxism, it came to view social reality through a series of binary opposites".²⁷ These opposites, such as developed/underdeveloped; capitalist/pre-capitalist, arguably are predicated on the defining dichotomies of the Cold War: West/East; capitalist/communist. In this argument, it is apparent that the history of African states between 1960 and 1989 was a peripheral reflection of Cold War at the centre. This reflection is itself rooted in imperialism. Colonial rule, by extending capitalism to their colonies or protectorates, "created some fundamental affinities between the African economy and that of the colonizing power".²⁸ Thus, colonial rule, whilst integrating African economies into the world's capitalist system simultaneously "promoted complimentary or interdependence, albeit unequal interdependence between the African economies and the metropolitan economies".²⁹ Another prominent scholar, Immanuel Wallerstein, allied himself with the dependency school, but in doing so, transferred his

²⁵ Mamdani, M. (1996) Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism. Princeton: Princeton University Press, p.9.

²⁶ Bayart, J. F. (1992) 'Civil Society in Africa'. *Journal of International Affairs*, Vol. 46, No. 2, p.60.

²⁷ Mamdani, M. (1996) *op cit*, p.9.

²⁸ Ake, C. (1981) *op cit*, p.36.

²⁹ Ibid, p.36.

interest in the analysis of post-colonial regimes to an analysis of the world system.³⁰ He argued “one of the characteristics of a peripheral zone is that the indigenous system is weak, moving from its non-existence (i.e., from its colonial existence) to a state with weak autonomy (i.e., a neo-colonial situation).”³¹

Whereas modernization theorists perceived the state as an instrument of power and control, dependency theorists acknowledged the influence of society – but only in terms of state generated systems of class differentiation and class struggle. Hence, in the final analysis, both schools saw the state as the key factor in analysis. However, from approximately the mid-1980s onwards, Western analysis widened to include African societies within its conceptual framework. As Chazan puts it:

By the late 1970s, therefore, both Marxists and Liberal researchers, working from parallel, albeit inverted, paradigms, made an attempt to reorient their work so that it could focus more squarely on specific processes occurring in Africa.³²

Chazan explains that this was called the statist approach to the study of African politics. Political analysts working within this framework “sought to uncover the characteristics of the African states in the independence periods”.³³ This included looking into patterns of governance, leadership styles and issues such as patrimonialism, nepotism and corruption. During the 1980s, writers focused their research on state-society interactions. However, in the mid to late 1980s, the paradigmatic shifts in global intellectual discourse due to the demise of the Communist bloc, saw the privileging of civil society in African studies.

The privileging of civil society coincided with a normative trend in Western scholarship attendant on the collapse of Soviet style communism, which was seen as a revolution from below, powered by influential social movements in Eastern Europe. This paradigm of civil society in opposition to an authoritarian and corrupt state was transferred to Africa and utilized to explain the activities of social movements in the 1990s, and the demand for constitutional reform and multi-party elections. Western scholars, donor

³⁰ Bayart, J. F. (1992) *op cit*, p.62.

³¹ Wallerstein, I. (1950) cited in Bayart, J. F. (1992) *op cit*, p.63.

³² Chazan, N. *et.al.* (1988) *op cit*, p.19.

³³ *Ibid*, p.19.

countries and international financial institutions distinguished between liberalizing states (the 'good') and unreformed authoritarian states (the 'bad'). In the decade after 1989, and attendant on the 'triumph of the West', much Western discourse about Africa was highly normative, and Western aid was tied in with the state's willingness to democratise.

What of neo-Marxist dependency discourse and the neo-colonial state? The end of the Cold War on Western terms had an inevitable effect of neo-Marxist scholarship. However, in Africa at least, the need to resist neo-liberalism and the worst effects of structural adjustment programs, particularly on disadvantaged sectors of the population, continues to be reflected in the (post-Marxist) literature. In many respects, 'democratisation' is seen as superficial, especially when incumbent parties and presidents have rigged elections and used their economic muscle to get themselves returned to power, and where political space is still largely restricted to the governing party, (that is, where opposition parties are weak, divided and lacking funding) and where civic space is still endangered and somewhat silent. Here, the neo-colonial paradigm continues to be applied, for instance, in the analyses of Ngugi wa Thiong'o and Claude Ake, published since 1989. Also, Mamdani has made valuable contributions to post-Cold War analyses of politics in Africa in which he uses the concepts 'post-colonial' and 'neo-colonial' interchangeably.³⁴

Since 1989, African novelists, playwrights, literary critics and philosophers such as Appiah, Achebe, Soyinka, Quayson and Mapanje have defined and described a post-colonial condition closely tied in with state violence, authoritarianism, oppression and the silencing of civic voices and dissent. For example, Mapanje commenting on the oppressive and repressive apparatuses of post-colonial states in order to silence dissent argues that "censorship ultimately protects African leadership against the truth". He further argues, "The situation has become so serious that writers, scholars and others must in their role as defenders of truth, must take stern measures to counteract this

³⁴ See Ake, 'Democratization and Disempowerment' in Hippler, J. (ed) (1995) The Democratisation of Disempowerment. London: Pluto Press. See Thiong'o, N. (1997) Writers in Politics. Oxford: James Currey. See, wa Thiong'o, N. (1998) Penpoints, Gunpoints and Dreams. Oxford: Claredon Press. See Mamdani, M. (1996) Citizen and Subject: The Contemporary Africa and the Legacy of Late Colonialism. Princeton: Princeton University Press.

development”.³⁵ His position is in line with Ngugi wa Thiong’o who argues that the artist and the intellectual cannot be divorced from politics. He writes: “Often the writer and the politician have been the same person. In the very process of articulating the people’s collective consciousness the writer is led into active political struggles”.³⁶ Like Mapanje, Ngugi argues that it is the duty of the writer to empower the people by making them aware of the political situation within their respective countries. In general, African scholars today use the term ‘neo-colonial’ to denote an era of oppression and suffering, and a ‘culture of silence’ which is by no means over. The concept is a useful instrument for reasoned, critical analysis, which, however, cannot be divorced from its normative content. Nor should it be, I believe. To apply so-called neutral, ‘value-free’, strictly descriptive analysis to an Africa wracked by poverty, disease and non-revolutionary violence³⁷ is to insult the humanity of Africans! For this reason, among others, this dissertation gives priority to the term ‘neo-colonial’. In addition, the dissertation includes the impact and legacies of colonialism as explanatory factors for the complexity of problems and dilemmas facing post-independence Africa.

Many political analysts have explored the impact of colonialism in Africa. I will refer to some of the core themes raised by a selection of writers in order to lay the groundwork for a contextual understanding of African states in general. Once the general themes have been noted, my aim is to place the Malawian state in comparative African perspective, and in particular, within a neo-colonial framework of analysis as this paradigm is best suited for analysis of Malawi.

1.3 From colonial to neo-colonial

³⁵ Mapanje, J. ‘Prison as Exile/Exile as Prison’, in Anyidoho, K. (ed) (1997) The Word Behind Bars and the Paradox of Exile. Evanston, Illinois: Northwestern University Press, pp.4-5.

³⁶ wa Thiong’o, N. (1997) Writers in Politics. Oxford: James Currey, p.69.

³⁷ Mamdani, M. (2001) Making Sense of Non-Revolutionary Violence: Some Lessons from the Rwandan Genocide. *The Annual Frantz Fanon Lecture*, University of Durban-Westville, 8 August, pp.1-17.

Commenting on the political colonization of Africa, Smith notes: “Trading missions and interests often paved the way for such annexations”.³⁸ This, he argues, was part and parcel of the wider process of creating European territories. However, the particular annexations in overseas territories, the whole process of European colonial expansion, and its central product, the colonial state, cannot be explained in purely economic terms.³⁹ Other factors need to be incorporated into the broad scheme of annexation.

To begin with, it is important to differentiate between the two concepts ‘imperialism’ and ‘colonialism’. Smith aptly highlights that:

It is perhaps worth recalling that the terms ‘colonialism’ and ‘imperialism’ signified political principles and structures. Imperialism referred to the unprincipled acquisition of territories overseas, usually by force of arms. Colonialism, in turn, denoted a system of legislation in a different and politically dependent territory, with its mainly European features adapted to local conditions.⁴⁰

It is the latter concept that this section examines. As noted earlier, the impact of colonialism in Africa lays the groundwork for understanding the contemporary African state. For instance, Mamdani argues that all states in Africa looked alike and “their structures everywhere shared certain fundamental features”.⁴¹ However, it is important to note that their genesis differed and it is therefore important to assess the impact of colonial rule and how it may have contributed to the process of state formation in Africa, as well as to trace the common features of colonialism.

To begin with, perhaps the most common feature of all colonial systems was the way in which Europe went about defining its territories. European powers carved up a map of Africa without regard for the integrity of existing cultural groups, ethnic, linguistic and religious identities and state systems. The lines of demarcation were, as often as not, drawn so that ethnic communities were divided up between different colonial units.⁴² As

³⁸ Smith, A. D. (1983) State and Nation in the Third World. Great Britain: St Edmundsbury Press, p.25.

³⁹ Smith, A. D. (1983) *op cit*, p.25.

⁴⁰ Ibid, p.26.

⁴¹ Mamdani, M. (1996) *op cit*, p.16.

⁴² Smith, A. D. (1983) *op cit*, p.27.

a result, some large ethnic groups were split between colonial states. Chazan contributes to this theme by stating that: “The new boundaries not only divided existing political entities but more significantly, frequently compelled groups that had no history of ongoing ties to relate to each other”.⁴³ Maxwell Owusu echoes Chazan’s analysis in his depiction of Europe’s ‘scramble for Africa’. “Colonial boundaries were arbitrarily drawn, often splitting up communities, families, ethnic groups and cultural units, thereby either destroying or undermining many indigenous structures and institutions of authority”.⁴⁴

Another enduring problematic brought to Africa by imperialism is the means by which colonial administrations attempted to ensure the subordination of colonial peoples by whom they were vastly out-numbered. Two broad forms of rule were imposed: direct rule or indirect rule depending on whether the colony was a settler colony or a protectorate. Direct rule was Europe’s initial response to the problem of administering colonies. Under direct rule:

There would be a single legal order, defined by the ‘civilized’ laws of Europe. No ‘native’ institutions would be recognized. ‘Natives’ would have to conform to European laws and only those ‘civilized’ would have access to European rights. Civil society, in this sense, was presumed to be civilized society, from whose ranks the ‘uncivilized’ were excluded. For the vast majority of ‘natives’, that is, for those ‘uncivilized’ direct rule signified an unmediated-centralized- despotism.⁴⁵

In contrast, indirect rule came to be the mode of domination over a ‘free’ peasantry. Under indirect rule:

Peasant communities were reproduced in the context of a spatial institutional autonomy. The ‘tribal’ leadership was either selectively reconstituted as the hierarchy of the local state or freshly imposed where none had existed. Here political inequality went alongside civil inequality. Both were grounded in a legal dualism. Alongside received law was implemented customary law that regulated non-market relations. For the subject population of ‘natives’, indirect rule signified a mediated-decentralized-despotism.⁴⁶

⁴³ Chazan, N. *et.al.* (1988) *op cit*, p.13.

⁴⁴ Owusu, M. ‘Democracy in Africa: A View from the Village’, in Nyang’oro, J. E. (ed) (1996) Discourses on Democracy: Africa in Comparative Perspective. Dar es Salaam: Dar es Salaam University Press, p. 277.

⁴⁵ Mamdani, M. (1996) *op cit*, p.16-17.

In sum, Mamdani argues that the colonial state in Africa was “Janus-faced, bifurcated. It contained two forms of power under a single hegemonic authority”.⁴⁷ The type of state that was created therefore depended essentially on the nature and objectives of the colonialists. Part of their state structuring was adopted from the metropolitan country, and the other from the traditional practices of the indigenous population.⁴⁸ In Mamdani’s analysis of the colonial state in Africa, is a depiction of a legal and political superstructure constructed and invented to control and manage colonial territories acquired through conquest. An authoritarian state is suspended above the people it controls and manages.

Another common feature of all colonial administrations was the overarching authority of a governor. Smith points out that, “colonialism operated essentially on the gubernatorial principle: a governor, appointed by the metropolitan political authorities, was vested with supreme powers in the colony and represented the colony to the metropolitan”.⁴⁹ In other words, although the colonial state had local bureaucratic structures, it answered to, and often acted under the direct orders from the metropolitan centre. In such a system, bureaucratic machinery was the main agent of government and the chief instigator of social, political and economic policies. Furthermore, the bureaucratic apparatus of the colonial state was infused with the authoritarian power of the governor. As Gann and Duignan conclude, “colonial empires had set an example of authoritarian government”.⁵⁰

Furthermore, to this model of authoritarian power and privilege must be added the precedent of violence and repression set by the colonial state. Crowder points out that “the colonial state was conceived in violence rather than by negotiation, and it was maintained by the free use of it”.⁵¹ Mamdani reinforces this point: “colonial rule was

⁴⁶ Ibid, p.17.

⁴⁷ Ibid, p.18.

⁴⁸ Schraeder, P. J. ‘Political Elites and the Process of Democratisation in Africa’, in Hippler, J. (ed) (1995) *The Democratisation of Disempowerment*. London: Pluto Press, p.46.

⁴⁹ Smith, A. D. (1983) *op cit*, pp.27-28.

⁵⁰ Gann, L. H. & Duignan, P. (1982) cited in Diamond, L. *et.al.* (1988) Democracy in Developing Countries: Africa. Boulder, Colorado: Lynne Rienner, p.7.

⁵¹ Crowder, M (1987) cited in Diamond, L. *et.al.* (1988) *op cit*, p.7.

enforced with a whip, by a constellation of customary authorities – and, if necessary, with the barrel of a gun, by the forces of the central state”.⁵² Mamdani’s analysis of violence, like many others, is indebted to Franz Fanon’s. In highlighting the inherent violence of the colonial state, Fanon argues that: “Their (*the indigenous population*) first encounter was marked by violence and their existence together – that is to say the exploitation of the native by the settler – was carried on by dint of a great array of bayonets and cannons”.⁵³ Colonizers free use of violence and coercion was the feature that gave colonial rule the systemic qualities it possessed.⁵⁴ Resistance and protest were always forcibly and bloodily repressed and, in retrospect, “colonial rulers set the precedent of dealing with opponents by jailing or exiling them”.⁵⁵

From the combination of systemic violence and state bureaucracy suspended above the people, another feature emerges which is common to all colonial states. As Smith puts it, colonial social relationships tended to mirror this split between state and society, creating for the most part a kind of ‘parallel society’ in which the social structures formed by the administrative apparatus were superimposed upon those of the subordinate population.⁵⁶ As Fanon described it: “The colonial world is a world cut in two. The zone where the natives live is not complimentary to the zone inhabited by settlers”.⁵⁷ The lines drawn between these two compartments of social existence are not only the produces of racist ideologies, but also mark the differences in lifestyles. Thus, argues Fanon, “in the colonies the economic structure is also the superstructure”.⁵⁸ The zone inhabited by the settlers is markedly different to the zone inhabited by the indigenous people. In the former, there is there is good security, clean streets, paved roads, good sanitation and spaciousness. In the latter, there is hunger, disease, poor sanitation, crime, violence and poverty.⁵⁹ This kind of separation arguably has a psychological impact on the

⁵² Mamdani, M. (1996) *op cit*, p.50.

⁵³ Fanon, F. (1965) ‘Concerning Violence’, in Mutiso, G. & Rohio, S. (1975) Readings in African Political Thought. London: Heinemann, p.236.

⁵⁴ Smith, A D. (1983) *op cit*, p.28.

⁵⁵ Crowder, M. in Diamond, L. *et.al.* (1988) *op cit*, p.7.

⁵⁶ Forster, E. M. (1924) cited in Smith, A. D. (1983) *op cit*, p.29.

⁵⁷ Fanon, F. (1965) *op cit*, in Mutiso, G. & Rohio, S. (1975) *op cit*, p.237.

⁵⁸ *Ibid*, p.237.

⁵⁹ See Fanon, F. (1965) *op cit*, in Mutiso, G. & Rohio, S. (1975) *op cit*, p.237 as he alludes to the type of syndrome.

perceptions of indigenous peoples whereby they begin to feel that being white means the opportunity to accumulate wealth.

Another common feature of colonial rule is located in its educational policies. Smith argues that colonial systems of education on the whole were divided by the “ideology of trusteeship and more dynamic belief in their civilizing mission towards the indigenous populations”.⁶⁰ For instance, British educational policy in the colonies was developed under the guise of preparing the local population for self-rule. Education was largely concentrated in urban areas where a small minority of the people were educated through the medium of Western values, beliefs and culture. To put it simply, they were taught what was believed to be the essential qualities of the West. As a result, argues Fanon, “the native intellectual accepted the cogency of these ideas, and deep down in his brain you could always find a vigilant sentinel ready to defend the Graeco-Latin pedestal”.⁶¹ Colonial educational policies not only resulted in the deliberate fostering of a small educated elite that identified with the values and principles of the West, but it also resulted in the creation of an elite-mass, urban-rural dichotomy. According to Afolayan, this divide between urban educated elite and rural masses was encouraged by, for example, the British, “to assure their own hegemony while forestalling the emergence of a mass-based, supra-regional and unified anti-colonial movement that could successfully challenge the colonial system itself”.⁶²

From the common features of colonialism enumerated above, one can safely argue that, the colonial state in Africa was a European product imposed on Africans from above. Its features can be used to analyse post-independence African states because new leaders, in varying degrees and measures, retained and preserved key elements of the colonial state that they had inherited. It is to these inherited features, and others that arose in the post-independence era that the dissertation now turns.

⁶⁰ Smith, A. D. (1983) *op cit*, p.29.

⁶¹ Fanon, F. (1965) *op cit*, in Mutiso, G. & Rohio, S. (1975) *op cit*, p.239.

⁶² Afolayan, F. ‘Nigeria: A Political Entity and a Society’, in Beckett, P. & Young, C. (eds) (1997) Dilemmas of Democracy in Nigeria. Rochester: Rochester University Press, p.51.

1.4 Post-independence trends contiguous with colonial forms of governance

Clearly the form of state that emerged through post-independence reform was not the same in every instance.⁶³ Nevertheless, the character of the state remained much as it was in the colonial era.⁶⁴ Like its predecessor, the post-independence African state “continued to be totalistic in scope. It presented itself as an apparatus of violence and relied for compliance on coercion rather than authority”.⁶⁵ Ake argues that the tendency to reproduce the past was reinforced by the dispositions of the dominant social forces in the post-independence era. “None of them apparently had any serious interest in the transformation, and all of them were only too aware that they could afford to broaden the social bases of state power”.⁶⁶ Smith suggests that the objective of the nationalist leaders was not to dismantle the inherited state. On the contrary, “African nationalist leaders wanted to take over intact the colonial apparatus of power and order and set it to work for the ‘nation-to-be’”.⁶⁷ The aim of reform, argues Mamdani, was “to reorganize power so as to unify the nation through a reform that tended towards centralization”.⁶⁸

It is at this juncture that the concept of neo-colonialism is intertwined with a general analysis of broad features of the colonial state in Africa, but deserves independent analytical attention. Broadly speaking, the term ‘neo-colonial’ infers that following the independence of most African states in the 1960s, there was an inextricable link between the politics and economics of the colonial regime and that of the new African leaders and the newly independent states.⁶⁹

During the first decade of African independence, hopes were high. As Gordon puts it, “the early days of freedom from colonial rule were charged with excitement and full of

⁶³ Mamdani, M. (1996) *op cit*, p.25.

⁶⁴ Ake, C. (1996) Democracy and Development in Africa. Harrisonburg, Virginia: R R Donnelley & Sons, p.3.

⁶⁵ Ibid, p.3.

⁶⁶ Ibid, p.4.

⁶⁷ Smith, A. D. (1983) *op cit*, p.53.

⁶⁸ Mamdani, M. (1996) *op cit*, p.25.

⁶⁹ See Kearney, S. L. (1999) The Quest for Hegemony: Kenya, KANU and the 1997 elections within the context of African Statehood, Democratisation and Civil Society in Embryosis. Pietermaritzburg: University of Natal, Unpublished Masters Dissertation, p.39.

hope”.⁷⁰ Yet it would soon enough become evident that the excitement of independence and freedom masked internal problems that required prompt solutions. New leaders faced the problem of uniting fragile nations that had high expectations of material improvements. In an attempt to overcome division and fragmentation brought about by arbitrary colonial borders and ‘divide and rule’ policies, new leaders made nation-building a priority. It was hoped that the powerful force of nationalism would create homogenous nations from a variety of culturally and linguistically heterogeneous ethnic groups. As Smith puts it: “Much of the point behind nationalism was in its ability to attract diverse groups, to renew itself after attaining independence, and to provide a basis and rationale for social and political units and institutions”.⁷¹

Nation building was an attempt at social reconstruction under the leadership of minority groups of elites tutored by the missionaries and later by the metropole. According to Little, this new and mainly urban strata drew on various urban associations such as trade and welfare unions, and ethnic and tribal associations⁷² in order to foster a sense of national unity and to combat the colonially inherited schisms in their respective territories. Thus there is evidence that post-independence leaders in Africa made systematic attempts to overcome some of the worst effects of colonial rule.

On the negative side, Gordon notes a problematic in as much as liberal constitutions allowed new parties to contest the power of the original party of liberation. Not least owing to this process of contestation, the state became a desired and disputed resource and an arena of power struggles. As Gordon argues under these circumstances, incumbent political parties had two options, “they could either use their positions to strengthen themselves politically, or they could operate within the colonially positioned democratic political structures and risk electoral defeat”.⁷³ An overwhelming majority of post-independence ruling parties chose the former option and quickly moved to consolidate their power and expand their political control. Within the next decade,

⁷⁰ Gordon, A. A. & Gordon, D. L. (2001) Understanding Contemporary Africa. Boulder, London: Lynne Rienner Publishers, p.67.

⁷¹ Smith, A. .D. (1983) *op cit*, p.38.

⁷² Little, K. (1965) cited in Smith, A. D. (1983) *op cit*, p.49.

⁷³ Gordon, A. A. & Gordon, D. L. (2001) *op cit*, p.70.

almost all multi-party states gave way to single-party rule or military dictatorships. Incumbent leaders throughout the sub-continent, while arguing from different perspectives, unanimously supported the transition to single-party dominance. According to Chazan, some claimed that the elimination of opposition merely sanctioned the unity that actually existed, while others suggested that the multi-party system was divisive and antithetical to the needs of economic development and national integration.⁷⁴ In the quest for consolidation and centralization of power, it became more and more evident that African leaders were following the example set by colonialism, not only in their use of ideology as a weapon of indoctrination but also and more especially their use of coercive means to achieve compliance, political control, and exclusive monopoly over government structures and apparatuses. As Joseph states:

The command nature of the colonial state, its ultimate reliance on brute force, and its highly exploitative practices paved the way for the predatory character of many post-independent African regimes, and the prevailing 'culture of impunity'.⁷⁵

As the above argument suggests, the first step and characteristic of neo-colonial rule in Africa was to concentrate and centralize power. Important to the success of this step is the second characteristics: the free use of force, or the threat of its use was utilized to intimidate and eliminate the growing band of opposition forces, in the process, removing elements that could challenge the authority of an incumbent elite. Apart from using coercive means to limit growing opposition, ruling elites also co-opted various autonomous organizations. In the most extreme cases, competing political parties or independent organizations were banned, thus making the ruling party the only legitimate political organization within single-party states. The same methods were used to suppress and silence civil society. As Crawford Young notes: "Civil Society was organized into party-structured ancillary organizations, which were mechanisms of surveillance and control rather than participation and voice".⁷⁶

⁷⁴ See Chazan, N. *et al.* (1988) *op cit*, p.46.

⁷⁵ Joseph, R. 'The Reconfiguration of Power in the Late Twentieth Century', in Joseph, R. (ed) (1999) State, Conflict and Democracy in Africa, Boulder, London: Lynne Rienner Publishers, p.59.

⁷⁶ Young, C. (1994) The African Colonial State in Comparative Perspective, New Haven, London: Yale University Press, p.288.

Furthermore, the new leaders of Africa, motivated by the desire to maintain the status quo and to fortify it, sought to further build on the administrative legacy of colonial rule. As Young argues, colonial rule was not about good governance, but about capturing the state and its resources to press it to serve the interests of the captors. This colonial legacy of a predatory elite monopolizing state resources augmented the new elite's capacity for comprehensive political control. For instance, new regimes systematically expanded bureaucratic structures, such as police, army and civil service, in both size and functions. In addition, party elites imposed extensive state control over internal and external trade and established state-owned parastatal corporations. As Gordon notes:

While the number and size of almost all administrative bodies increased, greatly expanded, too, were government bureaucracies and parastatals involved in buying and marketing agricultural and mineral commodities, producing beer and cigarettes, and controlling railroads, airlines, and electric power.⁷⁷

Seen in this light, the neo-colonial state in Africa assumed the same statist, elitist and predatory policies of their colonial predecessors and also justified their statism under the premise that statist policies would be beneficial for all in terms of economic development and growth.

The expansions of administrative apparatus, along with a proliferation of state-owned corporations, resulted in the development of a top-heavy bureaucratic state that as Mamdani expressed, was "suspended over society".⁷⁸ It was the state, Ake argues, that was no longer a reassuring presence guaranteeing the rule of law, but a formidable threat to all except the few who controlled it,⁷⁹ not least because virtually all the bodies that could have limited or checked executive power were all displaced with the creation of single-party states and dictatorships.

It has also been argued by many authors that another characteristic of neo-colonial rule lay in the discretionary distribution of patronage and the development of clientelistic ties to key individuals and groups.⁸⁰ Throughout the post-independence era in Africa,

⁷⁷ Gordon, A. A. & Gordon, D. L. (2001) *op cit*, p.71.

⁷⁸ Mamdani, M. (1996) *op cit*, p.11.

⁷⁹ Ake, C. *op cit*, in Hippler, J. (ed) (1995) *op cit*, p.73.

⁸⁰ See Chazan, N. *et.al.* (1988) *op cit*, and pp.172-177 for a comprehensive account of patronage.

African regimes had to find ways to maintain their support, and the development of networks became the most common form of political exchange in order to construct stronger bases of support. The provision of rewards, government contracts and employment is a decisive tool used to construct alliances and to insure a modicum of control.⁸¹ By offering access to state resources, incumbent dictators and ruling party loyalists manage to some extent to achieve political acquiescence, however fragile and incoherent. This phenomenon has been labelled some authors as the ‘economics of affection’ or the ‘politics of affection’.⁸² However, it is arguable that the literature of patronage and patrimonial rule should be treated with caution because the trouble with arguments about the ‘the patrimonial state’ is that they come largely from Euro-American scholars who often are basing their definitions on comparisons between the post-colonial states in Africa and the Early-modern state in sixteenth-to-eighteenth century Europe (for instance, Thomas Callaghy in Chazan, as cited above. This is a comparison that has been rightly criticised by African scholars as ahistorical and reductionist. As Mamdani warns,

The Africanist is akin to those learning a foreign language that must translate every new word back into their mother tongue, in the process missing precisely what is new in a new experience. From such a standpoint, the most intense controversies dwell on what is indeed the most appropriate translation, the most adequate fit, the most appropriate analogy that will capture the meaning of the phenomenon under observation.⁸³

I therefore take my cue from Mamdani and omit reference to patrimonialism as an independent variable. Instead, I focus on the personalization of power, which as defined by Ghai incorporates patrimonial elements as dependent variables.

Patrimonial rule is a form of personal rule that does not tolerate opposition. Administration is based on the total power and discretion of the ruler. The bureaucracy is an extension of his household and to which he delegates its power. He is above the law. He is the ‘father’ of his people, he is the ‘father’ of his nation.⁸⁴

The personalization of power gave rise to what Okoth-Ogendo terms ‘imperial presidency’.⁸⁵ What characterised personal rule was firstly, “the supremacy of the office

⁸¹ Ibid, p.172.

⁸² Mamdani, M. (1996) *op cit*, p.13.

⁸³ Mamdani, M. (1996) *op cit*, p.12.

⁸⁴ Ghai, Y. ‘The Theory of the State in the Third World and the Problematics of Constitutionalism’, in Greenberg, D. *et.al.* (1993) Constitutionalism and Democracy: Transitions in the Contemporary World. Oxford: Oxford University Press, p.186.

of the President over all organs of government”.⁸⁶ As explained elsewhere, the centralization of the executive, legislative and judiciary was a phenomenon and tool used by most post-independence African regimes. The explanation provided earlier argues that this move ensured a degree of security. Therefore, in as much as the colonized were encouraged to identify the power and might of the colonial regime with the person of a colonial governor, so the post-colonised were encouraged to conceptualise the post-colony in terms of the ‘President for Life’.

The second index of personal rule was “the immunity of the president from the legal process, civil and criminal, as long as he remains in office”.⁸⁷ What this translated to was that the president was above the law. His immunity also protected him from criticism, accountability and any form of judicial prosecution. The personalization of power also gave the president indefinite eligibility for re-election. Therefore, just as the office of the governor was not dependent on the wishes or support of the colonised, so the office of the president was created irrespective of whether or not the post-colonised thought is appropriate. In other words, what the majority of the population actually wants plays no or little part in the process of governance and the creation of high office.

However, in as much as personal rule tends to be repressive, it also “generates the concerns of survival within those channels that translates easily into sycophantic behaviour toward the presidency: and it identifies the presidency as the only source of final redress even for the simplest of problems”.⁸⁸ The result or consequences of this behaviour sees the emergence of patron-client networks in which the incapacitating syndrome of dependency develops. However, this arguably is not unique to Africa. Only in societies where unemployment is rife and poverty is widespread will clientelism flourish because, too often, people have no other way to survive economically. As Fatton notes:

In an environment of growing scarcity, African ruling classes bent on

⁸⁵ Okoth-Ogendo, H. W. O. ‘Constitutions without Constitutionalism: Reflections on an African Political Paradox, in Greenberg, D. *et.al.* (1993) *op cit*, p.75.

⁸⁶ *Ibid*, p.75.

⁸⁷ *Ibid*, p.75.

⁸⁸ *Ibid*, p.75.

preserving their status are forced to rely of external capitalist forces to obtain more resources with which to finance their patronage. They are inevitably drawn into links of dependence upon imperialist centres.⁸⁹

Thus, the patron-client networks that emerged on the continent are contingent on the phenomenon of economic dependency. Therefore, to reiterate the point made earlier, I omit any reference to patron-clientilism and patrimonialism as independent variables in my examination of the neo-colonial state.

As Ayoade argues, Africans could not have avoided this crisis of economic dependency “because they perceived the state in Africa as an imposition, on the one hand, and as an instrument for satisfying the needs of the people on the other”.⁹⁰ Elsewhere, it has also been argued that the development of networks for survival was an offshoot of a combination of capitalist/colonial state, which had been imposed on African societies during colonialism. Its bureaucracy and coercive apparatus, as it were, had been foreign in origin. Not least because of this external imposition, the post-colonial state was not a significant improvement on its predecessor, since only the personnel changed, not the fundamental structures. This meant that the state in Africa was essentially capitalist and, within a dependency framework, still externally dependent.⁹¹ Ziemann and Lanzendorfer also argue that the economic transformations of independent states in Africa differed from early modern European states where the transition from feudal to industrial societies was smooth and predicated on endogenous factors. A capitalist state cannot emerge in a society where the majority of the people were not capitalist before colonization, and only became capitalist because they were forced to.

As Ziemann and Lanzendorfer further point out, promises were made to the people during the anti-colonial struggle for a better deal under an indigenous government that would provide for all their needs. Once in office, the post-independence politician in order to keep his promise “used state resources to placate his constituency, thereby

⁸⁹ Fatton, R. (1992) *op cit*, p.55-56.

⁹⁰ Ayoade, J. A. ‘States Without Citizens: An Emerging African Phenomenon’, in Rothchild, D. & Chazan, N. (ed) (1988) The Precarious Balance: State and Society in Africa, Boulder, London: Westview Press, p.100.

⁹¹ Ziemann, W. & Lanzendorfer, M. cited in Nyang’oro, J. (1989) The State and Capitalist Development in Africa, New York: Praeger Publishers, p.126.

creating a false impression about the affluence of the state”.⁹² The result, as Nyang’oro notes, was the growth in excessive demands made by the people for the redistribution of public funds that “placed severe limitations on economic development and on the state’s ability to pursue an effective program to eliminate underdevelopment”.⁹³ The state became the primary distributor of benefits without regard for the costs. It also had to rely heavily on external donors to provide loans to finance consumption habits. This resulted, among other problems, in massive corruption that gave rise to economic disequilibria.

Returning to the problematic of personal rule in Africa, Nyang’oro argues that it does not necessarily mean that politicians and bureaucrats are inherently corrupt or ‘tribalist’. “Their behaviour is a response to a particular kind of socio-economic system in which they find themselves”.⁹⁴ In an environment where socio-economic constraints are rampant, poverty and unemployment is rife, and “control of the state itself becomes remarkably susceptible to narrow shifts in alliances among the ruling petty-bourgeois elements”⁹⁵ and anyone else who can manage to become dependent on the state for their survival. At this stage, where the state plays a major role in distributing funds and where economic dependency at both the international and local level is prevalent, economic decay manifests itself in political instability, systematic corruption and mal-administration. However, this range of phenomenon is not unique to Africa, and cannot be simply dismissed as mismanagement and ineptitude. In general, one has to take into consideration the social and historical factors conditioning the political adaptation of personal rule in relation to the development of patron-client networks.

To summarize this section, and reiterate a few points, it is important to note that the ease and speed with which authoritarian regimes were created was a result of, and rooted in the social and economic by-products of colonial rule. Post-independence rulers had inherited all the structures of colonial rule. Neo-colonial leaders in particular, modified the state and its structures to suit their motives of consolidating power. Their objectives

⁹² Ibid, p.104.

⁹³ Nyang’oro, J. (1989) The State and Capitalist Development in Africa. New York: Praeger, p128.

⁹⁴ Ibid, p.129.

⁹⁵ Thomas, C. (1974) cited in Nyang’oro, J. (1988) *op cit*, p.128.

were successfully achieved by systematically eliminating oppositional forces within a given territory, extending patronage to loyalists, and by generally extending their hold over society by the use of force, or the threat of its use. Thus to conclude this chapter, and in brief, one can characterize the neo-colonial paradigm in Africa as follows:

- The shift from liberal, multi-party constitutions endowed by departing colonial powers to *de jure* one-party states.
- While one-party state were not necessarily or intentionally authoritarian to begin with, the retention of some colonial and repressive laws within the new constitutions with which to crush opposition forces and silence dissenting voices enabled these states to become authoritarian.
- While ideologies differed between post-independence states, methods were similar: the operation of oppressive laws reinforced by coercion and the use of state-sanctioned violence.
- Centralisation and concentration of power in the hands of a small clique of party leaders and loyalists.
- Systematic expansion of size and numbers of state institutions, as well as parastatals – ‘top-heavy state, suspended over society’.
- Statist, elitist and predatory policies.
- Incorporation of civil society organizations within the state in order to monitor and control them; co-option of civil society leaders.
- Culture of entitlement for state elites; culture of silence for society and potential leaders of dissenting opinion.
- State perceived as the source of all good things, and as the personal property of the elite/ ‘father of the nation’.
- Dependent economies; uneven distribution of resource; incorporation into the world economy on a peripheral and unequal basis; heavy reliance on international financial institutions, multi-national companies, and donor countries.

CHAPTER TWO: NEO-COLONIAL MALAWI: THE BANDA REGIME

2.1 Introduction

The strongman, usually the president, occupies the centre of political life. Front and centre stage. He is the central force around which all else revolves. Not only the ceremonial head of state, the president, commander-in-chief of the armed forces, head of government and even chancellor of the local university. His aim is typically to identify his person with the 'nation'. His physical self is omnipresent: as in Orwell's 1984 *Big Brother* is plastered on public walls, billboards and even private homes. His portrait also adorns stamps, coins, paper-money and even T-shirts and buttons often distributed to the party 'faithful'. Schools, hospitals and stadiums are named after him. The mass media herald his every word and action no matter how insignificant.¹

It is the aim of this chapter to establish that during the post-independence regime of Dr Hastings Kamuzu Banda, Malawi fitted into the paradigm of the neo-colonial state as defined and depicted in the previous chapter. The arguments in this chapter will therefore utilize points of departure and modes of analysis similar to those in the previous chapter. From the outset it should be emphasised that while Malawi fits the neo-colonial paradigm, one neo-colonial characteristic in particular is dominant and informs all other characteristics, as suggested in the quotation which begins the chapter. In the Banda era, Malawi was emblematic of the notion of the state as the personal property or fiefdom of the ruler. Indeed he overshadowed and dominated Malawian state and society to an extent that – it may be argued – made the name 'Banda' synonymous with the country 'Malawi'. This dominant and overshadowing aspect of Malawi's neo-colonial landscape will be argued in more detail in the next chapter. For the purposes of this chapter, it is sufficient to note that through the manipulation of the country's independence constitution, and consequently, the narrowing of political space through laws and

¹ Sandbrook, R. & Barker, J. (1985) cited in Gordon, A. A. & Gordon, D. L. (2001) *op cit*, p.75.

legislation, that this era discernibly consisted of "mutually determining and reinforcing political apparatuses of authoritarianism, paternalism and repression".²

2.2 Colonial Malawi

2.2.1 Law, land and labour

Malawi was declared a British Protectorate in May 1891, and Sir Harry Johnston was the first Commissioner and Consular General. Right from the outset, the new colonial administration began to take steps to make its presence effective by asserting its authority and insisting that Africans pay taxes in order to meet the costs of administration.³ The subjection and demand for Africans to pay taxes to the colonial administration was justified on the grounds of the costs incurred by the British in suppressing the slave trade and maintaining law and order. This was coupled with the fact that colonial administrators in Malawi lacked sufficient resources to finance their operations. The lack of financial support from the British government stemmed from the British government's logic that "colonies were acquired for the benefit of the parent state, and unless they were needed for strategic reasons, they were expected to pay for themselves".⁴

Johnston's initial task was to quickly and effectively establish British sovereignty over the area, lay the framework of administrative control, exact and generate revenue, and attempt to provide some measure of justice in determining the legitimacy of settler claims to land obtained in the short period of European penetration.⁵ However, the acceptance of British rule and authority was to prove not to be an easy task. For example, Johnston encountered resistance from the Yao chief who refused to recognize British authority. It took several years and a series of campaigns on the part of the British to finally break the resistance of the Yao people. The example set by the Yao people serves as an inspiration to my generations of Malawians in their protracted struggle against colonial and neo-

² Mhone, G. 'The Political Economy of Malawi: An Overview', in Mhone, G. (ed) (1992) Malawi at the Crossroads: The Post-Colonial Political Economy. Harare: SAPES, p.1

³ Williams, T. D. (1978) Malawi: The Politics of Despair. London: Cornell University Press, p.53.

⁴ Ibid, p.58.

colonial rule. On the other side of the Malawian border, the Yao people also experienced the oppression of colonial invasion. Issued with an ultimatum of voluntary surrender or invasion by a German imperialist in Tanzania, their chief wrote back in Kiswahili the following words:

I have listened to your words but can find no reason why I should obey you – I would rather die first. I have no relations with you and cannot bring it to my mind that you have given me so much as a *pesa* (fraction of a rupee) or the quarter of a *pesa* or a needle or a thread. I look for some reason why I should obey you and find not the smallest. If it should be friendship that you desire, then I am ready for it, today and always; but to be your subject...I do not fall at your feet, for you are God's creature just as I am...I am sultan here in my land. You are sultan there in yours. Yet listen, I do not say to you that you should obey me; for I know that you are a free man...As for me, I will not come to you, and if you are strong enough, then come and fetch me...⁶

Here also, the Yao people are of interest in a colonial context. They provide an example of a split society, one section in (British) Malawi and another in (German) Tanzania. Thompson argues that the imperial powers' imposition of state borders on African territory had major ramifications. The problem lies with the fact that, when they were delineated, these state boundaries rarely matched existing pre-colonial, political, social, or economic divisions. They were 'arbitrary' because they reflected the short-term strategic and economic interests of the imperial powers, and not the interests of Africans.⁷ Throughout Africa post-independence governments retained this problematic colonial legacy.

When the British eventually succeeded in silencing the opposition of the colonised, their land was taken away and handed over to the British in the name of crown property. Elsewhere, the control of the administration was expanded by either punitive expeditions, which included burning villages whose inhabitants had been unwilling to pay taxes, or by treaties with chiefs.⁸

⁵ Ibid, p.54.

⁶ Onoge, O. 'Revolutionary Imperatives in African Sociology', in Waterman, P. (eds) (1977) African Social Studies: A Radical Reader. London: Heinemann, p.41.

⁷ Thompson, A. (2000) An Introduction to African Politics. London: Routledge, pp.11-13.

⁸ Williams, T. D. (1978) *op cit*, pp.54-55.

Besides the brief period of difficulties encountered in the colonial administration's attempt to achieve control, another difficulty colonial rule encountered in Malawi was that of "providing a set of laws that would express the sense of justice of the colonial authorities and would carry some of the moral sanction of traditional custom".⁹ This problem arose from "the fact that on some points at least, notions of justice and equity differed between the new rulers and their subjects".¹⁰ This was aside from "the fact that some of the new laws were primarily designed to entrench the power of the new rulers and the small white-settler population".¹¹ In addition, there were considerable differences in customs between ethnic groups and therefore a general rule that might seem applicable or reasonable to one ethnic group might not seem so applicable to another group. Thus, as Williams states, to deal with this difficulty,

The administration sought to make allowance for a dual system of law under which a large number of offences, including most of those involving relationships among Africans were judged according to customary law (though with provision for appeal to the colonial authorities). But the over-riding consideration remained the establishment and maintenance of undisputed colonial rule, and there were times when principles of jurisprudence played a distinctively secondary role to the administrative expediency.¹²

In light of the brief discussion on colonial administration in Malawi, it is perhaps worth reiterating Mamdani's points regarding direct and indirect rule. The legal system of colonial British tribal authority provided for a dual system which accommodated 'tribal' leadership to suit colonial requirements by either selectively reconstituting tribal authority, or imposing tribal authority where none had existed before. Therefore, colonial administration was grounded in a legal dualism where alongside received law was implemented customary law.¹³ Thus, the colonial state in Malawi fits Mamdani's depiction: 'Janus-faced bifurcated'.¹⁴ Malawi under the British Protectorate "assumed

⁹ Ibid.

¹⁰ Ibid.

¹¹ Ibid.

¹² Ibid.

¹³ Mamdani, M. (1996) *op cit*, p.17.

¹⁴ Ibid, p.18.

the classic form found in almost all British Colonial Africa, with a hierarchical structure from the governor through various provincial and district commissioners”.¹⁵

Once the parameters of law were established, although these laws were not fixed, or set in stone, the next priority of colonial administration was the establishment of a viable economy that would provide the financial resources needed for the governor and the rest of the people under his authority to continue their work and enable the handful of British settlers in the colony to achieve a degree of commercial success sufficient to allow them to maintain a satisfactory standard of life. The alienation of non-commercial, subsistence farmers from the land and their replacement with commercially productive, settler-owned and managed estates in which the colonized were utilized as cheap or unpaid labour was a colonial strategy geared to provide a colony with most of its revenue. This strategy was implemented in Malawi. Palmer notes that Malawi’s first Consular General firmly believed that the future of Malawi’s economy “lay in a plantation, rather than a peasant economy, and that some land should be given to European and Asian settlers, who would promote the development of export crops such as coffee, tea and tobacco”.¹⁶

As Williams points out, the emphasis placed on rapid economic development “expected that estate agriculture under British direction, supported by other British commercial and industrial activities, would provide the means of transforming the economic life of the territory”.¹⁷ However, two acquisitions were crucial to the economic transformation of the territory, that is, the land and the labour of the colonized. Both were acquired through colonial legislation and court rulings. For example, poll and hut taxes served a dual function of eventually forcing Africans to work on European owned estates so that they could raise enough money to pay the colonial government. Therefore, “the tax policy was used as a means of increasing the supply of labour to European employers”.¹⁸

¹⁵ Pike, J. G. (1968) Malawi: A Political and Economic History. London: Pall Mall Press, p.94.

¹⁶ Palmer, R. H. ‘Johnston and Jameson: a comparative study in the imposition of colonial rule’, in Pachai, B. (1972) The Early History of Malawi. London: Longman, p.312.

¹⁷ Williams, T. D. (1978) *op cit*, p.58.

¹⁸ *Ibid*, p.73.

While it was possible to coerce 'voluntary' labour from Africans in this way, acquisition of African land required ruthless action and legal engineering in the face of African resistance. If Africans took their land claims to colonial magistrates, somehow the disputes always were resolved in favour of settlers. The journal of the Blantyre Mission highlights the plight of Africans in this regard.

At present with the exception of a few – a very few – natives who have got grants of land from the government or have secured them by purchase or lease, no native has any security of tenure for himself or his crops. If he has a house or garden on an estate owned by a European, he may be moved any day after certain notice, or he may have to make such arrangements as regards to rent or services to make it suitable for him to move elsewhere. If he is on government land he may have the land he has settled or transferred to some private purchaser; and though the deed of transfer secures his rights, yet the new conditions are such as he will no doubt prefer to move elsewhere. In neither case is there permanency of occupation guaranteed to him which alone can induce him to put his surroundings on a permanent basis. He will not build a permanent house nor will he care to plant and cultivate slow maturing plants, crops or trees.¹⁹

The first crop to be introduced in the colony was cotton. The targeting of cotton production was intended to serve the interest of the metropole, that is, to reduce "British dependency on American cotton".²⁰ Capital was injected into Malawi to enable farmers to invest in the cultivation of the crop as it was hoped that Malawi, among other colonies would produce a crop able to compete with American cotton on the world market. However, during the first decade of the 20th century it became apparent to cotton farmers that there was much less scope than had been imagined for any major expansion cotton production owing to a climate inhospitable to cotton farming. Other agricultural innovations, such as the production of coffee beans, failed for the same reason.

Plantation owners then turned to tobacco, a crop that local Africans successfully produced and which predated colonialism. Under settler methods of production, tobacco became the backbone of colonial Malawi's economy. The only other successful cash crop was tea. With its heavy dependence on only one or two cash crops, colonial Malawi fits the dependency paradigm of uneven development and vulnerability to the fluctuations

¹⁹ Shepperson and Price, cited in Williams, T. D. (1978) *op cit*, p.68.

²⁰ *Ibid*, p.83.

in the world market. Furthermore, by decimating (through land and labour policies) the pre-colonial ability of African households to be self-sustaining in crop production, the colonial authorities potentially exposed the colonized to impoverishment and hunger without offering any long-term productiveness or economic stability in return.

2.2.2 Educational policies

It has been noted by Pike that the outlook of the administration was conservative, and as long as law and order were being maintained, “all questions of education were left to the missionaries”.²¹ The Scottish missionaries were the ones eager to produce Christians who were at the same time literate and skilled artisans, capable of assisting in the transformation which they hoped, and initially expected would be brought about in the material environment.²² Various missions established a network of schools. Although some initial scepticism about European education among many Africans existed in the early days, some responded to perceived opportunities offered by education. As Williams notes, “they quickly appreciated the merits of a scheme which, with some adaptability and hard work on their part, would give them access to favoured positions in the social order introduced by colonial rule”.²³ Colonially induced poverty also caused Africans to pursue missionary education in the hope of employment that would pay for food and taxes. However, missionary education of Africans had unforeseen consequences. Firstly, it soon became apparent that employment opportunities for Africans were limited. Displaced from their land and unable to pay their taxes, many migrated south to the mines of Central and South Africa. The loss of skilled and literate people would eventually impact on the further development of the country. Secondly, most European plantation owners and employers were hostile to skilled and literate Africans who posed a threat to a colonial mentality of racial superiority and dominance. As Williams puts it, settlers typically felt that “providing Africans with advanced education that goes beyond elementary education would encourage the spread of

²¹ Pike, J. G. (1968) *op cit*, p.95.

²² Williams, T. D. (1978) *op cit*, pp78-79.

²³ *Ibid*, p.79.

impractical and dangerous ideas”.²⁴ Most European employers favoured an education system that would provide Africans with just enough education to keep them as artisans and semi-skilled workers. As Williams explains it:

The educational system favoured by this type of employer was one in which a relatively large proportion of the population had some exposure to education but in which very few, or better still none at all, had more than was necessary to implant a few basic skills and some degree of discipline.²⁵

As Afolayan notes, British educationalists preferred to keep education for Africans at an elementary level to assure that their hegemony would not be compromised. He suggests that colonial governments provided only very basic and limited education in order to forestall the emergence of a mass-based unified anti-colonial movement that would challenge colonial authority.²⁶

2.3 From colony to post-colony

2.3.1 Origins of the Malawi Congress Party (MCP) and Banda’s dominance

Malawi’s independence from colonial rule also is typical of the neo-colonial genre in as much as it was negotiated by a tiny elite, dominated by one man, notionally on behalf of a largely uneducated, rural based population. In Malawi’s specific case, what needs to be noted at the outset is the extraordinary dominance of one man over Malawi’s part in the negotiations.

Like many nationalist movements in Africa, the origins of the Malawi Congress Party (MCP) grew out of a response to colonial rule. However, the main impetus of the Congress movement was provided by its resistance to Britain’s idea of a Federation, which would incorporate Northern and Southern Rhodesia, and Malawi (then Nyasaland) into one territorial unit for the economic, and strategic advantage of the metropole.

²⁴ Ibid, p.80.

²⁵ Ibid, p.80.

²⁶ Afolayan, F. *op cit*, in Beckett, P. & Young, C. (ed) (1997) *op cit*, p.51.

At the time, Congress leadership was drawn largely from a small number of educated men. However, “although they were concerned with the needs and aspirations of their less fortunate countrymen, these men tended to lack either intuitive or ideological sympathy with the poorly educated peasant farmers who accounted for most of the population”.²⁷ Williams argues that what they did bring to the nationalist movement was youthful dynamism and energy. Unfortunately, though these youthful leaders were too young and inexperienced to win the loyal support and faith of the elders. It was under these circumstances that Chipembere, a young member of the Congress, decided that Dr Banda must be persuaded to return to his ‘mother country’ and lead the nationalist movement.

Dr Banda was targeted as a potential leader for a number of reasons. Firstly he was against the Federation, and although to many Malawians he was not well known, it was believed he had qualities of education and charisma that would appeal to all sections of the population. Also, the young members of Congress admired him for his articulate opposition to colonialism. According to Williams, Chipembere believed that,

His age, his manifest courage, and eminence would appeal most powerfully to rural elders; his education, his profession, and his success would gain the respect of the young educated militants; he would know how to deal with Europeans – due to his familiarity with leading politicians in Britain.²⁸

Thus, it was believed that the very fact that Dr Banda had spent approximately forty years outside the country, for the most part in Britain, meant that the British government would be faced with a man that could speak and understand their language and culture with ease, enabling him to effectively challenge the British government.

Personal unfamiliarity with Banda might have also encouraged the young militants to believe that upon his return Banda would not wish to concern himself with the details of the party organization and policy. Williams speculates that the young lions of the party envisaged Banda as a respected and articulate figurehead who would successfully bring Malawi to independence but then would stand down so that young nationalists could take

²⁷ Williams, T. D. (1978) *op cit*, p.116.

²⁸ *Ibid*, p.173.

over the reins of leadership.²⁹ If so, they were deluding themselves. Prior to his return to Malawi, Banda stated that he was prepared to return “only if he was guaranteed the presidency of the Congress Party, the right to hand-pick the executive and extensive powers to run the nationalist movement in whatever way he thought right”.³⁰ Already, his quest for dominance and sole custody of the party was in evidence. His request duly was granted and on the 6th July 1958, Dr Banda arrived in Malawi to a welcome organized by the young nationalists he would later terrorize into exile or silence.

To Banda his return marked the beginning of a new life after a long period of self-imposed exile. As soon as he had been accepted as the party leader, he moved quickly to consolidate his power and transform the MCP into his own personal system of control. As Phiri notes,

The nationalist movement driven by a single-minded commitment to the achievement of independence, cultivated an intolerable political culture characterized by hero-worship, centralized authority structures, exclusiveness, and intimidation of potential critics.³¹

The rights conceded to Banda to handpick the party executive and run the movement as he saw fit meant that Malawi indeed began as Banda intended her to go on. In addition to his efforts to create mass support, “Banda proposed the creation of the Women’s League, and also of a Youth League”.³² By creating other structures and branches of the party he managed to increase the party’s membership. More importantly, it has been noted that his unexpected gift for oratory contributed to the party’s increasing popularity with the masses. According to Short,

He preached the four virtues of Unity, Loyalty, Obedience and Discipline. Above all, he vilified ‘their stupid Federation’, and that innocent adjective laden with such venom soon become for Africans the most explosive curse.³³

²⁹ Ibid, p.174.

³⁰ Ibid, p.174.

³¹ Phiri, K. M. & Ross, K. R. ‘Introduction: From Totalitarianism to Democracy in Malawi’, in Phiri, K. M. & Ross, K. R. (eds) (1998) *Democratisation: A Stocktaking*. Blantyre:CLAIM, p.10.

³² Ibid, p.91.

³³ Short, P. (1974) *Banda*. London: Routledge, pp.91-92.

Banda combined paradoxical qualities of nationalism and populism on the one hand, with being more British than the British on the other. For example, he always spoke in English with an interpreter in attendance.³⁴ “Even on the hottest days he dressed as he would in England, in the familiar three-piece suit and black homburg hat, with a beige raincoat to keep off the dust and brown leather gloves”.³⁵ But, as Short comments, “far from detracting from his popular appeal this served rather to heighten it by placing him on par with the European ruling class”.³⁶

Initially Banda’s paradoxical tactics both increased his popularity with the mass of the people and enabled him to maintain an aloof and superior distance in the style of the British colonizers. Arguably, it gave him psychological control which he soon enough amplified with the use of terror tactics. However, in the beginning, at least, the future looked bright for Malawi.

The road to independence was a protracted one of step-by-step movement to full independence that began with the London Constitutional Conference of 1960 which produced a constitution which reflected the new imperial policy of co-operation with African nationalists. Although white settlers opposed Banda’s demands, the qualifications provided for the eligibility of franchise, enabled some 200,000 Malawians to vote,³⁷ and the road to partial self-governance was finalised. Once the London Conference was over, Dr Banda returned to Malawi and started making successful preparations for the 1961 elections in which the Malawi Congress Party (MCP) won every seat in the Lower roll.

2.4 Onset of neo-colonialism

Initially it seemed that the new Government intended to overturn colonial legacies. As Williams notes, “There was a campaign on the Ghanaian model, to promote adult

³⁴ It is generally agreed that his Chichewa was terrible, in Lawson, M. (2000) ‘Civil Society in Malawi’. *OD Debate*, Vol. 7, No. 2, p.4.

³⁵ Short, P. (1974) *op cit*, p.92.

³⁶ *Ibid*, p.92.

literacy; and a campaign to encourage the adoption of better methods of agriculture”.³⁸ Also, the new Government set to work with enthusiasm to redress some of the repressive laws of the colonial administration. There was new legislation, much of it designed to give effect to the promises made during the election campaign, or to replace laws that were held to be discriminatory. For example, Banda introduced the Africans on Private Estates Ordinance, which abolished the system of *thangata* a colonial law that bordered on feudalism. It stipulated that estate owners were permitted to compel Africans living on their property to supply labour in lieu of rent.³⁹ Also abolished by Banda was the coercive colonial clause of *mwalimidwe* which prescribed agricultural practices of Africans.

The good work done by Banda and his colleagues in the party at this early stage of the independence process reinforced his and the party’s popular appeal. An example of an attempt to redress some of the worst effects of colonial legal dualism occurred when between them, Banda and Orton Chirwa (Secretary to the Minister of Justice) improved the status of the former native courts by providing for (through the Local Courts Ordinance) an independently appointed Chairman, thus removing judgements in customary cases from the political control of the state. Hence during the period prior to full independence elections in 1964, steps were taken by Banda and other cabinet ministers to relieve ordinary Malawians of some particularly punitive and archaic colonial laws, and to improve the standing of customary law but not, however, to abolish it. Thus a dualist legal system stayed in place, and the Malawian state remained, in Mamdani’s terminology, ‘bifurcated’. This attempt at reform but lack of real change was entrenched by full independence in 1964 and the constitution which accompanied it. This constitution (and others like it in newly independent African states) have been much criticized by African political analysts. As Kanyongolo remarks,

Like many constitutions drafted as part of the process of transition from colonial rule to independence, the 1964 constitution was no more a symbol of a *de facto*

³⁷ Ibid, p.196.

³⁸ Short, P. (1974) *op cit*, p.154.

³⁹ Ibid, p.77.

transfer of power that symbolised the end of colonialism.⁴⁰

In other words, the constitution signified a transfer of power from one small elite at the top of the state to another. It did not materially alter the structure of power in Malawi nor empower ordinary Malawians. Chimombo makes a connection between the Malawian constitution and those of other post-colonial constitutions. She argues that in most cases constitutions only made small changes to previous constitutions that were in place during colonial rule. As a result, the only significant change made in the constitutions of independent African countries was the elimination of the racist aspect of colonial rule.⁴¹ Okoth-Ogendo also argues that new constitutions left the basic structures of colonial rule intact

Two characteristics that dominated the colonial power and administration was its labyrinthine bureaucracy; the other was its coercive orientation. These were hallmarks of the colonial legal-order. The sheer presence of state power in public administration in Africa was awesome. Without exception, independence instruments preserved that order intact as the foundations of administration in post-colonial Africa.⁴²

Thus, although most post-independence constitutions contained liberal principles such as the doctrine of the separation of powers and the principle of limited government that conformed to the theory that government ought to conform to the rule of law,⁴³ most structures such as the bureaucratic machinery were left as they were.

Having noted that various political and legal analysts have looked beneath the surface of independence constitutions and found that many of the old structures were left intact, it remains to be said that at first glance, Malawi's new constitution seemed to be a liberal one, much like that of all other former British colonies and trust territories. Okoth-Ogendo describes the standard independence constitution as "based on a modified version of the Westminster model, complete with bicameral legislatures, separation of

⁴⁰ Kanyongolo, F.E. 'The Limits of Liberal Democratic Constitutionalism in Malawi', in Phiri, K.M. & Ross, K.R. (eds) (1998) *op cit*, p.356.

⁴¹ Chimombo, T. (1997) The Legacy of the Past in Malawi. (BA Honours Thesis) Smith College: Department of African-American Studies, p.26.

⁴² Okoth-Ogendo, H. W. O. *op cit*, in Greenberg, D. *et.al.* (1993) *op cit*, p.69.

⁴³ *Ibid*, p.66.

powers, judicial review of legislature and executive action, and the Bill of Rights”.⁴⁴

According to Short, during the initial days of independence,

Banda publicly maintained strict adherence to the Westminster ideal of democracy, emphasising the right of his political opponents to ‘freedom of speech and association’, and declared more than once that he would welcome the formation of rival political groups.⁴⁵

However, as Short notes, a subsequent speech indicated that Banda was having second thoughts. He argued that Malawi could not be a ‘carbon copy of any other country’ and added that:

Democracy in Europe cannot be democracy in Africa. Any politician, any statesman who interprets democracy in Africa in terms of the British Constitution, the American Constitution, the Swiss Constitution....does not know what he is doing. Because we are not here living under the British conditions and the American conditions. Here we have our own way of doing things, we are copying from nobody. We will adopt from outside what suits and fits the conditions of this country.⁴⁶

Banda’s reaction to criticism and opposition from members of his cabinet was the event which signalled the onset of autocratic, personal rule, and the use of terror to silence dissent. He did not stop with the dismissal of the Ministers who had queried and criticised a number of his policy decisions. He began a campaign of systematically silencing opposition voices and shrinking political space in Malawi, leaving room only for himself and a small number of uncritical cronies. One of the first victims of the neo-colonial era in Malawi was Orton Chirwa, founder of the MCP, and one of the cabinet ministers opposed to some of Banda’s policies was “abducted by security agents in Zambia and died in Zomba prison under mysterious circumstances”.⁴⁷

With frightening speed, Banda dropped his pose of benevolent paternalism⁴⁸ and revealed his true, neo-colonial colours. He reactivated the Preventative Detention Bill inherited

⁴⁴ Ibid, p.70.

⁴⁵ Short, P. (1974) *op cit*, p.252.

⁴⁶ Hansard, Zomba, 24 February 1964, in Short, P. (1974) *op cit*, p.254.

⁴⁷ Australian Amnesty International (1993), in Banda, J. ‘The Constitutional Change Debate of 1993-1995, Phiri, K. M. & Ross, K. R. (ed) (1998) *op cit*, p.318.

⁴⁸ Banda often referred to his cabinet ministers as ‘my boys’. As Williams notes: The cabinet ministers never greatly appreciated the President’s patronizing references to them, but by the middle of 1964, they

from colonial rule; he promulgated a decree banning all public meetings and processions which had not secured police consent; he introduced new security regulations that restricted supposedly rebellious persons to a specified area, and required him or her to report to the police at designated intervals. As Short comments, “it was a bitter irony that, after less than three months after independence, Banda would resort to the same restrictive measures that had been so much hated when used by the colonial authorities against his own party”.⁴⁹ This display of intolerance to opposition in the first months of Malawi’s independence “was to prove a decisive event in Malawi’s post-independence history as it exposed Banda’s tendency towards authoritarian rule”.⁵⁰

2.4.1 Constitutional changes and the shift to one-party rule

The crisis came too soon after independence and “had dire consequences for the democratisation process in Malawi”.⁵¹ With the Cabinet Crisis behind him, the move to create a one-party state was the next step in Banda’s journey towards absolutism. Soon after the Cabinet Crisis, Banda realized that he had to discard parliamentary rule in favour of personal autocracy. Within less than a year after attaining independence, discussions were underway to lead the nation down a path of constitutional reform. African leaders, to justify constitutional changes, put various arguments forward. As Okoth-Ogendo notes, a continent-wide shift to *de jure* one-party states was laced with the rhetoric and language of the need for rapid economic development.⁵² Commenting on the language of economic development as purported by many African leaders, Claude Ake called neo-colonial African states ‘developmental dictatorships’.⁵³

had sharper and more profound reasons to express their dissatisfaction. See Williams, T. D. (1978) *op cit*, p.213.

⁴⁹ Ibid, p.221.

⁵⁰ Banda, J. ‘The Constitutional Change Debate of 1993-1995’, in Phiri, K. M. & Ross, K. R. (ed) (1998) *op cit*, p.318.

⁵¹ Banda, J. *op cit*, p.318.

⁵² See Okoth-Ogendo, H. W. O. *op cit*, in Greenberg, D. *et.al.* (1993) *op cit*, p.72.

⁵³ I first heard this phrase in a conversation held with my supervisor Alison Jones who in 1992 attended Claude Ake’s seminar at the Department of Political Science, Durban Campus, University of Natal. According to her, Professor Ake did not distribute a paper. Her citation and recollection derives from notes taken as he talked. She told me that Professor Ake offered to his audience a particularly memorable symbolic illustration of a condition induced in Africa by ‘Developmental Dictatorships’. Transcribed in her notes, it reads as follows: “in the 1970s and 80s, one uniform symbol was encountered by travellers in

Malawi was no exception to this rule. Banda's regime "emphasized the goal of economic development to the extent that it became the end that justified any means of assuming and exercising state power even if it resulted in the disempowerment of civil society".⁵⁴ The rationale behind the argument that constitutional reform was necessary for economic development stemmed from the belief that "a fragmented power structure would pose severe drawbacks to central planning, financial coordination, and the formulation of policies on important matters".⁵⁵

The regime also cited the preservation of national security as an additional justification for constitutional change. It was argued by the Banda regime that unity, obedience, loyalty and discipline were necessary for a stable and secure country and economy. As Chazan argues:

To drive home this point, many governments undertook to rewrite pre-independence constitutions to reflect the shifts in the political sphere and ostensibly to provide themselves with greater power. Kenya, Uganda, Malawi, Zambia, Ghana and Sierra Leone stand out in this respect.⁵⁶

Drastic changes were made to Malawi's constitution behind closed doors without consulting the electorate. The changes were ratified on the 6th May 1966. In the context of this dissertation, the relevant amendments are as follows:

- The MCP was to be the only legally recognized political party in the country.⁵⁷
- Dr Kamuzu Banda was to be head of government and head of state for the rest of his natural life.⁵⁸
- The President could nominate any Member of Parliament and had the power to appoint the Speaker of Parliament.⁵⁹

almost all countries in Africa. Billboards reading: 'SILENCE! DEVELOPMENT IN PROGRESS' adorned national highways at regular intervals".

⁵⁴ Kanyongolo, F. E. *op cit*, in Phiri, K. M. & Ross, K. R. *op cit*, p.358.

⁵⁵ Okoth-Ogendo, H. W. O. *op cit*, in Greenberg, D. *et.al.* (1993) *op cit*, p.72.

⁵⁶ Chazan, N. *et.al.* (1988) *op cit*, p.47.

⁵⁷ Constitution of the Republic of Malawi, 1966, Section 4, in Kanyongolo, F. E. *op cit*, in Phiri, K. M & Ross, K. R. (ed) (1998) *op cit*, p.359.

⁵⁸ *Ibid*, Section 9, p.359.

- He would be authorized to make or revoke all public service appointments, either directly or through the public service commission.⁶⁰
- He could make statutory regulations governing the civil service.⁶¹
- He could appoint the Chief Justice and make or terminate other judicial appointments, except those of judges.⁶²
- The President would also be the Commander-in-Chief of the armed forces and would have emergency powers allowing him to rule by proclamations reviewable within seven days if Parliament were sitting or thirty days if it were not.⁶³
- The President could dissolve Parliament at any time.⁶⁴
- Subsequent presidents were to be elected only from nominees of the MCP hierarchy.⁶⁵
- The government and the nation were to operate on the basis of the four ‘cornerstones’ of Unity, Loyalty, Obedience and Discipline.⁶⁶

Thus as Banda notes, in general, the 1966 Republican constitution,

Had many autocratic tendencies built into it, and was thus a recipe for gross violations of human rights, which followed. These included the emphasis that was laid down in law and order as well as national unity, the declaration of Malawi as a one-party state and the concentration of power in Dr Banda as President-for-life of the party, Head of State, and Father and Founder of the Nation.⁶⁷

To sum up, Malawi under Banda “was a strong authoritarian state which was constitutionally a one-party state dominated by a dictatorial style of leadership that was characterized by a top-down flow of policies and decrees”.⁶⁸ Banda’s control over every arm of government ensured that even senior level government officials could not initiate

⁵⁹ Ibid, Section 20 and 25 (c), p. 359.

⁶⁰ Short, P. (1974) *op cit*, p.263.

⁶¹ Ibid, p.263.

⁶² Ibid, p.263.

⁶³ Ibid, p.263.

⁶⁴ Kanyongolo, F. E. Section 45 (2), p.359.

⁶⁵ Ibid, Section 10 (2) (d), 11 (1) and 11 (2), p.359.

⁶⁶ Ibid, Section 2 (1) (i), p.359.

⁶⁷ Banda, J. *op cit*, in Phiri, K. M. & Ross, K. R. (ed) (1998) *op cit*, p.317.

⁶⁸ Mhone, G. (ed) *op cit*, p.3.

the slightest bit of action without his permission or consent consequently, “the ministerial and parliamentary structures were purely nominal and had the facile function of rubber-stamping and rationalizing handed down policies”.⁶⁹ The extent to which Banda monopolized political space, and the means he used to silence critical and dissenting voices are discussed more fully in the next chapter. In short, the constitutional changes that granted Banda life presidency saw him go down a road well travelled by many neo-colonial leaders such as Daniel arap Moi of Kenya, Felix Houphouet-Boigny of Cote d’Ivoire and Mobutu Sese Seko of Zaire to name a few.

2.4.2 Educational policies

The question explored in this section is: to what extent, if any, did Banda’s regime implement significant improvements in education and literacy over and above the minimal contribution made by colonial education policies? On the matter of educational policy during the Banda era it should be emphasized that education and the privileging of a particular ethnic group and language went hand in hand. For this reason and to this extent educational policy fits the neo-colonial paradigm. However, in fairness to the Banda regime, it also should be noted that there was a focus on secondary school education, an area deliberately neglected by the colonial government for reasons already discussed.

Malawians greeted the rapid expansion of secondary school education with enthusiasm. The process of Africanizing the civil service and other state institutions and public services meant that there were job opportunities, improved incomes and status available to secondary school leavers. In 1965, on Banda’s urging and initiative, Malawi’s new university opened its doors. However, as Williams notes, the government’s expansion of education in the secondary and tertiary sectors, and attempts to promote greater equality of access to education were not without its political objectives.⁷⁰ The origins of Banda’s political agenda are to be found in colonial practices of divide and rule. Colonial

⁶⁹ Ibid, p.5.

⁷⁰ Williams, T. D. (1978) *op cit*, p.288.

administrations had used ethnicity and regionalism to privilege some groups or regions over others. As Chirwa explains, the colonial regime favoured the Northern region which as a result “had an edge over the inhabitants of the other two regions as far as educational and professional achievements were concerned”.⁷¹ A high proportion of skilled and literate Northerners in Malawi’s civil service posed a threat to Banda whose home region was the Central region, largely inhabited by Chewas.

Two policies in particular ousted the Northerners from their privileged position and ensured the dominance of Chewa language and culture. Firstly: Banda made a ruling to the effect that “a paper in Chichewa be made a compulsory part of the primary-leaving examination”.⁷² Thus, from the 1969/70 school years, Chichewa was to be taught in primary and secondary schools, Secondly, acting on the advice of the president, in 1972 this decree was extended and incorporated into the university’s curriculum as part of linguistics studies.⁷³ Between 1970 and 1994, Chichewa and English were the only languages used by public officials and the Malawi broadcasting service. Malawians who were proficient in neither language were at a quite serious disadvantage. Banda’s policies thus replicated and entrenched lines of colonial division, as well as making Chewa culture hegemonic by promoting “the idea that Chewa culture was synonymous with Malawi culture”.⁷⁴

The same principle applies when analysing the introduction of the quota system to Malawi’s university in 1989. The policy was intended to manipulate the country’s educational system because “previously, the North with about 12% of the population had accounted for about half of university entrants”.⁷⁵ What was now being proposed was that each district in each region would be granted only a specific number of places for university entrants. This was to have serious implications for the students from the Northern region. As Chirwa explains, “given that the North only has five districts,

⁷¹ Chirwa, W. C. ‘Democracy, Ethnicity, and Regionalism: The Malawian Experience’, in Phiri, K. M. & Ross, K. R. (eds) (1998) *op cit*, p.59.

⁷² Williams, T. D. (1978) *op cit*, p.288.

⁷³ Chirwa, W. *op cit*, p.62.

⁷⁴ Lwanda, J. L. cited in Chirwa, W. C. *op cit*, p.62.

⁷⁵ Chirwa, W. C. *op cit*, p.61.

against nine in the Centre and ten in the south, it meant a major reduction of Northerners making it through university”.⁷⁶ In addition to this, it must be added that Dr Banda also declared that at the University of Malawi, “politics, sociology and other sensitive subjects should be taught along the basis of the conditions in Malawi”.⁷⁷ In essence, like his colonial predecessors, Dr Banda made every effort to discourage the development of critical or radical discourse.

Thus it can be concluded that while Banda’s regime did much to improve educational facilities and opportunities, neo-colonial factors and policies also were served. Whatever his political objectives were, it was clear that his educational policies were aimed at dividing the nation along ethnic and regional lines and this served a political purpose and was arguably an “essential tactic for the survival of the one-party dictatorial regime”.⁷⁸

2.4.3 Ethnicity and patronage

As suggested by Banda’s educational and linguistic emphasis, the nurturing of a Chewa base of support was crucial for the survival of his regime. Further, nurturing of a Chewa support base was undertaken at two levels. First was the shifting of financial capital into the Central region in order to develop its economy from the ground up. Lilongwe was built up from scratch with the aid of regional donors. (South Africa was the main financier). An international airport was built, and on the first of January 1975, Lilongwe became the capital city of Malawi. Secondly, in addition to urban development of the Central region, rural development was targeted as the means for extending lines of patronage into the Chewa peasantry through targeting its high status members; namely, the territorial chiefs and village headmen, who now became invariable recipients of state aid. As such, development aid flowed along an administrative hierarchy: from the chiefs to the rural peasantry, ultimately strengthening the regime’s base of support and securing the support of peasantry of the Central region. In additional acts of patronage, Dr Banda lavishly rewarded key figures in society, such as senior level government officials in

*was the
Int. Airport
built by
1975??
It was
opened in
1983*

⁷⁶ Ibid, p.61.

⁷⁷ Williams, T. D. (1978) *op cit*, p.288.

parliament, the army, the police and civil servants. In so doing, he co-opted them in support of the status quo, as well as neutralizing potential opposition.

2.5 The politics of dependency

The powers of the president to control the political destiny of the nation, both by virtue of his formal constitutional position and by virtue of his total power to direct the machinery of the party were supplemented by his comprehensive control over almost all forms of economic activity, with extensive discretionary powers in his own hands.⁷⁹ Dr Banda's ability to control the economic activity within Malawi was displayed in his foreign policy initiatives and the country's increasing dependence on foreign aid and investment from rich countries of the North and from the apartheid regime in South Africa.

However, in fairness to Banda it should be noted that he, like other independence leaders in Africa, inherited an unevenly developed economy from the British colonizers which, as explained above, was almost entirely fuelled by the agricultural sector which, in turn, was dangerously undiversified. A decisive factor in Malawi's economic and political dependence (as in most other newly independent African states) was the Cold War context of the times. In a climate of intense rivalry between communist and capitalist regions of the world, post-independence Africa was caught up in superpower rivalry. In Malawi's case, Banda wholeheartedly supported the West. Like Ivory Coast and Kenya, he implemented a capitalist system. In return, Western donor countries and agencies willingly shored up his dictatorship, enabling him to stay in power for longer than might have otherwise been the case. Thus, it should be noted that the West made a significant contribution to a 'culture of silence' in Malawi

⁷⁸ Ibid, p.60.

⁷⁹ Williams, T. D. (1978) *op cit*, p.237.

2.5.1 Foreign policy and investment

Malawi's, foreign policy under Dr Banda was one of 'discretionary alignment' – a term he coined for his foreign policy objectives. What this really meant was that he would accept money irrespective of its source. However, in practice, Banda was pro-capitalist and the nations of the West proved willing donors. "First the Americans, in 1962, and then, a year later, Britain and Israel, followed by West Germany, Denmark and, to a lesser extent Austria and France came forward with loans and grants in cash and kind".⁸⁰ It was with these countries that Malawi on becoming independent established diplomatic relations.⁸¹

Banda's foreign policy initiatives included a co-operative attitude towards neighbouring states still ruled by white minorities. This made him a "maverick among African heads of state".⁸² In his analysis of Malawi's foreign policy, Mchombo argues that Malawi's foreign policy was significantly influenced by Banda's personality.⁸³ Malawi's policies tended to mimic that of Britain and it is consequently why Malawi aligned herself with the Western bloc. Mchombo speculates that this was perhaps because Banda identified himself very closely with the British.⁸⁴ Nkrumah's description of neo-colonial leadership exactly fits Banda's style. "In a number of territories, 'mother-country' ideology and cultural identity have strongly affected certain leaders".⁸⁵

With regard to Multi-national companies (MNCs), Banda maintained an open door policy, but not without first ensuring that he and the party elite attained maximum benefit. For instance, before investment could occur "a joint agreement between the

⁸⁰ Ibid, p.173.

⁸¹ Malawi sent permanent diplomatic representatives only to Britain, the United States and West Germany. In addition to these countries, France and Israel established embassies in Blantyre while Denmark and Austria were represented on a non-resident basis, cited in Short, P. (1974) *op cit*, p.173.

⁸² Williams, T. D. (1978) *op cit*, p.5.

⁸³ "The crafting of Malawi's foreign policy was as much a function of global alliances, geopolitical factors, and economic incentives as it of the personal character of Banda". Mchombo, S. 'Democratisation in Malawi: Its Roots and Prospects', in Gros, J. (ed) (1998) Democratisation in Late Twentieth Century Africa. Westport, Connecticut: Greenwood Press, p.25.

⁸⁴ Ibid, p.25.

⁸⁵ Nkrumah, K. 'Neo-colonialism in Africa', in Mutiso, G. & Rohio, S. (eds) (1975) *op cit*, p.450. Lawson (2000: 4) highlighted this: "Even during the early nineties he (Banda) was threatening to abandon his leadership of the country and return 'home' to England".

expatriate company and government had to be made in that government would insist on substantial shareholding”.⁸⁶ This provided the government with an instrument of control as the government’s powers as a shareholder were supplemented by discretionary powers to decide the terms of trade and the terms in which the company could do business in Malawi.⁸⁷

Williams explains the benefits accruing to foreign investors and expatriates as primarily a result of the government’s policy to hold wage levels as low as possible. He cites the government’s justification as one that would “encourage investors, stimulate the growth of employment and, in the long run, provide the basis for a viable economy”.⁸⁸ He further notes, “even many of the Europeans who remained in, or came to Malawi after 1964 no doubt preferred his policy even though they may have not entirely been in agreement with his leadership style or the political environment”.⁸⁹

Moreover, Williams explains that while it is true that in the late 1960s and 70s, Malawi’s economy was relatively buoyant; it was achieved through harsh domestic discipline and the fear that Banda instilled in Malawians. Also by cultivating cordial relationships with white minority governments in neighbouring states, Banda secured further inflows of foreign capital, thus helping to secure the national economy in a way that very few other governments in Africa were willing to do. “Large capital inflows provided both the investment resources and the foreign exchange reserves needed for the expansion of the economy”.⁹⁰

2.5.2 Economic development and the politics of patronage

The most important sector of Malawi’s economy remained the agricultural sector. As Williams notes, “the centrepiece of the government’s agricultural programs was the

⁸⁶ Williams, T. D. (1978) *op cit*, p.238. Also see Chazan, N. *et.al.* (1988) *op cit*, p.244.

⁸⁷ Williams, T. D. (1978) *op cit*, p.234.

⁸⁸ *Ibid*, p.286.

⁸⁹ *Ibid*, p.234.

⁹⁰ *Ibid*, p.272.

development of more sophisticated tobacco farming techniques among Malawians”.⁹¹ For example, one of the government sponsored initiatives concentrated on development projects in the rural area of Kasungu. Under the sponsorship and guidance of government and agricultural research experts rural Malawian farmers were trained in sophisticated methods of producing high quality flue-cured tobacco leaves. This program was supported by the government, which made arrangement to provide land and credit to enable farmers to settle on holding of 150 to 200 acres. In general, Malawi’s tobacco industry flourished. In 1964 and 1965 tobacco accounted for 37 and 38 percent, respectively, of the country’s export earnings. And by 1972 and 1973 it accounted for 45 and 44 percent, respectively”.⁹²

However, in the area of Banda’s patronage strategies, it is of significance that Kasungu is located in the Central (Chewa) region, and it in general is arguable that resources were allocated in a way which facilitated the president’s political survival rather than the overall development of the economy. Additionally, the extent to which Banda and the party elite accrued economic benefit to themselves is amply evidenced. Banda himself owned and controlled Press Holdings Ltd., a company initially set up to run the party newspaper, which became a front for various businesses, also owned and controlled by the president. He maintained the loyalty of his ministers and henchmen in the party by awarding them a number of privileges. For instance, the arbitrary power to revoke trading licences and in the process, could manipulate personal business interests in their own favour. Also, government loan schemes were frequently used to purchase and develop farms for the party elite. As Williams adds, “the ease with which prominent party members were able to obtain loans from the government cannot be divorced from considerations of patronage”.⁹³ It should be noted that in all their business dealings and strategies for accumulating personal profit, Banda and his government and party elite were unaccountable to the people of Malawi. Hence, patronage breeds corruption, and both are enabled by personalized arbitrary power.

⁹¹ Ibid, p.280.

⁹² Ibid, p.283.

In conclusion, this chapter's argument, namely that Malawi fits the paradigm of the neo-colonial state has been supported on a number of political and economic grounds. What remains to be discussed are the ways in which the Banda regime invaded, controlled and silenced society in Malawi. This, then, is the task of the next chapter, to which I now turn.

⁹³ Ibid, p.284.

CHAPTER THREE: A 'CULTURE OF SILENCE' AND THE SHRINKAGE OF OF POLITICAL AND CIVIC SPACE

3.1 Introduction

I learned quite early that the only rights I had as a political prisoner were the right to prostrate myself before warders or officers chanting *I am sorry Sir, I am sorry Sir, I am sorry Bwana*, even when I was not responsible for whatever was supposed to have been amiss, even when I was not sorry.¹

Mapanje's eloquent explanation gives poignant expression to the meaning of silence in neo-colonial Malawi. Hence, the aims of this chapter are as follows: firstly to elaborate and emphasise key concepts used to explain and analyse the importance of civil society organizations in Malawi in relation to addressing and criticizing neo-colonial tendencies of the state. Two key concepts in particular, 'space' and 'voice', are closely addressed by Ngugi wa Thiong'o in his book Penpoints, Gunpoints, and Dreams. Secondly, the chapter aims to demonstrate the methods used by the Banda regime to shrink political and civic space and to silence opposition and criticism. Therefore, this chapter can be considered to be a bridge between this section and the next section which comprises qualitative research and data analysis. This chapter also describes the conditions and neo-colonial legacies from which Malawians now are trying to liberate themselves.

Ngugi uses the concept of 'performance space' to signify a political and civic arena in which the state and its people compete to be heard. In the chapter "Art War With The State", Ngugi argues,

The state in a class society is an instrument of control in the hands of whatever is the dominant social force. Art on the other hand, in its beginnings was always an all of human search for freedom from hostile nature and nurture.²

This is where tension between the artist and the state is located as both seek to carve out performance space. On the one hand, the artist (or intellectual) sees it as his or her duty to empower the community by giving voice to the silenced. On the other hand, the state

¹ Mapanje, J. 'Of Orality and Memory in Prison and Exile', in Anyidoho, K. (ed) (1997) *op cit*, p.30.

² wa Thiong'o, N. (1998) Penpoints, Gunpoints, and Dreams. Oxford: Claredon Press, p.28.

seeks to silence the truth by using its power and authority to remove or ban the truth through laws and decrees.

Performance space therefore is defined as the “representation of being, the coming to be, and the ceasing to be of processes of nature, human society and thought”.³ Ngugi classifies the main ingredients of performance space as comprising “content, audience, and the goal, whose end, so to speak, could be the instruction or pleasure, or of both – in short, some reformatory effects on the audience”.⁴ In essence, Ngugi suggests that the arena for performance space is a battleground for the intellectual, the artist, the people, and the state to capture an audience in order to achieve the desired objectives. In this arena, the main struggle for performance space “is really a struggle between the power of performance in the arts and the performance of power by the state – in short, enactments of power”.⁵

The neo-colonial state, like the colonial state, “Is a system of violent subjugation of one people by another”.⁶ While it acts as if it is free and independent, like its predecessor it continues to politically and economically subjugate its citizens. “The relationship between state and society is one in which the state elites seek to control and influence the discourse of politics”.⁷ This is achieved or legitimised through an elaborate philosophical system that is woven in a complex and intricate web of lies and deceit.⁸ The state thus often regards its citizens as potential enemies; it seeks to control performance space and in most cases begins to rule by the use of force, terror and intimidation. Ngugi suggest that the ruling elite is itself ruled by fear. This fear is evidenced by the enactments of oppressive laws.

It is argued in this chapter that the Banda regime created a ‘culture of silence’ in three main ways: legal-constitutional; hegemonic persuasion; and the regime’s bottom line,

³ Ibid, p.37.

⁴ Ibid, p.37.

⁵ Ibid, p.38.

⁶ Ibid, p.21.

⁷ Chabal, P. (1992) *op cit*, p.85.

⁸ wa Thiong’o, N. (1998) *op cit*, pp21-22.

intimidation and terror tactics. It also is argued that a 'cult of personality' around the central figure of Banda was instrumental in establishing hegemonic control. Thus, under the Banda regime, the 'enactments of power' were achieved by controlling performance space through the enforcement of a series of laws that essentially and effectively silenced internal oppositional forces. The result was the shrinkage of political and civic space.

3.2 Legal constitutional

As evidenced by the list of key amendments to the 1964 constitution enumerated in the previous chapter, the implications were far reaching. Party and Government were merged into a monolithic bloc of absolute power. This power bloc occupied all political space in Malawi. Civic space was invaded and threatened by greatly diminishing the guarantees of individual liberties. The judiciary, now under party control, provided Banda "with the most powerful weapon to use against citizens who had, for any reason seriously offended him".⁹ As mentioned earlier, parliament was silenced and reduced to rubber-stamping executive decisions. The extent to which Banda controlled voices within his own party is amply demonstrated by his statement: 'There is no dispute in or party (MCP). We don't say what do you want, what is it? It is what Kamuzu says that goes'.¹⁰ He also once told the directors of the multi-national company Lonrho that, "anything I say is law".¹¹

Banda's control of the voices within Malawian society is a typical characteristic of neo-colonial rule in Africa. Ngugi comments that the more authoritarian a state is, the less likely it is to entertain questions and criticisms. In its quest to supervise society's actions, "a neo-colonial state tries to impose silence on the population as a whole. Quite often the right to organize has been taken away, and people are not allowed to gather freely to voice their thoughts".¹² Banda's Malawi typifies the neo-colonial state against which Ngugi launched his critique. As Mchombo explains, "the media and educational

⁹ Mhone, G. (1998) *op cit*, p.3.

¹⁰ Ibid, p.12.

¹¹ Banda, speech at dinner for Lonrho executives, 8 November 1963, N.I.D. press release, in Short, P. (1974) *op cit*, p.254.

¹² wa Thiong'o, N. (1998) *op cit*, p.27.

establishments can shape the multitude of minds. As such, these institutions came under the most intense scrutiny and were under the most intense surveillance”.¹³ Thus, the control over the flow of information was of crucial importance as the longevity of Dr Banda’s dictatorship hinged on his ability to censor the words and actions of the citizenry through coercion and repression.¹⁴

The media came under tight control, for example, in 1968, Banda issued a Censorship and Control of Entertainment Bill that made it an offence – one punishable by five years imprisonment – to publish anything likely to undermine the authority of, or public confidence in the Government.¹⁵ The Bill, under the supervision of the Malawi Censorship Board regulated, controlled and minimized the freedom of speech and entertainment. The Censorship Board controlled “the making and exhibition of cinema pictures, the importation, production, dissemination and possession of undesirable publication, pictures and records”.¹⁶ The lengths to which the state would go in order to control the flow of information arguably is indicative of its fear of expressiveness. As Ngugi argues, “a novel, or any narrative, may create a situation in which people are debating the very issues forbidden in real life by the state”.¹⁷

The Censorship Act was so profound and pervasive that it extended as far as Dr Banda controlling the press through state ownership of both the local newspaper and the country’s only radio station. However, as Chimombo argues, the greatest achievement of the Censorship Act was in Dr Banda’s ability to make one censor oneself. Dr Banda was ingenious at creating self-censorship, so much so that:

Parliamentary debate was not even attempted. This was not only because of the resulting loss of reflective ability by parliamentarians, but also because it was dangerous to make a statement that might have been misinterpreted.¹⁸

¹³ Mchombo, S. *op cit*, p.27.

¹⁴ *Ibid*, p.31.

¹⁵ Cullen, T. (1994) Malawi: A Turning Point. Cambridge: The Pentland Press, p.18.

¹⁶ *Ibid*, p.18.

¹⁷ wa Thiong’o, N. (1998) *op cit*, p.27.

¹⁸ Chimombo, T. (1997) *op cit*, p.31.

Even among ordinary Malawians, “the ability to suppress or conceal political views no matter how elementary and the Malawian’s inclination to censor oneself was almost instinctive or an automatic reflexive response”.¹⁹ This reflexive reaction was also exercised out of the fear of possible misinterpretation. It was this ability of the people of Malawi, forced into submission, to silence themselves of which one commentator wrote: “the authoritarian, highly personalized regime (*in Malawi*) is proof that repression can work”.²⁰ The consequence was a ‘culture of silence’ which was reflected in “the Malawians mistrust of one’s colleague at work, kith or kin”.²¹

Along with freedom of press, academic freedom practically disappeared. The power of the intellect, or the artist, as Ngugi explains, is often feared. Part of the reason lies in the state’s knowledge of the power of words and images. The intellectual is a threat to the neo-colonial state because of his or her ability to expose or question the actions of the state while simultaneously empowering people through words and images. Silencing the intellect is thus the state’s attempt to silence forms of expression. The state behaves in such a manner because, Ngugi argues, (*it*) “has a narcissistic image of itself as the holder of truth. In other words, absolute power is taken for absolute knowledge”.²²

As mentioned in the previous chapter, Banda made a conscious effort to discourage the development of critical and radical discourse by declaring that certain subjects must be taught on the basis of conditions in Malawi. Evidently, this declaration came soon after opening up the university to undergraduate students who in an attempt to exercise their right to intellectual freedom, and to forge an interactive relationship with the political elements in Malawi, decided to hold a debate on whether or not the one-party system was feasible. The students stood in opposition to one-party rule and the politicians defended it. According to Mchombo, “interpreting this as a sign of student opposition to the one-party state, Banda went on the attack, castigating university students as arrogant and

¹⁹ Mhone, G. (1992) *op cit*, p.8.

²⁰ Index on Censorship, April 1992, in Cullen, T. (1994) *op cit*, p.1.

²¹ Mhone, G. (1992) *op cit*, p.8.

²² wa Thiong’o, N. (1998) *op cit*, p.16.

presumptuous in thinking they knew everything when they were mere suckling babies”.²³ After this incident, the university community, like the press, was under constant surveillance, with a significant number of academics eventually landing in detention for unspecified acts of ‘sedition’. Thus, the act of censorship, as Ngugi explains is when “the state tries to control the distribution and consumption of the work of art”.²⁴ But he also adds, “When official censorship fails the state may try to induce self-censorship through selective acts of terrorism”.²⁵ Dr Banda was insightful, perceptive and ingenious in his methods of suppressing and silencing dissent to the extent that he employed both tactics. I turn to the latter tactic of intimidation and terror in a later section.

In addition to press and academic censorship, censorship or castration of the independent powers of the judiciary was exercised which, in 1969, saw the enactment of the Local Courts (Amendment Act) that empowered Dr Banda to permit specified Traditional Courts to try all types of criminal cases, and to pass the death sentence. It further authorized him to direct that no appeal should be allowed from such a court to the High Court, thereby removing the right previously guaranteed by the constitution.²⁶ The Act also stipulated that Africans tried in Local Courts were debarred from employing a defence counsel. It was therefore, “to consist of traditional rulers and these rulers would try cases according to what the president deemed to be traditional law and practice”.²⁷ Furthermore, Banda also declared that even in the High Court, he would not hesitate to overrule a decision made by the judges. What this essentially meant was that the judiciary in Malawi was now open to direct political control. As with all other repressive laws implemented, this one also served the purpose of silencing Dr Banda’s opponents as in cases where he felt that an individual was a potential threat, he could use his powers to manipulate the verdict.

²³ Mchombo, S. *op cit*, p.28.

²⁴ wa Thiong’o, N. (1998) *op cit*, p.32.

²⁵ Ibid, p.32.

²⁶ Short, P. (1974) *op cit*, p.271.

²⁷ Williams, T. D. (1978) *op cit*, p.254.

3.3 Hegemonic persuasion: ‘cult of personality’

As evidenced in the various laws Banda enacted, it is arguable that Malawi under Dr Banda’s authority and command “came to attain a rare and dubious distinction of shifting from a one-party state to a one-man state”.²⁸ Mchombo further argues, “Indeed, the post-independence period in Malawi was marked by the extraordinary fact that all aspects of political power came to be concentrated in the hands of one individual”.²⁹ Banda’s voice, therefore, both articulated and controlled the operations of state and society in Malawi. Political and social discourse became aspects of the same powerful and all pervasive voice emanating from the Presidential Residence. A ‘culture of silence’ in Banda’s Malawi may thus be taken as meaning that only one voice had permission to speak and that this voice alternatively persuaded and terrified all other Malawian voices into silence. The question to be explored in this section is: How did Malawi come to be tyrannized by a political system dominated by one-man?

Part of the explanation draws from the creation of a fully-fledged personality cult where Dr Banda was often portrayed as larger than life, and endowed with God-like attributes.³⁰ He was even conceptualised as immortal. For example, no one knew his exact age, and neither did Banda disclose his exact age. Perhaps, the mystery surrounding his age was an essential aspect of Dr Banda’s rule because if anyone ever discovered how old he really was, it would hint too much at his mortality.

Mchombo highlights the extent to which hero-worship was a constant refrain of the regime. He recalls a satirical song that illustrates the lengths to which Banda-worship was taken. It went like this: “*Zonse zimene za Kamuzu Banda*’. (Everything whatsoever belongs to Kamuzu Banda). *‘Misewu yonse, ya Kamuzu Banda*’ (all the roads belong to Kamuzu Banda), *‘azimayi onse, a Kamuzu Banda* (all the women belong to Kamuzu Banda), and so on”.³¹ As Malawi’s first president, and life president, this sort of utterly

²⁸ Mchombo, S. *op cit*, p.21.

²⁹ Ibid, p.21.

³⁰ Chazan, N. *et.al.* (1988) *op cit*, p.157.

³¹ Mchombo, S. *op cit*, p.21.

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uncritical hero-worship meant that Banda no longer had to hide behind a mask. He could be himself with impunity. Important institutions were named after him – Kamuzu International Airport, Kamuzu Stadium, Kamuzu Bridge, Kamuzu Academy, Kamuzu Highway, and Kamuzu Central Hospital.³² In addition, there was also the compulsory celebration of Kamuzu Day and His Excellency's birthday. Everywhere he went, the party and government machines surrounded him with pomp and ceremony, and matters of status and protocol became increasingly important. This indeed illustrates and supports Ngugi's argument about the neo-colonial state's determination to monopolize performance space.

The techniques of manipulation and hero-worship employed by Dr Banda are certainly captured by Richard Sandbrook's illustration of strongmen in Africa. The use of Dr Banda's portrait to adorn shop walls, T-shirts, and national dresses worn by women and party loyalists eventually made it "impossible to separate the man's substance from his image".³³ It may have made it difficult for commentators to separate truth from illusion. For instance, Williams claims that,

There does, however, appear to have been enough public acceptances of many of Banda's policies to indicate that he has been accorded, if not the active support of, at least tacit acceptance by, a substantial part of the population.³⁴

However, Williams' point is debatable. If tacit acceptance of Banda's policies permeated much of Malawi, why did the Banda regime consider that widespread resort to the use of terror was a necessary feature of regime survival?

3.4 Intimidation and terror

When oppressive laws and 'cult of personality' propaganda failed to create a 'culture of silence', the regime resorted to its bottom line. Mchombo eloquently expresses why the use of physical threat as a method of control was part and parcel of the Banda regime. He explains that, "Banda viewed the nation as an extension of his household and ruled it

³² Cullen, T. (1994) *op cit*, p.17.

³³ Short, P. (1974) *op cit*, p.282.

³⁴ Williams, T. D. (1978) *op cit*, p.16.

as though he were ruling a family compound, as his actions and choice of words indicated”.³⁵ This is why “the security of the country and that of its leader became intertwined and increasingly the focus of domestic affairs”.³⁶ Any act interpreted as capable of undermining his authority and leadership meant that heavy penalties for dissent would be paid through detention, exile or worse yet, death. Moreover, heavy penalties for dissent were exercised with a bewildering and terrifying degree of arbitrariness.

To achieve such levels of control, Banda required legal methods. As discussed in the previous chapter, the re-enactment of the Preventative Detention Bill in 1965 provided the legal framework for arrest and detention without trial. However, the creation of watchdog institutions that would enforce obedience and loyalty was paramount in terms of enforcing silence. The Malawi Police and the Malawi Young Pioneers (MYP) were the chosen bodies that would enforce law and order. Both these institutions were given discretionary powers such that, for example, “the Malawi Police were not obliged to publish names and numbers of the people they had detained”.³⁷ As such, their detention powers were completely arbitrary, a vital component in spreading a climate of terrified silence throughout Malawi’s civic spaces.

One particularly notorious crime committed by the Malawi Police stands out above the rest and serves to show the length and measures Banda would take to ensure that his power was never compromised. The incident that comes to the mind of most Malawians when they reflect back on the atrocities committed by the Banda regime is, the ‘Mwanza Accident’ when in 1983 four senior cabinet ministers were found dead in a saloon vehicle in the remote district of Mwanza. These killings, based on the orders of the president, were carried out because Dr Banda perceived these ministers as being rivals for his position and therefore, they had rebelled against him and needed to be effectively muted.³⁸ This is a classic example in which Dr Banda, through his ability to deploy

³⁵ Mchombo, S. *op cit*, p.24.

³⁶ *Ibid*, p.23.

³⁷ Cullen, T. (1994) *op cit*, p.16.

³⁸ Venter, D. ‘Malawi: the transition to multi-party politics’, in Wiseman, J. A. (ed) (1995) *op cit*, p.155.

insurmountable levels of power and control, was in a position to spread terror through the ranks of potential political opposition and thus to drastically reduce political space as well as civic space.

The Malawi Young Pioneers (MYP) were the most ruthless enforcers of discipline in Malawi, and developed into a paramilitary wing that “protected national security through activities such as enforcing the purchase of MCP annual membership cards, and attacking property of individuals suspected of having links with dissidents”.³⁹ For example, violent acts committed against the Malawian people by the MYP included the hunting down of, and killing, sexually assaulting, driving into exile, dismembering and murdering of Jehovah’s Witnesses because of “their unwillingness to acknowledge secular authority and their resistance to purchasing MCP cards”.⁴⁰ Jack Mapanje, one of many Malawian academics who were arbitrarily imprisoned by the Banda regime, recalls that even Special Branch feared to take action against officials who were under the protection of the MYP.⁴¹ Mapanje also notes that “the Malawian intelligence had learned its disinformation tricks from apartheid South Africa”.⁴² This reliance on apartheid expertise in the dissemination of terror and misinformation indeed signifies the neo-colonial status of Banda’s Malawi.

³⁹ Mchombo, S. *op cit*, p.24.

⁴⁰ Ibid, p.24.

⁴¹ Mapanje, J. *op cit*, p.33.

⁴² Ibid, p.39.

SECTION TWO: MALAWI'S TRANSITION FROM NEO-COLONIALISM: THE ROLE OF CIVIL SOCIETY

CHAPTER FOUR: CONCEPTUALISING CIVIL SOCIETY

4.1 Introduction

As indicated in the previous chapter, this dissertation conceptualises a transition from a neo-colonial order to another form of governance in terms of the opening up of political and civic space in order to enable “a clamour of voices” to be heard. As previously demonstrated, in neo-colonial Malawi all political space and much of civic space had been narrowed to the point where one voice (that of Banda or his mouthpieces¹) spoke in the name of all Malawians. This dissertation therefore argues that it is possible and desirable to assess the extent of meaningful or substantive change in present day Malawi by an interrogation of the extent if any to which ‘a culture of silence’ is in transition to a ‘clamour of voices’, in other words, the extent, if any to which Malawians are being enabled to speak out and be heard. This dissertation infers ‘be heard’ to mean in a statutory (constitutional), judicial and policy-making manner in terms of the penetration of voices in the arena of the Malawian state.

It is important to reiterate three points made earlier in the introduction to the dissertation. Firstly, the dissertation does not try to delineate and analyse democracy in the new form of the Malawian state (that is since 1994)². Instead, the concept of ‘transition’ is utilized to indicate that Malawians are still in a process of emerging from a neo-colonial dispensation, and that the process is on going. Secondly, instead of examining institutions and process of ‘high politics’ as a way of measuring the transition, this dissertation utilizes the concept of ‘politics from below’ or (following Ngugi) ‘voices from below’. To do this, the dissertation interrogates society in its organized form, in

¹ Banda’s mouthpieces consisted of, himself, his right hand man, John Tembo, and his constant companion and ‘official hostess’ Cecilia Kadzamira, they were dubbed the ‘Triumvirate’ and were believed to be the only two people permitted to speak with authority in his name.

² Instead of pinning the concept ‘democracy’, down to a single definition, I left it to my informants to articulate their perceptions of democracy in today’s Malawi; material relating to current democratic dispensations is compiled and compared in the data analysis that follows on from this chapter.

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other words, utilizes a civil society paradigm within which to organize and interpret the qualitative analysis which comprises the second section. To this end, an adumbration of civil society discourse in Africa in general, and Malawi in particular, is needed to set the scene for the qualitative analysis that follows. Also, the paradigm then is limited and refined to accommodate the selected civil society organizations and communities which comprise the specific voices which are heard in this dissertation.

4.2 Discourse on civil society in Africa

According to Mamdani,

The notion of civil society came into prominence with the Eastern European uprisings of the late 1980s. These events were taken as signalling a paradigmatic shift from a state-centred perspective, from a strategy of armed struggle that seeks to capture state power to one of an unarmed civil struggle that seeks to create self-limiting power.³

The significance of these events caused Africanists to reconsider the concept of civil society in Africa in light of what Samuel Huntington termed the 'third wave' of democratisation.⁴ As a result of the changes on the African continent, Mamdani distinguishes between conflicting tendencies in civil society discourse in Africa. In the literature that is 'modernist', inspiration is drawn from events in Eastern Europe, and in the literature that is 'communitarian', inspiration is drawn from "real flesh-and-blood communities that comprise Africa (and) are marginalized from public life as so many 'tribes'".⁵

Ake extends the 'communitarian' point when he contends that we cannot understand civil society in Africa without coming to terms with ethnicity and ethnic diversities. He argues that ethnicity is linked to the existence of civil society and its vitality. Ake thus defines civil society as "the realm of associational life, credited with checking the

³ Mamdani, M. (1996) *op cit*, p.14.

⁴ Huntington, S. cited in Gyimah-Boadi, E. (1996) 'Civil Society in Africa'. *Journal of Democracy*, Vol, 7, No. 2, p118.

⁵ Mamdani, M. (1996) *op cit*, p.3.

totalitarian tendencies of state power by pluralism which is its very essence”.⁶ He further argues that because political authoritarianism in Africa was often associated with personal rule and reliance on an ethnic political base, and because of the way that repressive domination was organized, opposition to state authoritarianism tended to be based around ethnic formations. Ake therefore takes a positive view of ethnicity in a civil society context, which is comparable with Mamdani’s notion of communitarianism.

However, at this juncture it is important to note that the qualitative research which follows this chapter, does not involve ethnic organizations. Ake’s and Mamdani’s arguments about ethnic formations are included to demonstrate an awareness of the literature on African civil society and how the struggle that existed and exists between state and society in Africa comprises a whole range of different civic associations, not all of which fit Western or ‘liberal’ conceptions of civil society organizations.

In order to trace the roots of the struggle and the analysis of the relationship that existed between state and society, Chabal contributes to the discourse by highlighting the fact that “independence was a rapture, a political revolution, in the relationship between the state and civil society”.⁷ He explains that, “the very fact that the nationalists were now in power changed the configuration of civil society and the nature of the relationship between the state and civil society”.⁸ What was distinctive about the relationship between civil society and the state was that the new African leaders “defined the boundaries and activities of civil society so that the political actions of civil society were almost confined to the realm of political illegitimacy”.⁹ The new relationship between the state and civil society was one in which state elites sought to control and influence the discourse of politics through various constitutional amendments, which resulted in “the narrowing down of representation, the increase in coercion and the greater bureaucratisation of civil society”.¹⁰ The voice of civil society became more subdued, if not altogether silenced. Civil society discourse under neo-colonial regimes, at least,

⁶ Ake, C. (1993) What is the Problem of Ethnicity in Africa. *Transformation*, Vol. 22, p.6.

⁷ Chabal, P. (1992) *op cit*, p.89.

⁸ *Ibid*, p.90.

⁹ Bayart, J. F. (1979) ‘*L’Etat au Cameroun*’, cited in Chabal, P. *op cit*, p.85.

¹⁰ Chabal, P. *op cit*, p.91.

appeared to be dictated by the discourse of high politics.¹¹ Therefore it may be inferred that an important process of transition from neo-colonialism is that of liberating civil society's voices from state control. However, as Chabal argues, "this is not to say that civil society speaks with one voice for it is divided into a myriad of individuals or ensembles of individuals each with its own voice".¹²

In a slightly different vein to Chabal's, Monga argues that,

People are becoming more and more aware of belonging to a specific, defined group and increasingly express the desire to create interest groups in both civil and political arenas. From political courtiers to financial marabouts, from unemployed youths of the suburbs to the intellectual and religious elites, there is hardly a group that has not felt the need for its members to communally articulate their daily concerns.¹³

In the above quotation, Monga indicates the expansive boundaries of civil society discourse in the struggle against neo-colonialism. He further argues that although civil society may not speak with one voice, "For Africans, these groups are a way of reclaiming their rights of self-expression, long confiscated by the official institutions of power".¹⁴ He emphasizes that civil society in Africa cannot be understood unless it is seen within the perspective of what he terms an '*anthropology of anger*'.¹⁵ What does Monga mean by 'anger' in a civil society context? His meaning relates to the effects on the lives of ordinary Africans of neo-colonial states and governance. Here, his perspective is similar to Ngugi's. He refers to "the emotional dimension of the protest movements that have been shaking Africa's political stage"¹⁶, to "to cumulative frustrations"¹⁷ and to "collective modes of expression and discontent".¹⁸ What Monga highlights, therefore, is that civil society discourse in Africa today continues to be influenced by people's experiences of neo-colonialism. Thus, like Mamdani and Ake,

¹¹ Ibid, p.85.

¹² Ibid, p84.

¹³ Monga, C. (1996) *The Anthropology of Anger: Civil society and Democracy in Africa*. Boulder, London: Lynne Rienner Publishers, p.146.

¹⁴ Ibid.

¹⁵ Ibid, p.147.

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ Ibid.

Monga argues for a reconceptualisation of civil society in accordance with African historicity. As such, he states,

Any attempt to define the forces hastily grouped under the label civil society appears doomed. This is principally due to the diversity of political situations and the inherent inadequacy of using tools designed for understanding the workings of Western democracies to analyse the situation elsewhere in the world, which raises the general problem arising from the transfer of concepts across time and space.¹⁹

In line with Monga's argument, Bayart explains why difficulties exist with the transfer of concepts across geographical locations. He discusses the differences between European and African history in terms of the emergence of the state in both areas. For instance, he argues that the state in Europe emerged as an excrescence that developed in and upon society whereas, in Africa, the state did not develop in and upon society. Instead, the type of state that emerged in Africa was imposed and created by colonial rule. Thus, he argues, the relationship that developed between civil society and the state was one in which civil society experienced continual conflict with and domination by the state because the state had been deliberately set up against civil society.²⁰

As can be seen from the outline above of some influential aspects of civil society discourse in Africa, it is a contested field of analysis, and is difficult to define with precision, at least in regards the theory of the concept. An alternative method is to collect and document perceptions of civil society through in-depth interviews with civil society activists, well-informed citizens (in the academic community in the case of this dissertation). This dissertation utilizes a qualitative method of in-depth interviews with a range of informants to obtain definitions from the people on the ground. However, in general terms and from personal observation, civil society can be conceptualised and understood as organizations that are non-governmental whose main aims are neither to generate profits nor to seek governing power. Thus, it has no particular interest or ambition to replace the incumbent government, but has an intention (if deemed

¹⁹ Ibid, p.145.

²⁰ Bayart, J. F. 'Civil Society in Africa', in Chabal, P. (ed) (1986) Political Domination in Africa. Cambridge: Cambridge University Press, pp.111-112.

necessary) to influence processes of governance such as policy and legislation. In short, it comprises organized associational life that is outside of government and often occupies the space between the citizen and the state, where the will of citizens' is manifested and mobilized outside officialdom.

4.3 The parameters of qualitative analysis

For the purposes of this dissertation, and in particular the qualitative analysis, 'civil society' is understood in terms of:

- Malawi's protracted experience of neo-colonialism and a 'culture of silence'.
- The important role played by civil society, especially religious organizations, in challenging and defeating the Banda regime.
- The vital role of civil society in combating on-going neo-colonial tendencies of 'high politics' as well as establishing and maintaining constructive dialogue with government.
- 'Voices'. It is the aim of this dissertation to allow and enable Malawian voices to speak for themselves. Therefore, definitions of civil society and its role are definitions of informants.
- This dissertation privileges the voices of three selected groups or communities within Malawian society.²¹ One reason is due to constraints of time and access. Other reasons are given in the course of data analysis provided in the chapter to follow.

Having outlined the parameters of analysis in this section of the dissertation, a remaining task is to highlight relevant aspects of associational and organizational life in Malawi in the period of 1964 to 1994, and to note important contributions in the field of opposition to neo-colonialism.

²¹ These are: organizations of the Roman Catholic Church, Gender Empowerment organizations and the intellectual or academic community of Chancellor College.

4.4 Civil Society in Malawi

It should be stated right from the outset that the literature of civil society in Malawi is relatively small for the very reason that the neo-colonial state under Dr Banda censored academic discourse and also shut down, disbanded or assimilated into the party (co-opted) most civil society organizations. However, Chirwa and Ngwira note that “during the colonial period a vast array of ‘native associations’, welfare societies, trade and worker unions, producer and consumer co-operatives, independent churches and socio-cultural organizations emerged”.²² Furthermore, not only did they exist, these more or less independent organizations and institutions eventually were incorporated into the nationalist movement during the struggle to end colonial rule. This incorporation of independent organizations arguably aided in shaping the country’s political future and the relationship between state and civil society during the colonial and neo-colonial eras. However, after independence from colonial rule in 1964, most of the institutions and organizations of civil society were incorporated into party-structures. Trade unions and other sources of opposition, which the MCP perceived as threats to their power, had their autonomy undermined. Moreover, various other organizations that were perceived as existing outside the party were actively suppressed, disbanded and shut down in the regime’s attempt to control all facets of Malawian life. Civil society was therefore drastically weakened, and the co-optation or suppression of civil society served the regime’s objectives: namely, in damaging and restricting the cultivation of a democratic culture and polity, thus neutralizing potential sites or sources of resistance.

The process of enfeebling civil society was aided by outside forces. As Minnis notes, “thanks to the array of international donors that continued to pump money into anti-Socialist Malawi throughout the period, they indirectly aided and abetted Dr Banda’s attempt to ‘hegemonise’ civil society”.²³ During the era of the Cold War, therefore, the role of the West served to complement Dr Banda’s quest to co-opt or suppress centres of dissent and opposition.

²² Chirwa, W. & Ngwira, N. (1998) ‘State of the Art Review – Malawi’, in Lawson, M. (2000) *Civil Society in Malawi*. *OD Debate*, Vol. 7, p.6.

²³ Minnis, J. R. ‘Prospects and Problems for Civil Society in Malawi’, in Lawson, M. (2000) *op cit*, p.6.

Despite the initiatives and activities of the neo-colonial regime, some civil society organizations survived, although in a weakened form. Most of these associations however, were engaged in seemingly non-threatening activities such as developmental, charitable and social services organizations. As Lawson notes, “the ability of these organizations to continue their operations was possible because they remained studiously apolitical and stuck closely to a welfare-oriented approach with no emphasis on community mobilization”.²⁴ Most were religious based organizations that were vital to Malawi’s community development projects because they either provided healthcare or humanitarian relief services. For example, the Christian Health Association of Malawi (CHAM) ran 40% of the country’s healthcare services, and the Christian Services Committee (CSC), a 30-year-old church welfare organization, were indispensable to Malawi’s non-governmental services. However, although some organizations did survive, the nature of the relationship between state and society under Dr Banda was characterized by mistrust and fear.

As Lawson explains, the re-emergence of civil society (in terms of NGO operations in Malawi in the transitional period) was aided by the Mozambican civil war where Malawi experienced an influx of Mozambican refugees.²⁵ The flood of refugees proved to difficult to cope with, and the Malawian government called for humanitarian assistance, which drew attention from around the world. By 1993, when the civil war in Mozambique came to an end, and the refugees had been sent back home, a number of International NGOs decided to remain instead of closing down their operations in Malawi. They focused their efforts on humanitarian issues such as development, the provision of safe, portable water, and concentrated on food security programs. Their operations remained legal as they stuck to apolitical community services. However, at the same time, their presence acted as a catalyst and played a crucial role in carving out a space for civil society in Malawi. Inspired by their example, a number of local NGOs

²⁴ Lawson, M. (2000) *op cit*, p.6.

²⁵ *Ibid*, p.46.

started to develop; even so, for the time being, NGOs continued to take an unthreatening role by confining their efforts to assisting communities.

It is of note that Malawi provides a cameo example of the paradoxical role of the West. With the ending of the Cold War came an alteration in Western strategic considerations such that blatant neo-colonialism in donor Africa could no longer rely on Western support. Thus, the influence of international financial institutions played a role in carving out space for the re-emergence of an active civil society. In the late 1980s and early 90s, international donors such as the World Bank and the International Monetary Fund began to push for economic and political reforms. As mentioned, one of the prime reasons for advocating political and economic liberalization was the demise of the Soviet bloc, the end of the Cold War and the 'triumph' of the West. Western 'triumphalism' arguably played a significant role in what Samuel Huntington termed the 'third-wave' of democratisation.²⁶ In light of global changes, dictatorial regimes increasingly became perceived as antiquated, and as Monga notes, African dictators were no longer able "to sell to the international community the ludicrous idea that the future of Africa depended on them and them alone".²⁷ As such, pressure from international financial institutions, followed by the conditionalities now attached to aid from donor countries, indicated to observers and analysts of African politics and society that the writing was on the wall for single party regimes. Through an incredible reversal of fortune, many African dictators, like Banda, were losing their strength and grip and "were toppling over like bowling pins".²⁸ However, in Malawi, the demise of Banda and his single party regime cannot be solely attributed to international pressure. The contribution made by civil society movements, not least under the constituents of religious based organizations, was a major and significant factor in internal pressure for reform.

²⁶ Huntington, S. cited in Gyimah-Boadi, E. (1996) Civil Society in Africa. *Journal of Democracy*, Vol. 7, No. 2, p.118.

²⁷ Monga, C (1996) *op cit*, p.47.

²⁸ Ibid.

4.4.1 Immediate events of transition from neo-colonialism

It should be noted and clarified at this point in the dissertation's argument that the method utilized is to divide 'transition' into two stages. The first is the 'immediate' state, that is, significant events and actions taken between 1992 and 1994 (the first multi-party elections). The second stage is conceptualised as the on-going process of transition, including threatened setbacks (such as the President's attempt to extend his tenure beyond constitutional limits). An objective of the qualitative research is to highlight some of the ambiguities and nuances of the second stage, and to highlight also that many decades of neo-colonial rule have left a deep imprint on Malawian society, not easily done away with.

In 1992, Roman Catholic Bishops wrote a Pastoral Letter, which is marked as a watershed event in the country's history of thirty years of silence from society. The letter was distributed around the Church Parishes throughout the country, and the contents of the letter openly criticised and highlighted both political repression and the mismanagement of the economy. It was arguably a groundbreaking event in the country's long history of autocratic rule. However, the broken silence raised an important question: why had it taken the Catholic Church so long to publicly announce their dissatisfaction with the Banda regime? Minnis furnishes a plausible if partial explanation. He writes: "The reasons for the clergy's silence can be understood if one considers that in order for any organization to operate in Malawi, maintaining good relations with the Banda regime was paramount".²⁹

While noting Minnis' explanation, this dissertation does not suggest that it is sufficient to explain the 'quietism' and passivity of the Church in Malawi. However, no matter how long it took, at least it revealed a deep sense of frustration and dissatisfaction with the Banda regime. As the Chairman of the Committee involved in composing this letter stated: "Among the Christian communities in Malawi, there was a growing realization

²⁹ Minnis, J. R. 'Prospects and Problems of Civil Society in Malawi', in Phiri, K. M. & Ross, K. R. (ed) (1998) *op cit*, p.141.

that issues of human rights and of justice were integral to the gospel message”.³⁰ Having decided to speak out on matters that needed to be addressed, the Bishops listed several areas of concern. Among some of the issues raised was the increase in poverty for the majority of Malawians, the spread of corruption, the basic freedoms that had been denied, and the basic injustices that the government had committed against ordinary Malawians.³¹ The letter ended with an appeal to all Christians in Malawi to “respond to this state of affairs and work towards a change of climate”.³²

The government’s response to the Pastoral letter lends substance to Minnis’ explanation above because it illustrates the courage need to withstand the neo-colonial regime. The regime, in a classic example of neo-colonial ‘double-speak’, condemned the Bishops for trying to incite violence and destroy the peace and stability that Malawi had enjoyed for thirty years³³. Following the release of the Pastoral letter, the seven Bishops of Malawi were arrested, detained and interrogated. Plots and threats to kill them were circulated. However, contrary to the government’s efforts to contain the situation, their threats served to fuel opposition movements internally. Students and workers rallied behind the Bishops in support of the letter, and made calls for political reform. In addition, the international community expressed its concern and demanded that Dr Banda hasten the reform process or face losing international aid.

By mid-1992, the climate of fear was under attack by the very people it previously had silenced. The people of Malawi were taking to the streets of Blantyre, Lilongwe and Zomba, demanding that Dr Banda institute a referendum in which a now active electorate would vote for multi-party or single-party rule. Thus, it is arguable that the Bishops letter served as a catalyst, and played a pivotal role in the call for change. Various people, highlighting the impact of the Pastoral letter, issued comments. For example, Reverend Aaron Longwe of the Church of the Central African Presbyterian (CCAP) expressed that the letter “represented the feelings of the people of Malawi. It spoke on our behalf and

³⁰ Six drafting committee members had responsibility for writing the letter, in Cullen, T. (1994) *op cit*, p.34.

³¹ Cullen, T. (1994) *op cit*, pp.37-38.

³² *Ibid*, p.39.

³³ *Ibid*.

became the voice of the voiceless”.³⁴ Jack Mapanje, the country’s leading writer and poet, who had relocated to Britain after his release from detention, spoke out from exile: “Malawians need opposition from within the country and the Bishop’s letter must be seen as a turning point in the build up of opposition that preceded it”.³⁵ Pressure groups emerged by mid 1992 and later registered themselves as political parties.³⁶ During this period, Alliance for Democracy (AFORD) and the United Democratic Front (UDF) were formed to agitate for change. Both groups had one common aim, “the suspension of the Constitution’s Article 4 which enshrined the status of the MCP as the sole legal party”.³⁷ The withdrawal of that clause was essential for the opening up of political space in Malawi. Where was Malawian civil society amidst all this ‘clamour of voices’?

Lawson argues that, with the political changes taking place from the early 1990s, institutions and organizations of civil society emerged from nowhere, yet their efficacy was hampered due to colonial and neo-colonial legacies. He further argues that these eras had considerable bearing on the development of an effective and coherent civil society.³⁸ The culture of suppression and oppression had severely restricted the creation of an open society and non-fearful voices. Even in the era of political change or transition, the culture of silence was by no means completely erased. However, under the new political dispensation, what became evident was that space was arduously being opened for the development of a strong civil society that aimed at opening up the political system and providing checks and balances on the state. The growth of civil society in Malawi is evidenced by the fact that within few years, 200 NGOs were operational in the country, each with a different focus point.³⁹ However, the most notable organizations in this respect were the NGOs dealing with human and civil rights as it was felt that the

³⁴ Ibid, p.47.

³⁵ Ibid, p.47.

³⁶ Pressure groups were able to register themselves as political parties during the second half of 1992 and the first half of 1993. The ambiguities introduced by this blurring of boundaries between civic (pressure groups) and political (opposition parties) space is highlighted by respondents from the focus group interviews cited in the data analysis section.

³⁷ Victory for the multi-party pressure groups on the 14th June 1993 referendum forced the government to change the constitution on 28th June 1993, to allow the presence of opposition parties within the country. See Cullen, T. (1994) *op cit*, p.58.

³⁸ Lawson, M. (2000) *op cit*, p.7.

³⁹ See Lawson, M. (2000) *op cit*, p.7.

country needed to redress such abuses before it could move on. Since then, other civil society organizations have mushroomed, each catering for the specific needs of social groups or communities.

In concluding this chapter, it is reiterated that the qualitative analysis, which follows, was undertaken in the form of fairly extensive and in-depth interviews, conducted during the months of June and July 2002. The collation and analysis of data, attitudes and perspectives of respondents thus relates to a second and on-going phase of transition from neo-colonialism in Malawi, complete with lingering features of neo-colonial governance and mentalities, and perceived setbacks in the context of 'voice' and 'space'.

I now turn to delineating the three strata of civil society organizations and communities interviewed by myself as part of the research for this dissertation. The objective is to examine and analyse the effects of liberalization on a 'culture of silence'. More specifically, a fully empirical interrogation of two selected groups of civil society, plus an umbrella organization, examines to what extent civil society in Malawi is currently involved in dismantling the 'culture of silence' and is providing an enabling space for a 'clamour of voices'. The overall objective is to unpack the activities and trends of selected civil society organizations in their capacity as independent actors engaged in the expansion and mobilisation of civic and political space. In addition, qualitative analysis drawing on a variety of academic voices is included. The respondents in this group are well-informed, articulate and insightful 'voices' within the overall context of Malawian society emerging from long decades of neo-colonially enforced silence.

CHAPTER FIVE: QUALITATIVE ANALYSIS: ‘FROM A CULTURE OF SILENCE TO A CLAMOUR OF VOICES?’ – INTRODUCTION

5.1 Research Methodology

The study used a purposeful sampling approach to collect data.¹ In practice this was done through in-depth interviews. Hence, the study saw religious organizations, women’s organizations and the intellectual community as part and parcel of civil society and as key informants for the in-depth investigation in assessing the extent of meaningful or substantive change in present day Malawi. The methods of research are qualitative and this dissertation takes a naturalistic approach to data collection. This is because during the course of interviewing key informants, I did not attempt to manipulate the research setting. As such, to compliment the naturalistic approach, I formulated open-ended questions in order to minimize the imposition of pre-determined responses. The intention was to enable informants to talk openly and fairly about their feelings, experiences, opinions and knowledge.

5.2 Data collection

As mentioned in the previous chapter, data collection was carried out during the months of June and July 2002. Appointments to conduct interviews were done either telephonically or through e-mail. Once informants indicated their willingness to participate in the study, an abstract was delivered along with samples of the appropriate interview guide.² Through this process 24 key informants were identified and interviewed.

All key informants had a reasonable understanding of what the study sought to examine. However, the positions in the three selected bodies of civil society comprised a variety of professions, and ranks within the professions. Church informants included parish priests, a pastoral secretary and ordinary priests, all from

¹ “The logic and power of purposeful sampling lies in selecting information-rich cases for in-depth study. Information-rich cases are those from which one can learn a great deal about issues of central importance to the purpose of the research”. Patton, M. (1990) Qualitative Evaluation and Research Methods. London: SAGE Publications, p.169.

² The interview guides were structured in an open-ended manner. This meant that once the informant gave an answer to a question, further questions related to his/her response were asked either to engage the informant in in-depth discussion or to seek clarification or expansion.

different parishes. In the women's organizations, informants included, the national co-ordinator of Women and Law in Malawi, the legal programme officer for Women and Law, the programme officer for Women and Law and the full-time research assistant for Women and Law in Malawi. Also, a focus group interview included informants from Women's Voice. In the intellectual community, academics interviewed included members of staff from the Departments of Sociology, Philosophy and Public Administration and Political Studies, ranging in rank from Professorial to lecturer.

Out of the 24 people interviewed, 19 were individually interviewed and 5 were interviewed as part of a focus group.³ Due to problematics of time and access, only one focus-group interview was conducted and this was with a woman's organization known as Women's Voice. In addition, of the 19 informants interviewed individually, 1 of the key informants was from the umbrella organization the Council for Non-Governmental Organizations of Malawi (CONGOMA). CONGOMA was selected for the purposes of obtaining a broad overview on the role and objectives of civil society organizations in Malawi, as well as some statistical data.

5.3 Data analysis

The specific type of data analysis utilized in this dissertation is inductive analysis. Patton defines inductive analysis as a process that involves analysing the "patterns, themes and categories that come out of the data".⁴ What this means is that by analysing patterns and themes, interpretations can be arrived at through a process of identifying the extent to which the information gathered can be held together or dovetailed in a meaningful way. Moreover, where several themes emerge, prioritising which information is imperative as it determines which issues are salient.⁵ A process of fleshing out patterns provided in the transcripts, and then making connections, which form bridges between patterns in order to interpret the information in a more meaningful manner does this. Furthermore, quotes from the transcripts are included to substantiate interpretations thus clarifying the basis of inferences made. Where

³ The purpose of the focus group was to obtain different opinions and aspects that perhaps did not emerge from the interviews conducted on an individual basis.

⁴ Patton, M. (1990) *op cit*, p.376.

⁵ *Ibid*, p.403.

differences emerge and are bold and clear, the interpretations highlight different points of views from the key informants.

5.4 Ethical issues

Because qualitative research methods are highly personal and inter-personal, because naturalistic inquiry takes the researcher into the real world where people live and work, and because in-depth interviewing opens up what is inside people – qualitative inquiry may be more intrusive and involve greater reactivity than surveys, tests and other quantitative approaches.⁶

As such, the code of conduct on the part of the researcher is important. I am aware of the ethical issues concerning qualitative research and the use of in-depth interviews. More specifically, before I began conducting interviews I made sure that:

- The informants were given ample information on the objectives of the study, and hence, made informed and voluntary decisions to participate. In short, I made sure that all the interviews were conducted with the informed consent of the interviewees. Additionally, informants were given the option to state their names for transcription purposes or to remain anonymous.
- In addition, I treated all informants with courtesy and respect and assured them that the data collected would be treated with the utmost confidentiality. However, I did stipulate that where appropriate, their ideas would be used and they would be quoted and cited.
- I also assured them that all the information gathered would not be misused in any way. As such, the interpretations made are consistent with the data gathered.

⁶ Ibid, p.356.

5.5 Arguments explaining and supporting the choice of three distinct groups within the broad spectrum of civic organizations and communities in Malawi

At the outset it should be acknowledged that the groups selected comprised informants to whom the researcher had access, and who were willing to participate. Owing to time constraints, this practical factor was somewhat influential.

5.5.1 The religious community

In a lecture given in the early 1990s entitled 'Africa's Pro-Democracy Movements: Indigenous, Islamic and Christian Tendencies', Ali Mazuri argued, "Religion is a probable mid-wife to the new African democracy, religion is thus becoming one of the roots of Africa's second liberation struggle".⁷ Indeed, this was the case across most of the African continent as many significant contributors to change came from Christian organizations. For example, in Kenya, Church organizations have been at the forefront of opposition to the authoritarian nature of Daniel arap Moi's regime.⁸ In Malawi, as discussed in the previous chapter, the Roman Catholic Church was instrumental in the ousting of the Banda regime. Therefore, reasons for choosing the faith community are as follows: firstly, because of its dramatic change from passivity and quietism, to leading the struggle by providing the first civic and collective voice in Malawi to speak out against neo-colonial oppression. Secondly, the faith community is an active part of civil society especially in the way its protagonists influence political discourse. As has been suggested by Gyimah-Boadi,

'Orthodox' Christian Churches appear to have a political commitment to political liberalization and civic virtues. As such, they are important parts of Africa's nascent civil society, capable of breaking the 'culture of silence' imposed by years of authoritarian rule.⁹

Arguably the most vocal civil society organization in Malawi today, the religious community provides a medium through which the extent of meaningful change in Malawi can be interrogated.

⁷ Mazuri, A. 'Africa's Pro-Democracy Movements: Indigenous, Islamic and Christian Tendencies'. The Sixth Desmond Tutu Peace Lecture. 2 December 1990, Johannesburg, p.79.

⁸ Gyimah-Boadi, E. (1996) *op cit*, p.119.

⁹ Gyimah-Boadi, E. (1997) 'Civil Society in Africa: the good, the bad, the ugly'. *Journal*, Vol. 1, No. 1, p.4. in <http://www.civnet.org/journal/issue1/egboadi.html>

5.5.2 The women's organizations

The researcher for a number of reasons privileges gender empowerment groups. One reason is that historically and on going, women are an oppressed group in Africa as in other continents. However, in Africa, women are arguably more oppressed due to neo-colonial forces of patriarchy, culture, religion, economic and educational discrimination. Another reason is the numerical significance of women. In terms of sheer numbers, "women make up 52% of Malawi's 12 million population",¹⁰ and "87.9% of them are poor".¹¹ Of interest here is the role of "an African focused intelligentsia",¹² in this case, the role of the relatively few educated and articulate women in Malawian society in empowering the majority of illiterate, poor and rural women. However, while the educated, professional women cannot claim (unelected) leadership of their rural sisters, they can raise levels of civic awareness, especially in the area of civic and gender rights (protected by statute), and help to create an enabling and empowering environment. An examination into women's organizations is therefore of great importance because as Williams put it: "women are not a voice, they are many voices and these voices must be given a chance to express the diversity of opinions".¹³ Thus, one of the main reasons for choosing women's organizations is to highlight that to some extent – arguably – the status of women in any given society is a measure of that society's openness, or otherwise. The position of women in both colonial and neo-colonial Malawi is an area of particular concern. As Pat Williams highlights,

From findings, African women have been playing the role they have always played from time immemorial, whether it was in the case of countries like Ghana and Nigeria which got 'flag' independence on a platter of gold, or those like Algeria and Kenya which won theirs through sweat and blood, they are the producers and reproducers of society. The outcome for women remains the same. In times of dire need such as the struggle for independence, women are allowed to participate in public matters. However, as soon as the objectives have been achieved, women are discarded like a bad penny.¹⁴

¹⁰ Gama, H. 'Malawi: Not tonight, darling'. *New African*, Issue No. 406, p.13.

¹¹ 'The State of Malawi's Poor: who are they?' *Poverty Monitoring System*, PMS Policy Brief No. November 2000, in <http://www.nso.malawi.net/>

¹² Mamdani, M. 'There can be no African Renaissance without an African focused Intelligentsia. Text of a talk delivered at the African Renaissance Conference. 28 September 1998, Johannesburg.

¹³ Williams, P. 'State, Women and Democratisation in Africa: The Nigerian Experience', in Nnoli, O. (ed) (2000) *Government and Politics – A Reader*. Harare: AAPS Books, p.696.

¹⁴ Ibid, p.662.

While noting Williams' argument, this dissertation does not suggest that it is sufficient to define the role of women as merely producers and reproducers of society. In fact, today, a growing number of women are active participants in public arenas. However, four decades later, with the 'second liberation' notionally having been achieved in Malawi, it is pertinent to investigate women's attitudes and opinions about the significance, if any, of political reform since 1995s constitutional changes, and to uncover opinions about the extent to which women's voices are being heard by policy-makers.

5.5.3 The intellectual community

I chose this community not least because they were viewed by Banda's regime as exceptionally threatening. They were subjected to stringent controls and censorship. As Mapanje notes, "here anything that made you conspicuous was abhorred. Anything you accomplished on your own terms threatened the image of His Excellency the Life President or the image of the country".¹⁵ Mapanje a former academic at Chancellor College, was detained by the Banda regime and has first hand experience of persecution and the silencing of Malawi's intellectuals. His reflections on prison existence make poignant and painful reading. Therefore, it is argued that the way in which in post-Banda Malawi, the intellectual community has started to speak out on Malawian politics and society (as demonstrated by the interview transcripts) is a hopeful and healthy sign. It is argued that these transcripts of informed and articulate voices are essential in grasping a valuable process of insightful discourse emerging in Malawi. Additionally, the writing and arguments of Ngugi alert his reader to the significance of critical intellectual discourse in interrogating narratives of power and oppression in neo-colonial states, and therefore to the significant role intellectuals can play as guardians and interpreters of 'space' and 'voice' in the process of transition from neo-colonialism.

¹⁵ Mapanje, J. 'Containing Cockroaches', in Anyidoho, K. (ed) (1997) *op cit*, p.53.

CHAPTER SIX: DATA ANALYSIS AND FINDINGS

6.1 Organization of data

The interview guides were formulated in a way which enables interrogation of the dissertation's theoretical framework and thematic content. Interview guides are not uniform, however. Informants from each group were asked to respond to questions that targeted their specific experience and expertise within a Malawian context of transition from neo-colonialism.¹

6.1.1 Broad themes

Interrogation of broad themes such as perceptions of a 'culture of silence' in neo-colonial Malawi, as well as perceptions of the extent, or otherwise, that a 'clamour of voices' now is emerging to fill the silence, apply to all targeted groups and informants within each group. Such themes are explicated first, and the responses of informants are collated and analysed under the appropriate thematic headings.

6.1.2 Specific group and informant related themes

Within each interview guide are questions which target the experience and expertise of informants within a specific group, as well as their perceived contributions to Malawi's process of transition from neo-colonialism. For example, academic informants are asked to estimate the extent to which Malawi fits the neo-colonial paradigm, and also to estimate the extent to which academic freedom has been restored, and critical discourse enabled. Representatives of the religious community are asked to express their attitudes to issues of social and economic justice in Malawi and whether or not such issues are, or should be a Church priority. Women informants are asked to estimate to what extent are urban and rural women speaking out, and if they are, the extent to which their concerns are being addressed in the

¹ It should be noted when the researcher started analysing the results of the research in the text she replaced each informants name with a number. The academics are initialised as 'A', women from the Woman and Law organization are initialised as 'B', priests were initialised as 'C', the women from the focus group are initialised as 'D' and the informant from the umbrella organization is initialised as 'E'. This means, as we shall see in the study that informants from the academic community are presented as A: 1, meaning informant number 1, and so on. The same applies to the other group of informants.

public arena. These are merely a few examples. Referral to interview guides in the appendix will indicate the full range of the discussions.

6.2 *Broad themes*

6.2.1 Perceptions of civil society in Malawi

In the in-depth interviews with 13 key informants: 4 from Women and Law, 2 from Women's Voice, 6 from the faith community and 1 from CONGOMA, all were asked how they understood and conceptualised the meaning contained within the term 'civil society'. From my general observation, all respondents revealed similar perceptions of the term. However, 1 informant from the faith community could not answer the question.

For instance, 3 Roman Catholic priests and 1 woman from the focus group generally perceived civil society as comprising all citizens in the country. 7 out of the 13 informants went into greater detail in explaining that civil society referred to organized bodies that are non-governmental² and non-profit making³ that take part in the affairs of government⁴ but in most cases might not directly involve themselves in the running of government.⁵

In addition, 3 out of the 7 key informants specifically stated that the objectives of civil society are towards the development of the country in areas such as providing economic and legal support,⁶ trying to advance people's rights and addressing their concerns⁷ or merely working towards serving the people.⁸ Moreover, 3 out of the 13 interviews went on to add that civil society comprises religious organizations and as such is not only limited to NGOs and the secular world.⁹

² Interview conducted with informants B: 1 Wednesday, 10th July 2002; B: 3 Tuesday, 23rd July 2002; B: 2 Friday, 26th July 2002; and E: 1 Saturday, 20th July 2002.

³ Interview conducted with informant E: 1 Saturday, 20th July 2002.

⁴ Interview conducted with informant C: 4 Saturday, 20th July 2002.

⁵ Interview conducted with informant C: 3 Monday, 29th July 2002.

⁶ Interview conducted with informant B: 3 Tuesday, 23rd July 2002.

⁷ Interview conducted with informant B: 4 Tuesday, 23rd July 2002.

⁸ Interview conducted with informant B: 1 Wednesday, 10th July 2002.

⁹ Interviews with informants C: 2 Monday, 22nd July 2002; B: 1 Wednesday, 10th July 2002; and B: 4 Tuesday, 23rd July 2002.

However, out of the 13 key informants, the most concise understanding of civil society came from informant B: 1. She referred to civil society as:

That branch of society that is not part of government but also not exclusive to NGOs. They can comprise of organizations like the church and sometimes commercial centres depending on what work they do. Thus, civil society is an extension that goes beyond just NGOs. It refers to organizations that are non-governmental and who are working towards serving the people.¹⁰

Some particularly pertinent findings in the area of perceptions of civil society that emerged from informants in this study should be clearly stated:

- Almost all informants are fully cognisant of the concept and its conventionally accepted meanings. (There is one exception, as stated above).
- No informants seem inclined to debate the concept's usefulness in a Malawian context.
- All informants are active in some meaningful way with 'ordinary Malawians' whether in ministering to their spiritual needs, catering for their material needs, or simply providing and articulating information about constitutional-legal rights under the new dispensation. They therefore demonstrate a 'hands-on', common sense perception of what civil society is and does. Arguably, this provides a useful counterpoint to more theoretical and complex discussions in the literature.
- At least 1 informant demonstrates great insight into the composition of civil society in Malawi. He said:

The nation makes up civil society in Malawi because nobody can choose not to be politically active because all people, in one way or another, are involved in politics with or without their direct consent.¹¹

6.2.2 Perceptions of political change and leadership in Malawi

¹⁰ Interview with informant B: 1 Wednesday, 10th July 2002.

¹¹ Interview with informant C: 4 Saturday, 20th July 2002.

Perceptions of the current nature of leadership changes in Malawi tend to vary. However, from the interviews conducted, it seems that on the surface, perceptions are that the identity and direction of political leadership in Malawi today has changed since the Banda era. 12 out of the 24 key informants (4 from the women's organization and 8 from the academic community) agree that, indeed, the identity and direction of leadership at least to some extent has changed. Almost all of those in agreement justified their opinion on the basis that the political environment has changed. Responses such as: people are allowed to vote, NGOs are allowed to exist, the political landscape allows for pluralism and freedom of speech and expression indicate to the researcher that informants believe that a change in political leadership has made some difference. As one informant put it:

Personally I would like to believe that the direction of leadership has changed since the Banda era. Maybe in the sense that now leadership is quite accommodating.¹²

However, as indicated above, a portion of the informants incline to the view that so far, change is superficial. 10 out of the 24 of the informants interviewed expressed some reservations. For example, in the interviews conducted with the 4 informants from Women and Law, 2 of them eloquently expressed their sentiments about the current status of political leadership. 1 informant stated "those who speak, speak at their own peril".¹³ And although constitutionally, people have been granted freedom of speech and expression, "when people start commenting on what government is doing, government views that as political interference"¹⁴ It is also indicated that input of civil society activities is not appreciated, especially if it is not in line with the governments ideas and policies. For instance, 1 informant from the focus group stated:

They are (*government*) resisting when it come to issues from civil society. But when Bills are in their interest, automatically they act to pass the Bill. So, in short, we find that when civil society is trying to give their input, it is only heard and acted upon if it is to government's advantage.¹⁵

8 of the academics interviewed echoed these reservations about the new political dispensation. Whilst they acknowledge that the political dispensation has changed in

¹² Interview with informant B: 3 Tuesday, 23rd July 2002.

¹³ Interview with informant B: 1 Wednesday, 10th July 2002.

¹⁴ Interview with informant B: 4 Tuesday, 23rd July 2002.

¹⁵ Interview with informant D: 5 Friday, 26th July 2002.

that the electorate now are allowed to participate in national and parliamentary elections, their concern is more with the quality of change, if any. For instance, speaking about their opinion of political discourse in Malawi, 3 out of the 8 informants expressed their disappointment with the current level of political discourse both within and outside parliament. 1 informant stated, “Political discourse within and between political parties is not as healthy and as frequent as it should be”.¹⁶ The reason given for this criticism is that there seems to be a tendency for the ruling party to dominate political discussions; as a result, as another informant put it, “public debates and discourse are not deep enough, and there seems to be no attempts made for any serious consultative dialogue within the political parties themselves”.¹⁷ As such, 1 informant concluded, “debates are not substantive enough to influence effective policies because of the lack of involvement of the ordinary Malawian”.¹⁸

Findings here provide some indication that politically conscious and informed members of Malawi’s civic communities continue to be distrustful of political leadership, although responses vary from quite hopeful of real improvements to an emphatic opinion that breaking the silence continues to be perilous. Some important political contributions are noted; on the other hand, 10 out of the 24 informants indicate that change is more superficial than substantive. Additionally, 3 out of 8 informants felt that the quality of debate is low.

6.2.3 Perceptions of ‘space’ and ‘voice’ in Malawian society and politics

Issues organized under this broad theme are interrogated in interviews with members of women’s groups and of the academic community. Looking first at women’s organizations, the question concerns the perceived existence or otherwise of a culture of political participation. Of the 4 women interviewed individually, 3 responses are negative and 1 is positive. Examples of the negative responses are:

...the society we live in is volatile...talking about politics can be scary for most people...most people are interested in politics but it’s just that there are so many other constraints.¹⁹

¹⁶ Interview with informant A: 1 Saturday, 20th July 2002.

¹⁷ Interview with informant A: 5 Tuesday, 23rd July 2002.

¹⁸ Interview with informant A: 4 Tuesday, 23rd July 2002.

¹⁹ Interview with informant B: 2 Friday, 26th July 2002.

She indicates that restraints on expressivity are still very much in place. When asked if she thinks that the current regime is shifting back towards a Banda-like intolerance of criticism, she responds by saying that it all depends on what issues civil society is dealing with. For instance, “if you are dealing with socio-economic rights and cultural rights...I don’t think government finds them threatening...but if you are going to deal with political rights, then the government finds them very threatening.”²⁰

Another informant remarks that “the more things change, the more things remain the same”²¹ and adds, “Government is always suspicious about your noble intentions”.²² Thus, in regards to political participation, she feels that “voices penetrate the public sphere by chance...but not without penalties”.²³ She suggested that to a certain extent, there is a gag on the voices of the people in Malawi, and that “these days it has become like those who speak, speak at their own peril”.²⁴

A third informant echoes the first. She also feels that “what government views as political interference is not appreciated”.²⁵ Like the first informant, she feels that government’s tolerance and responsiveness to civil society depends on the focus area of a particular organization. Another informant from the woman’s organization suggests, “Government does not want to hear people’s voices”.²⁶ What civil society and the people on the ground are therefore suggesting is that criticism is not very welcome in Malawi, especially when the voices of ordinary Malawians, or from civil society, seek to question government on controversial policies. 1 informant from the women’s organization thus stated: “so in as much as we are free, the open-culture that may be found in some Western countries does not exist here”.²⁷

However, 1 informant had a positive response and felt that to a large extent, political participation from civil society is accepted in terms of “initiating the processes of law”.²⁸ She finds that government ministries respond well to advice on legislation

²⁰ Ibid.

²¹ Interview with informant B: 1 Wednesday, 10th July 2002.

²² Ibid.

²³ Ibid.

²⁴ Ibid.

²⁵ Interview with informant B: 4 Tuesday, 23rd July 2002.

²⁶ Interview with informant B: 3 Tuesday, 23rd July 2002.

²⁷ Interview with informant B: 2 Friday, 26th July 2002.

²⁸ Interview with informant B: 3 Tuesday, 23rd July 2002.

and policy; the response is appreciative and indicates that government is supportive of civil society's initiatives

In a focus group interview, 1 informant argues that there is a civic culture of participation which currently is being blocked by government. She feels that government resists in regards to issues raised by civil society. However, "when bills are in their interest, automatically, they act to pass the bill".²⁹ A second informant argues that politicians "regard civil society as being in opposition"³⁰ and a third argues that society as a whole in Malawi suffers from "a lack of communication because they don't really know the issues".³¹ (The fourth and fifth informants expressed non-verbal agreement with verbalized perceptions).

Generally, of the 8 women interviewed, only one has a particularly good opinion of government's tolerance and willingness to hear and learn from civic voices. All others feel that government is threatened by what it views as political activity, which it sees as a space exclusive to itself. 1 informant feels that ignorance of political issues keeps perhaps a majority of voices silent.³²

Looking next at the academic community, the theme was interrogated by a question relating to political and civic space in Malawi. Are they perceived as mutually exclusive or interdependent? Of the 8 academics interviewed, only 1 declined to respond (feeling that the question was too complicated); 1 response was lost as the tape recorder ran out. Of the 6 recorded responses, 3 are lengthy, indicating interest in the issue. Additionally, informants offer some nuanced analyses. For instance, 1 informant expresses the view that the two spaces feed into one another but not in a balanced way that can be mathematically calculated. Having made his point, he offers an opinion that political space is dominant and will continue to be. The analogy he gives is of...

...political leaders at different levels assuming the role of gatekeepers. Sometimes they open it slightly – the voices sometimes are heard depending on whether they are complementing the views or policies or needs of the politicians...whereas certain amounts of voices are

²⁹ Interview with informant D: 5 Friday, 26th July 2002.

³⁰ Interview with informant D: 2 Friday, 26th July 2002.

³¹ Interview with informant D: 1 Friday, 26th July 2002.

³² Interview with informant B: 1 Wednesday, 10th July 2002.

shut out because they are – that is their perception – going to destabilize the situation.³³

Another informant used a different analogy:

The dancing space for politicians is different from the dancing space for civil society...the spaces are mutually exclusive but not independent. Civil society defends and promotes human rights... government is there to defend the order or status quo...Now, you can keep things going at the expense of others. Civil society is thus present to look after the interests of the minority or marginalized, the discriminated, the people left out in the trend of development. Civil society is present to protect, not just rights but also to provide checks and balances to avoid excesses of power.³⁴

What he seems to suggest is that there is a working relationship between the two separate spaces in which similarities and differences are relayed according to the different sites and interests they defend. In as much as they may occupy different spaces, they do listen to each other and try to reach a consensus on issues affecting the wider community. To that end, they may be deemed as independent from one another, yet also connected.

A third academic echoes the first. He perceives that there is difficulty in trying to measure which space feeds into the other. To say that “some kind of correlative relationship exists where expansion or shrinkage in one reflects an expansion or shrinkage in another is too quantitative to compute”.³⁵ As such, he feels that the spaces are both mutually exclusive and inclusive. He illustrates his opinion by saying:

One might belong to a political party but at the same time occupy a position in civil society...which is kind of distracting and difficult to quantitatively say that this is the line of progression or digression of expansion and shrinkage of space in the two arenas...an individuals voice might be heard in the two spaces...For instance, you could have your voice being heard in civic space because your particular interests or urgent needs need to be taken care of in that space, whilst at the same time your other interests may be taken care of in the political space and you have another voice being heard.³⁶

³³ Interview with informant A: 5 Tuesday, 23rd July 2002.

³⁴ Interview with informant A: 7 Tuesday, 2nd July 2002.

³⁵ Interview with informant A: 2 Friday, 5th July 2002.

³⁶ Ibid.

In light of the variety of opinions expressed regarding ‘voice’ and ‘space’, generally, of the 3 responses highlighted above, it is difficult to reach a clear or definite conclusion. The idea of ‘space’ contains nuances and there are difficulties in establishing finite distinctions between one space and another. However, it seems to be suggested by most informants that political space tends to be dominated by the political hierarchy. 1 informant provided an example that illustrates the extent of dominance.

During the open-term debate, academics and students were subjected to harassment from the police. The idea was to prevent students from voicing their anti-third term views. So essentially and theoretically political space has opened up, but in reality it is getting narrower and narrower and I think we might end up with the kind of situation we had under Dr Banda.³⁷

Another informant echoes these sentiments concerning the ruling party’s behaviour, especially in terms of its dominance over political space in Malawi. He argues that the ruling party is gradually assuming the position of the one-party state.³⁸

6.3 *Academic community: specific themes*

6.3.1 The neo-colonial paradigm in Malawi

Given the dissertation’s conceptual framework, a function of qualitative data in relation to the academic community is to collect and record academic’s perceptions of (a) the meaning of ‘neo-colonialism’, and (b) Malawi’s place within that paradigm. 7 out of the 8 informants perceive Banda’s Malawi as neo-colonial. However, 1 informant argues that it is not accurate to apply a blanket definition of ‘neo-colonial’ to Banda’s regime. He argues that in post-independence Africa, “...no leader in my view, really was able to bring about a totally new perspective to not only politics, but also development. Apart from attempts by people like Nkrumah, it didn’t last”.³⁹ However, he cites as an area of continuity between colonial and post-colonial Malawi, “the capitalist modes of production”,⁴⁰ and the issue of dependency. On the other

³⁷ Interview with informant A: 6 Friday, 6th July 2002.

³⁸ Interview with informant A: 5 Tuesday, 23rd July 2002.

³⁹ Interview with informant A: 5 Tuesday, 23rd July 2002.

⁴⁰ Ibid.

hand, he argues that Malawi went from being a non-participatory colonial polity to – under Banda – a polity in which mass-based organizations ‘reached out to the people’ “not only politically in terms of supporting the newly born nation, but also economically with regards to various projects, which were introduced, for instance, ADMARC”.⁴¹ He also argues “there was considerable development in the agricultural sphere”⁴² and that profits were reinvested “within the confines of the country”.⁴³

Moving on to the perceptions of the other 7 informants. One firmly stated that: “Dr Banda’s regime was neo-colonial. We simply replaced Governor General Glyn Jones with our own Dr Banda”.⁴⁴ He cites the elitist education system, in particular the Kamuzu Academy, and quoted Banda as saying “no black man will ever teach at that institution”.⁴⁵ He also cites the regime’s interference in and censorship of the university syllabus, and the arrest and detention of academics because “they were teaching ideologies against his own...”⁴⁶ On the academic front, he argues that Banda, “in his attitude and policies, he simply perpetuated what had been started under the colonial government”.⁴⁷

A second informant argues that what characterized the Banda regime, as neo-colonial was the centralization of state power and political repression which did not allow local people “to participate in the governance of public affairs, and they were not given full political and civil rights”.⁴⁸ Another informant echoes this point and states that the Banda regime was “indeed an extension of colonialism...one of the major issues in Malawi was that people were not free or allowed to participate meaningfully in almost every area and Banda had total control over the economy, politics and almost everything in society”.⁴⁹ A fourth informant adds that the style of Banda’s regime was neo-colonial because he was a dictator and did not want foreign dictation

⁴¹ Ibid.

⁴² Ibid.

⁴³ Ibid.

⁴⁴ Interview with informant A: 6 Friday, 5th July 2002.

⁴⁵ Ibid.

⁴⁶ Ibid.

⁴⁷ Ibid.

⁴⁸ Interview with informant A: 2 Friday, 5th July 2002.

⁴⁹ Interview with informant A: 4 Tuesday, 2nd July 2002.

on policies. “He referred to his government as Kamuzuism, which simply meant his own style of government – Banda’s way of doing things – dictatorship”.⁵⁰

These are a few examples of the ideas expressed by the 8 academics interviewed. Generally, 7 out of the 8 informants perceive Banda’s Malawi as neo-colonial. 1 informant feels that a blanket definition might be too broad a conclusion to draw. However, for 7 out of the 8 informants, the concept ‘neo-colonial’ has strong resonance when looking at the Banda regime.

6.3.2 Under-representation of Malawi in research publications

This question tended to generate responses which enlarged on the theme of neo-colonialism. I sought explanations as to why Malawi is markedly underrepresented in research publications in the areas of African politics, societies and country-specific studies. All 8 informants argue that one factor applies, namely, that the Banda regime’s attitude to intellectual production made publication difficult, even perilous. Interestingly, the informant who does not agree with a depiction of Malawi as fully neo-colonial, says that “academics had to be extremely careful about what they wrote because *(of)* the likelihood of being detained by authorities ...”⁵¹. In other words, although he does not entirely agree with defining Banda’s Malawi as neo-colonial, he still highlights one of the major features of neo-colonial rule, that is, the regime’s intolerance of criticism. As one academic states, “it was therefore not easy for Malawians to speak out honestly about the political realities and to comment critically on what was going on in the country”.⁵²

A second informant points out that “political science as a discipline was banned at the University of Malawi...”⁵³. Courses such as political philosophy and African history were not allowed to be taught, and this “in itself constrained research activities in the areas of politics and critical thinking in Malawi”.⁵⁴ A third informant further echoes this point. ...”Under the single party regime, some political ideas, political

⁵⁰ Interview with informant A: 3 Thursday, 4th July 2002.

⁵¹ Interview with informant A: 5 Tuesday, 23rd July 2002.

⁵² Interview with informant A: 3 Thursday, 4th July 2002.

⁵³ Interview with informant A: 2 Friday, 5th July 2002.

⁵⁴ Ibid.

philosophies were not allowed. They were taught under history. There was no political science... That is why in the past, you did not have writers specifically focusing on areas on which political scientists would write”.⁵⁵

A fourth informant further explains that before one could do any research related to politics in Malawi, one had to get clearance through the National Research Council and the police. As such, getting clearance was a tedious and lengthy process that frustrated academics and this resulted in “many of them giving up the field of research and simply concentrated their efforts on reciting and analysing what other people had written”.⁵⁶

Although Malawi since has undergone a transition from one-party politics to multi-party politics what several informants suggest is that the current dispensation “has still not entirely opened up society as people still have that culture of fear”.⁵⁷ One informant poignantly states, “Many of us are still afraid of the potential negative consequences of talking (*and writing*) about the ills of Malawian society”.⁵⁸ The fear stems from possible misinterpretation and thus, as the informant puts it: “the easiest way to avoid misinterpretation is not to do any research on Malawian issues especially on issues that could be regarded as controversial”.⁵⁹

However, this is not to say that under the current dispensation no efforts have been made by the academics in terms of research and publications. Since 1994, one informant mentioned that “a local publication called *Kachere Series* was established and it has published a number of books. One entitled Democratisation: A Stocktaking and yet another book was published on The Second Elections in Malawi”.⁶⁰ However, in as much as academics and researchers are taking the initiative to publish articles and books, reservations are still expressed. For example, the informant states, “the remnants of the past are not completely gone. Sometimes there is still fear of

⁵⁵ Interview with informant A: 1 Saturday, 20th July 2002.

⁵⁶ Interview with informant A: 6 Friday, 5th July 2002.

⁵⁷ Interview with informant A: 2 Friday, 5th July 2002.

⁵⁸ Interview with informant A: 4 Tuesday, 23rd July 2002.

⁵⁹ Ibid.

⁶⁰ Interview with informant A: 1 Saturday, 20th July 2002.

how open can we be, how critical can we be? We cannot always be as critical or as open as we wish".⁶¹

Findings here suggest that:

- The under-representation of Malawi in the literature cannot be separated from issues of neo-colonialism, specifically (a) the Banda regime's attitude to intellectual production which meant that self-censorship had to be practiced; (b) a climate of fear and a 'culture of silence'; (c) banning of disciplines which encourage critical thinking; (d) lengthy and difficult bureaucratic requirements and delays.
- Even after the transition from neo-colonialism, academics are still uneasy and to some extent continue to practice self-censorship.
- However, there is some opening up and improvement in the field of publication: a hopeful sign for the future, perhaps.

6.3.3 Issues of 'high politics' and 'low politics'

Informants were asked what type of democracy (procedural or 'high politics'); (substantive or 'low politics') they would prioritise in today's Malawi, and why? Of the 8 informants, 6 gave priority to substantive democracy, 1 informant provide an equivocal response and 1 prioritised procedural democracy. This informant argues in terms of two transitions, citing a text on African democracy.

...in the first transition, you are establishing the formal institutions, and the second transition is where democracy then becomes really operational through public participation. We are in that stage where they are setting up those formal institutions...and we have not yet started grappling with substantive democracy...⁶².

This informant suggests that issues such as "how do we balance liberty and equality?"⁶³ are not yet being addressed in Malawi. Only the "very basic structures"⁶⁴ are in place, and in any case it is "not an even process".⁶⁵ Instead, it is "two steps forward, then the other step is behind, and then you are not sure whether we'll go

⁶¹ Ibid.

⁶² Ibid.

⁶³ Ibid.

⁶⁴ Ibid.

⁶⁵ Ibid.

forward or backward”.⁶⁶ In general, this response suggests that even procedural democracy is by no means firmly established in Malawi. It is still very fragile and perhaps in this sense should be prioritised (although it should be noted that this informant did not make a definite statement to that effect).

The informant whose response is equivocal sees both processes taking place, at least to a certain extent. He argues that “the situation in Malawi leans towards procedural elements...but you cannot compartmentalize Malawi and say this is the only process in Malawi”.⁶⁷

Of the 6 informants who gave priority to substantive democracy, reasons given are: the very high level of unemployment and the non-existent status of economic justice means that “these are issues government should be tackling”⁶⁸ rather than being “more concerned with the next elections”.⁶⁹ Since procedural democracy means “the supremacy of the majority principle”⁷⁰ this has been implemented; what has not – and should be – is “people’s democracy”⁷¹ at the heart of which is “implementation of people’s rights”.⁷² A second informant distinguishes between his personal preference (substantive) as opposed to what actually exists in Malawi (procedural). He believes that the reason why procedural democracy is being prioritised by government at the moment is because “the substantive one is more challenging to the government bearing in mind the challenges of distribution”.⁷³ A third informant feels that substantive democracy should be given priority because “the ordinary and the majority of Malawians do not understand issues of economic justice...which I think can result in true democracy”.⁷⁴ A fourth informant echoes this preference by stating that Malawi should concentrate on substantive democracy because if we concentrate on social and economic justice, “we are going to do away with problems of tribalism, partisan politics and discrimination”.⁷⁵

⁶⁶ Ibid.

⁶⁷ Interview with informant A: 8 Friday, 5th July 2002.

⁶⁸ Interview with informant A: 6 Friday, 5th July 2002.

⁶⁹ Ibid.

⁷⁰ Interview with informant A: 2 Friday, 5th July 2002.

⁷¹ Ibid.

⁷² Ibid.

⁷³ Interview with informant A: 3 Thursday, 4th July 2002.

⁷⁴ Interview with informant A: 4 Tuesday, 2nd July 2002.

⁷⁵ Interview with informant A: 7 Tuesday, 2nd July 2002.

The findings suggest that while, in actuality, procedural democracy currently is prioritised, a lot more attention should be paid to issues of social and economic justice – in effect, to ‘voices from below’.

6.3.4 Issue of whether or not Malawi needs a Truth Commission

This question was asked in an attempt to finesse opinions about the legacy of oppression and human rights abuse, and informants’ feelings on the issue. In general, different opinions were expressed. 7 out of the 8 informants interviewed, 2 were firmly in support of a Truth Commission, 3 said they did not think it would help, and 2 said maybe a Truth Commission might be necessary depending on the objectives it sought to achieve.

Of the 2 informants who firmly believe that a Truth Commission is necessary in the process of transition, 1 states that it would be a way “for clearing all the problems that we have of suspicion and fear”.⁷⁶ The other informant feels that it would be a useful tool for not “encouraging a culture of impunity”.⁷⁷ In his view, a Truth Commission would be useful “if it led to the persecution of those individual that carried out atrocities under the one-party regime”.⁷⁸

3 informants believe that it is not necessary for Malawi to institute a Truth Commission. 1 informant states that he views a Truth Commission in terms of “recriminational strategies”⁷⁹ and “the best thing for Malawians is to begin to forgive, but not forget”.⁸⁰ A second informant is of the view that “a Truth Commission may make matters worse...uncovering past wounds and leaving them open”⁸¹ may create “perhaps a more psychologically painful situation”.⁸² This last point is picked up by another informant who also feels that “the weakness in a Truth Commission is that it

⁷⁶ Interview with informant A: 1 Saturday 20th July 2002.

⁷⁷ Interview with informant A: 6 Friday, 5th July 2002.

⁷⁸ Ibid.

⁷⁹ Interview with informant A: 7 Tuesday, 2nd July 2002.

⁸⁰ Ibid.

⁸¹ Interview with informant A: 3 Thursday, 4th July 2002.

⁸² Ibid.

tends to open up old wounds, old bitterness, old pain which might have inevitable spillover effects...”⁸³

However, some informants do express the view that there is room for a Truth Commission especially if “it seeks reconciliation, forgiveness and coming to grips with a clear understanding of your history no matter how dazzling the past is”.⁸⁴ It would be useful “in connection with maybe, the murder of the cabinet ministers...”⁸⁵ 2 informants feel that it is not likely to be implemented by the ruling party because “many of the people who are now in government were in government during Banda’s regime and they are the ones who are not really for having a Truth Commission”.⁸⁶ 1 informant suggests that fear is a factor hindering the process of implementing a Truth Commission. “...They all have skeletons in their cupboards, they are very scared of a Truth Commission”.⁸⁷

Findings in this area suggest that issues are interrogated against a background of neo-colonialism in its oppressive and repressive aspects. No informants respond as if there are no reasons to have a Truth Commission. Where they differ is on how useful or otherwise it might be. An interesting point that emerges relates to ‘recycling of elites’. A suggestion is made, that for a Truth Commission to work, Malawi “would have to have totally new political leaders without links to the past to be there to take that step”.⁸⁸

6.4 *Women’s Organizations: specific themes*

6.4.1 Progress towards gender empowerment and equality (legal-constitutional)

⁸³ Interview with informant A: 2 Friday, 5th July 2002.

⁸⁴ Ibid.

⁸⁵ Interview with informant A: 3 Thursday, 4th July 2002.

⁸⁶ Interview with informant A: 4 Tuesday, 2nd July 2002.

⁸⁷ Interview with informant A: 1 Saturday, 20th July 2002.

⁸⁸ Interview with informant A: 5 Tuesday, 23rd July 2002.

Women informants were drawn from two women's organizations, Women and Law and Women's Voice. Although these women's organizations are separate entities, they do however have similar objectives and programmes. In regards to the legal framework in Malawi, all 9 informants agree on an issue which is best explicated by 4 of the informants. "The constitution of Malawi is progressive in that "most of the provisions are similar to the ones contained in the South African and Namibian constitution".⁸⁹ Additionally, "it has a chapter on human rights, and within that chapter, it has a specific section that talks about women's rights".⁹⁰ More specific to women are sections 13, "which invite the state to actively uphold the principles of gender equality in the implementation of its projects".⁹¹ Section 20, specifically prohibits discrimination on the basis of sex "regardless of whatever colour, race and religion".⁹² Section 24 specifically highlights the rights of women and "prohibits discrimination whether in terms of children, women and issues of property".⁹³ As such, most informants feel that in terms of the provisions provided for in the constitution, the women's organizations have made great progress in instituting and accessing legal mechanisms that enable gender equality in Malawi. However, 1 informant did feel that "discrimination is still in practice".⁹⁴

6.4.2 Opinions of progress towards gender empowerment on the ground

In regards to their specific lines of work, the informants were asked what demonstrable progress has been made towards achieving gender equality and the empowerment of women? 1 informant states, "We have helped improve the services of justice in terms of what justice women get".⁹⁵ This is achieved through research efforts which have discovered that "most women have no structures or access to structures that deliver justice".⁹⁶ Another informant indicates that Women and Law took it upon themselves "to enact a Domestic Violence Act in Malawi after

⁸⁹ Interview with informant B: 2 Friday, 26th July 2002.

⁹⁰ Interview with informant B: 4 Tuesday, 23rd July 2002.

⁹¹ Interview with informant B: 1 Wednesday, 10th July 2002.

⁹² Interview with informant B: 3 Tuesday, 23rd July 2002.

⁹³ Ibid.

⁹⁴ Interview with informant B: 2 Friday, 26th July 2002.

⁹⁵ Interview with informant B: 3 Tuesday, 23rd July 2002.

⁹⁶ Ibid.

recognizing that the government has an obligation to put into place legislation that would protect women against domestic violence”.⁹⁷ A third informant states that Women and Law together with the Ministry of Gender are involved in trying to repeal some of the existing laws, for example, the Wills and Inheritance Act. However, she also mentions that

...To date all the data was left at the Ministry of Gender to compile and and enter it into the computer package...we are still waiting for it... of course some sections of the Wills and Inheritance Act have been amended...for example, Section 84(a) providing for the criminalization of property grabbing...but it was not adequate.⁹⁸

A fourth informant firmly believes that “the fact that more women are coming out...and are no longer shy to come and deal with cases of domestic violence”⁹⁹ is an indicator that progress towards a measure of gender equality is being made. Another suggests, “to enhance balanced justice, we’ve made sure that we train women...from these trainings...we have contributed to empowering women”.¹⁰⁰

From the focus group interview, 1 informant feels that they “have managed to pull women from a marginalized, disempowered status”¹⁰¹... by “affirmative action”¹⁰²...focusing on the empowerment of women only. A second informant suggests that “previously, it was tradition that a woman could not stand in front of a man, now after civic education, you find that women can stand and talk to the chiefs and the public”.¹⁰³ A third informant feels that through the training sessions Women and Voice organized in 1999 for women that were trying to stand in the presidential and parliamentary elections, “out of the number of women we trained...at least out of that 80, 17 were elected members of parliament where previously we only had 9 women MPs”.¹⁰⁴ This indicates to her that some progress is being made.

Findings here suggest that constitutional provision for gender equality and empowerment are generally progressive, although there is room for improvement. However, when it comes to implementation on the ground of progressive statutes, it

⁹⁷ Interview with informant B: 4 Friday, 26th July 2002.

⁹⁸ Interview with informant B: 2 Friday, 26th July 2002.

⁹⁹ Interview with informant B: 1 Wednesday, 10th July 2002.

¹⁰⁰ Interview with informant B: 3 Tuesday, 23rd July 2002.

¹⁰¹ Interview with informant D: 5 Friday, 26th July 2002.

¹⁰² Ibid.

¹⁰³ Interview with informant D: 3 Friday, 26th July 2002.

¹⁰⁴ Interview with informant D: 1 Friday, 26th July 2002.

would seem that progress is slow, partial and quite arduous. Even so, the informants generally seem to focus on their positive achievements and thus reinforce their sense of commitment.

6.4.3 Opinions about government's attitude to gender empowerment

Aside from legislative and policy-oriented activities undertaken by both organizations, informants were asked whether they feel that women's voices in Malawi are heard in the public arena, that is, governance. 4 of the informants from Women and Law all agree that government has been supportive of their initiatives at empowering women.¹⁰⁵ 2 out of the 4 informants specifically mentioned the support they receive from the Ministry of Gender. However, 1 informant feels that tensions "always exist between NGOs and government...but our strategy is to sieve out the tensions and continue with our work because this is not about government and us, it is about the women whom we are trying to empower".¹⁰⁶ Another informant from the focus group echoes these sentiment when she says, "They (*government*) forget that we are trying to help them, that we are trying to do things that they can't do..."¹⁰⁷ Generally, most of informants believe that government is supportive of the initiatives taken by women's organizations. Thus, in terms of government's attitude towards empowering women and promoting women's rights, government places no constraints on the activities of civil society. This is possibly because such advocacy work is viewed as non-threatening. (For quotation, see p. 88, above).

6.4.4 Working with rural women

Informants from both organizations were asked how much work is done in rural areas, what aspects are given priority, and how active are rural women in their own empowerment? Informants from the focus group state that their work takes them more to the rural areas, because "52% of the nation's women are in the villages"¹⁰⁸ and especially because "there are so many similar women's organizations that

¹⁰⁵ Interviews with informants B: 1 Wednesday, 10th July 2002; B: 2 Friday, 26th July 2002; B: 3 Tuesday, 23rd July 2002; and B: 4 Tuesday, 23rd July 2002.

¹⁰⁶ Interview with informant B: 1 Wednesday, 10th July 2002.

¹⁰⁷ Interview with informant D: 1 Friday, 26th July 2002.

¹⁰⁸ Interview with informant D: 1 Friday, 26th July 2002.

disseminate the same sort of information...so we rather move into the rural areas because we will be duplicating issues”.¹⁰⁹ However, 1 informant states that they currently have a project running in the peri-urban township of Ndirande, this is in an attempt to balance their work and also because they “discovered that they (*women*) do not know their rights”.¹¹⁰ In addition, 1 of the 4 informants from Women and Law says that their work takes place more in rural areas because “when we conduct research and provide legal-rights education, we go out to the rural masses”.¹¹¹ However, 3 out of the 4 feel that their work is equally divided between urban and rural areas. They point out that the kind of work they do differs depending on the geographical location. For instance, 2 informants state that in the rural areas “we work with the grassroots people, especially the women...we educate them about their rights as well as educating men on women’s rights and their duties and responsibilities *viz a viz* each other”.¹¹² In urban areas, 1 informant states that their work has more to do with “advocacy and lobbying, this means we have to target groups like government bodies, government departments, or other civil society groups”.¹¹³ Informants were also asked for their opinions of how active rural women are in their own empowerment.

All 4 of the informants feel that rural women do have the capacity to organize and mobilize themselves.¹¹⁴ 1 informant, however, stipulates that rural women “would still need somebody who is trained to come in and show them what to do, whether it is in terms of will writing or inheritance issues”.¹¹⁵ Another informant highlights the fact that “the only difference is maybe that we are bringing in new concepts”¹¹⁶... “bringing in additional knowledge maybe added value to what they already know”.¹¹⁷ This links up with another informant’s idea of the role of urban women in providing information...“in the area that they are in because leaders in urban areas are exposed to many things...so the rural women would need the leadership and guidance from

¹⁰⁹ Interview with informant D: 5 Friday, 26th July 2002.

¹¹⁰ Interview with informant D: 2 Friday, 26th July 2002.

¹¹¹ Interview with informant B: 2 Friday, 26th July 2002.

¹¹² Interview with informants B: 1 Wednesday, 10th July 2002 and B: 4 Tuesday, 23rd July 2002.

¹¹³ Interview with informants B: 3 Tuesday, 23rd July 2002 and B: 4 Tuesday, 23rd July 2002.

¹¹⁴ Interviews with informants B: 1 Wednesday, 10th July 2002; B: 2 Friday, 26th July 2002; B: 3 Tuesday, 23rd July 2002; and B: 4 Tuesday, 23rd July 2002

¹¹⁵ Interview with informant B: 3 Tuesday, 23rd July 2002.

¹¹⁶ Interview with informant B: 2 Friday, 26th July 2002.

¹¹⁷ *Ibid.*

women in the urban areas...”¹¹⁸ Finally, a fourth informant argues that urban leadership is necessary because rural people “need resources...in terms of tangible things...”¹¹⁹ However, she is the only informant who highlights that although women in urban areas are educated “we still need to create a critical mass of educated women who are looking at issues of rights and issues of leadership”¹²⁰...so although urban women might be educated, “how do they benefit from that education?”¹²¹...Urban women need to use their education “to become more sensitive to the needs of other women...and to get organized for the sake of empowering our own sisters out there in the villages...”¹²²

Findings suggest that although there is a difference between the amount of education and exposure women receive, especially in as much as urban women tend to be better educated, this does not necessarily suggest that rural women are unable to learn and acquire new knowledge that will aid in empowering themselves. The role of urban-based women’s organizations generally is perceived as that of disseminating information and acting as facilitators. 1 informant highlights that even in urban areas, there is still much to be done, and adds that “...our staff membership is small because you are looking at an organization that is in the interests of women and in Malawi, if we are going to effect change, we need more staff to go into all the rural areas of Malawi”.¹²³

6.4.5 Women in positions of power

Arguably, the status of women in any given society is a measure of that society’s openness, or otherwise. Therefore, the question interrogated informant’s opinions. 3 out of the 4 informants interviewed individually believe that in today’s Malawi there are more women in positions of power. 2 informants state that although they do not know the exact figures, “maybe there are more women in positions of power and more women today are politically proactive...whereas in Banda’s era, he just

¹¹⁸ Interview with informant B: 4 Tuesday, 23rd July 2002.

¹¹⁹ Interview with informant B: 1 Wednesday, 10th July 2002.

¹²⁰ Ibid.

¹²¹ Ibid.

¹²² Ibid.

¹²³ Ibid.

nominated women”.¹²⁴ Another informant gives examples: “today there are more women in parliament and we have more women and leaders who head embassies...so I can say that the government is trying to accommodate women”.¹²⁵ However, a fourth informant is of the opinion that not many women are in positions of power. “You just have to look at the Cabinet. The Cabinet has a few Deputy Ministers who are women. There is no quota system, unfortunately, because if there were then we’d maybe have more women in power”.¹²⁶

In the focus group interview, 1 informant says, “We really can’t be clear on this. But in the four districts we are working in, we have tried our best to elevate the status of women...”¹²⁷ Another informant states that “in our district offices, we see women coming to complain about violations of their rights where they previously did not. This signals to us that to some extent the status of women, especially in rural areas is improving”.¹²⁸

Generally, findings suggest that there has been some improvement in the political status of women, although opinions differ about how much or how significant it is.

6.5 The role of the religious community: specific themes

6.5.1 The role and effectiveness of the Justice and Peace Workshops

Under this specific theme I asked the informants whether they felt that role of the Justice and Peace Workshops was effective in its tasks of peace building, reconciliation and educating people on civil rights and responsibilities. All 6 informants interviewed firmly believe that the Justice and Peace workshops are meeting the challenges of promoting social justice through increasing awareness of fundamental principles such as human and civic rights. 1 informant states, “...the workshops are working out very well and they are quite effective in that people over the past year, past two years, seem to understand their rights now more than

¹²⁴ Interview with informant B: 2 Friday, 26th July 2002.

¹²⁵ Interview with informant B: 3 Tuesday, 23rd July 2002.

¹²⁶ Interview with informant B: 1 Wednesday, 10th July 2002.

¹²⁷ Interview with informant D: 5 Friday, 26th July 2002.

¹²⁸ Interview with informant D: 3 Friday, 26th July 2002.

before”.¹²⁹ However, 3 informants added a note of caution in regards to civic education. 1 informant says, “...I am yet to see what it will be like in the 2004 election...”¹³⁰ Another informant states, “we are hoping that in the next two or three years, people should be able to vote properly without being enticed to vote for somebody whom they don’t actually know”.¹³¹ A third informant lists some problems.

...there was a bit of hostility from government. Secondly, the objectives of the workshops were not clear to some participants. Thirdly, there were false expectations...people would come to the workshop in the hope of receiving some kind of material reward. Fourthly,...there were weaknesses from the organizers,...there were no follow-ups or appraisals conducted on the workshops. Finally,...there is a need for collaborative pastoral strategy...priests, the clergy, and even the laypersons need to work together.¹³²

General findings suggest that although all 6 informants are very committed to the role of the Justice and Peace workshops, most informants are waiting to see what the turnout and voter behaviour is like in the 2004 elections before making a final judgement on the effectiveness of the workshops.

6.5.2 The Public Affairs Committee (PAC)

Here the researcher sought to obtain opinions of informants about how representative the PAC’s agendas and concerns are of the concerns of ordinary Malawians. 3 out of 4 informants here assert that the PAC’s agenda represents the concerns of ordinary Malawians. 1 informant links his opinion to the fact that the PAC is very well connected to the Peace and Justice Commission “...in which case I would say that their agendas are really the ones reflected in the Peace and Justice Commission in our parish”.¹³³ Another informant believes that the PAC is an important and effective body because “it provides resources...and people depend on the PAC for resources and guidelines...It co-ordinates activities that are taking place among and within institutions like the Churches, NGOs and government”.¹³⁴ In his opinion, this signifies that “the agenda of the PAC is addressed not least to the high class people,

¹²⁹ Interview with informant C: 3 Monday, 29th July 2002.

¹³⁰ Interview with informant C: 4 Saturday, 20th July 2002.

¹³¹ Interview with informant C: 3 Monday, 29th July 2002.

¹³² Interview with informant C: 2 Monday 22nd July 2002.

¹³³ Interview with informant C: 3 Monday, 29th July 2002.

¹³⁴ Interview with informant C: 4 Saturday, 20th July 2002.

but to the grassroots like those in the villages, to empower them and let them know about their rights”.¹³⁵ A third informant feels that they do address the concerns of ordinary Malawians because, “in the sense that they are giving civic education on democracy, and also trying to create a dialogue and spirit of tolerance between political parties”.¹³⁶ He adds, “I also would give credit on the PAC’s efforts in trying to foster a spirit of ecumenism...whereby various religious organizations come together to give ideas, and to address common problems”.

However, 1 informant doubts that the PAC addresses the concerns of the ordinary Malawians. His reasons are:

...the body was formed because of political reasons...it was basically to fight against the political system...after that fight, there was more or less a kind of silence...They would speak, but they would speak only when there was some kind of political disagreement...I feel that this has happened because that body was born from above. It was a top-down approach, which is contrary to when a body is organized from the bottom. If that body was representing the people, it would have been formed from the grassroots because then there would be an avenue where people would channel their views and speak on behalf of themselves.¹³⁷

Findings are that all 6 informants are strongly committed to the work of the PAC in principle, but that while one feels that the PAC’s connection to the Peace and Justice Commission makes it more effective in the parishes, another believes that the connection indicates a top-down approach, and to that extent it is not in touch with grassroots needs and priorities.

6.5.3 Church priorities

Here, the question raised related to whether the informants felt that the Church should primarily concern itself with traditional religious tasks, or should give equal weight to addressing social and economic injustices and inequalities in Malawi. All 6 informants seem convinced that the Church should give equal weight to addressing social and economic injustices and inequalities. 1 informant expresses the view that:

...it is wrong to conceptualise religion and social and political realms as separate...the two should not be separated. Once you start separating the

¹³⁵ Ibid.

¹³⁶ Interview with informant C: 2 Monday, 22nd July 2002.

¹³⁷ Interview with informant C: 1 Monday, 22nd July 2002.

two, then you are not doing God's work because even in the gospel there are social and political implications.¹³⁸

A second informant believes that "Only through addressing both the spiritual and material concerns of the people...can the Church foster development in both spiritual and material well-being".¹³⁹ A third informant states, "The Church should concern itself with both...without the social aspect coming into it...we cannot preach effectively if there is injustice".¹⁴⁰ In terms of meeting the social and economic needs of the people, 1 informant states that the Catholic Church has the body Catholic Development Commission of Malawi (CADECOM). CADECOM "is there to deal with social concerns of the people, like hunger...Secondly, to give workshops on how people can take care of themselves...there are also projects that maybe give out fertilizer as an incentive to motivate people..."¹⁴¹

Findings are that all 6 informants believe the Church should play an active role in addressing issues of social and economic justice. As 1 informant puts it: "...when the missionaries came here...They brought the bible, but they also had to bring education, and expertise in development".¹⁴²

6.5.4 Positions of women

Here, questions targeted attitudes and perceptions regarding women in the Roman Catholic Church. All informants indicate that women are underrepresented in the various activities the Church undertakes. For example, 1 informant indicates that in his parish council "the proportion is 1/3rd to men".¹⁴³ Another states that although he does not know the exact figure, "I know good percentages are men".¹⁴⁴ Yet another informant confirms that his parish council "is made up of men mostly, but we have three women who are members of the parish council executive".¹⁴⁵ A fourth

¹³⁸ Interview with informant C: 1 Monday, 22nd July 2002.

¹³⁹ Interview with informant C: 2 Monday, 22nd July 2002.

¹⁴⁰ Interview with informant C: 3 Monday, 29th July 2002.

¹⁴¹ Interview with informant C: 4 Saturday, 20th July 2002.

¹⁴² Interview with informant C: 1 Monday, 22nd July 2002.

¹⁴³ Ibid.

¹⁴⁴ Interview with informant C: 4 Saturday, 20th July 2002.

¹⁴⁵ Interview with informant C: 3 Monday, 29th July 2002.

informant states that, “As of now, there are very few women on the parish council. I would say, the ratio is 1:5”.¹⁴⁶

However, 1 informant mentions, “something is now being encouraged, but as of now, it is coming very, very slowly”.¹⁴⁷ Most informants indicate that women tend to shy away from taking up leadership positions because “society in general is still male-dominated”.¹⁴⁸ According to 2 informants, “culture and tradition”¹⁴⁹ tend to assign women to playing “secondary roles in the Church”.¹⁵⁰ 1 informant suggests that women “still feel inferior”¹⁵¹ and as a result “tend to be submissive”.¹⁵² Another informant suggests that education or a lack of it is perhaps a limiting factor. “In Malawi there is a problem that not many women are educated”.¹⁵³ As such, “they can’t take part in such kinds of things like liturgy reading in the event of a priest not being present”.¹⁵⁴

Thus, according to the perceptions of informants, women continue to play a secondary role in Church activities. As 1 informant put it, they have “a long way to go in terms of educating women to feel that they are part of the Church, and that they can also take responsibility”.¹⁵⁵ It is worth noting that all informants evidenced awareness of and (in varying degrees) concern for the position of women in the Church.

6.5.5 Empowerment of post-Banda civil society

Here, targeted issues are the developmental role of the Church. Information shows that all 6 informants firmly believe that the Church and their parish council is actively involved in empowering civil society. 1 informant states “The Church and the parish council, together with the Justice and Peace workshops are providing the people with

¹⁴⁶ Interview with informant C: 2 Monday, 22nd July 2002.

¹⁴⁷ Interview with informant C: 3 Monday, 29th July 2002.

¹⁴⁸ Interviews with informants C: 2 Monday, 22nd July 2002; C: 4 Saturday, 20th July 2002; and C: 1 Monday, 22nd July 2002.

¹⁴⁹ Interviews with informants C: 3 Monday, 29th July 2002 and C: 2 Monday, 22nd July 2002.

¹⁵⁰ Ibid.

¹⁵¹ Interview with informant C: 1 Monday, 22nd July 2002.

¹⁵² Interview with informant C: 3 Monday, 29th July 2002.

¹⁵³ Interview with informant C: 4 Saturday, 20th July 2002.

¹⁵⁴ Ibid.

¹⁵⁵ Interview with informant C: 1 Monday, 22nd July 2002.

civic education on human rights, good governance and fostering collaboration”.¹⁵⁶ He believes that this signifies the Church’s commitment to empowering civil society. A second informant states “apart from the Peace and Justice workshops”,¹⁵⁷ operating in his parish, they also have a group called Amacabean that “is going around to hit a bit harder on the injustices so to make people aware of their rights”.¹⁵⁸ He explains that,

...Amacabean is taken from the book Amacabeus where people fought for their rights...we are saying that it’s the bible that talks about this, and it shows that what we are actually doing is the right things that we should be able to stand for our rights and fight for our rights...That’s the recent move that we have made in our parish to ensure that people are empowered.¹⁵⁹

A third informant believes that “because there are efforts put into projects in the villages”¹⁶⁰ such as “putting boreholes and setting up schools, such things are empowering the people”.¹⁶¹ Another informant also believes that the Church is actively involved in empowering post-Banda civil society. However, he also feels that,

...the systems of the past has affected the mentality of the people... under the current dispensation, the mentality of the people still has not changed...it’s a long process. The parish council is trying to help the people understand this new system, but the process of changing people’s mindsets are slow. In other words, the ‘culture of silence’ is still there.¹⁶²

He further adds that this ‘culture of silence’ is present because “...sometimes people speak, but their voices do not get heard, so they wonder if they are really allowed to speak. But when your voice is heard, you are encouraged to speak”.¹⁶³ Another informant picks up on this sentiment. “Malawian society is not quite open yet...we don’t think our voice has reached to far away from our boundaries”.¹⁶⁴ However, 1 informant infers that all hope is not lost; he believes that by building schools and educating people, “they will be able to think in different ways and that they are going to start utilizing the resources that they have”.¹⁶⁵

¹⁵⁶ Interview with informant C: 2 Monday, 22nd July 2002.

¹⁵⁷ Interview with informant C: 3 Monday, 29th July 2002.

¹⁵⁸ Ibid.

¹⁵⁹ Ibid.

¹⁶⁰ Interview with informant C: 4 Saturday, 20th July 2002.

¹⁶¹ Ibid.

¹⁶² Interview with informant C: 1 Monday, 22nd July 2002.

¹⁶³ Ibid.

¹⁶⁴ Interview with informant C: 3 Monday, 29th July 2002.

¹⁶⁵ Interview with informant C: 4 Saturday, 20th July 2002.

Findings here indicate that while much good work is being done for and with people on the ground, mindsets are changing only very slowly. This is not surprising since thirty years of neo-colonial rule inevitably has affected the way that Malawians perceive themselves and what they are able to accomplish. Yet at the same time, the legacy of the past seems also to motivate people to become more open and vocal. As for the Church itself, it is actively committed to empowering post-Banda civil society. The examples provided by the informants suggest that efforts are being made to foster a more active and participatory society, which I believe is a hopeful sign that post-Banda Malawi has started on the path of liberating itself from the lingering 'neo-colonial' paradigm and a 'culture of silence'.

CHAPTER SEVEN: CONCLUSION: MALAWI IN THE EARLY YEARS OF THE 21ST CENTURY

It is the aim of this thesis to examine the progress Malawi has made since regime change. Thus, the concluding chapter attempts to come to grips with the dialectic of regime change in Malawi because - in the words of Gros – how can explanations of political reform...

...be studied in the abstract, devoid, as it were, of geographic space or locale, time frame and people – in other words, without nation-states and the actors who help shape how they are governed? Furthermore, sound social science research requires that generalizations be made only after the evidence is examined; theories should always follow investigations, not the other way around.¹

To begin with, Gros argues that there are two phases in the transition to democracy. “The first phase is sometimes called political liberalisation, wherein leaders of a country open the political system to competition”.² The second phase depicts a movement towards embracing democracy. It involves making...

...intrastate and state society relations more balanced. Separation of power, checks and balances, administrative decentralization and accountability, freedom of speech, press, assembly and the establishment of a constitution which guarantees a broad range of civil liberties.³

Malawi is still in a transitional phase “involving a gradual mainly elite-driven transformation of the formal rules that govern the political system”.⁴ As such, “the way is open not only for an unchanging government – under formally democratic conditions – but for a non-accountable government as well”.⁵ Thus, because the transition to democracy in Malawi is in itself incomplete in many respects, the process is “neither unilinear nor static: it can move forward, stagnate, or be reversed”.⁶

Furthermore, according to Gros’ model, Malawi – arguably - is in phase two of the transition process. In this view, the 1994 and 1999 elections in Malawi were part of the process of transition. The 1994 elections led to the empowerment of opposition

¹ Gros, J. ‘Introduction: Understanding Democratisation’, in Gros, J. (ed) (1998) Democratisation in Late Twentieth Century Africa. Westport, Connecticut: Greenwood Press, p.1.

² Ibid, p.2.

³ Ibid. p.3.

⁴ Ibid, p.2.

⁵ Good, K. (2002) The Liberal Model and Africa. Basingstoke: Palgrave, p.19.

⁶ Gros, J. (1998) *op cit*, p.2.

forces, along with institutions, practices and structures that fundamentally aimed at strengthening society *viz a viz* the state. "Considering the situation that prevailed before the end of the 1980s, there have been some significant changes in the alteration of political space".⁷ For instance, the 1999 elections in Malawi affirmed the sovereign right of the people of Malawi to choose their president and members of parliament, and most importantly, continue the stages of the transition process.

Furthermore, distinct are the voices emerging in Malawi, "articulating the universality of principles, which the leaders of yesteryear might have dismissed as 'un-African'".⁸ At the height of political changes in Malawi it became apparent that the 1966 constitution of the Republic of Malawi had to be reviewed. The Malawian public was anxious to institute a constitution that was reflective of the new political dispensation, which extolled values of transparency, accountability, respect for human rights, freedom of speech, religion and assembly, established clear roles for various arms of government, and limited the powers of the president. Establishing a constitution that guaranteed such visions and needs thus was seen as the foundational means by which Malawians would free themselves from a repressive past, and a 'culture of silence'.

A number of informants interviewed as part of the research for this dissertation expressed the opinion that positive changes had taken place since the transition from a single party regime to a multi-party state. Many informants believe that they now are free to speak out and express their views in a country where they were once denied that right. Some, however, are less sure. As indicated in the previous chapter, the extent to which these constitutionally guaranteed freedoms are enjoyed is debatable! As Olukoshi warns:

It is not enough, when we assess political development in Africa as part of our study of the transition process, simply to say that the actions of government are in accordance with the constitution and the law, since the constitution and the law can themselves become instruments of exclusion and oppression.⁹

⁷ Olukoshi, A. 'State, Conflict and Democracy in Africa: The Complex Process of Renewal', in Joseph, R. (ed) (1999) State, Conflict and Democracy in Africa. Boulder, London: Lynne Rienner Publishers, p.456.

⁸ Gros, J. (1998) *op cit*, p.2.

⁹ Olukoshi, A. *op cit*, p.456.

Having noted Olukoshi's warning, I argue that while theory sets the parameters of research, and clarifies issues of definition, thus enabling an estimation of the extent, if any, to which a particular country has or has not democratised on the basis of virtues extolled by the liberal democratic model "where everything revolves around the act of voting in periodic election",¹⁰ it is important to note that democracy is not only about voting once every five years. It is also about the ability of ordinary people to influence their government, to ensure that it is responsive to their needs.¹¹

More importantly, as scholars and students of political and social science, we should be "mindful not to assume that the only applicable yardstick against which the African democratic model can be measured is what is loosely referred to as Western democracy".¹² Quite apart from the Eurocentrism inherent in such an approach, as Mamdani and others have cautioned: "it is crucial not to take this to mean that the African reality can only be interpreted through one-sided recourse to analogies drawn from histories of other parts of the world".¹³

In fact, in Malawi, civil society arguably may be regarded as the most useful tool for measuring the extent of political transformation. The interviews in this dissertation involve representatives from civil society organizations, civic, academic and religious communities. Transcripts indicate an increasing realization that in order to tackle the root causes of poverty, social injustice and marginalization, civil society organizations must help people articulate their visions of the future and develop forms of government that give all parts of the population a stake in the development of the country. Although many can and do argue that civil society organizations in Malawi are a fairly recent phenomenon, this does not mean that their activities in the process of achieving meaningful change are inconsiderable. In fact, since 1994, there has been a significant increase in the number of civil society organizations and NGOs. An informant from the umbrella organization, CONGOMA, stated that there are 250 registered NGOs in Malawi.¹⁴ Their foci are variable. However, their common

¹⁰ Good, K. (2002) *op cit*, p.xiii.

¹¹ Budlender, G. 'A paper dog with real teeth'. *Mail & Guardian*, July 12-18, 2002, p.17.

¹² Olukoshi, A. *op cit*, p.457.

¹³ *Ibid*, p.463.

¹⁴ See appendix for interview with informant E: 1.

objective (whether developmental, or providing social services) is to constantly pressurise government to respond to the demands of the 'voices from below'.

Furthermore, the academic community was asked to shed some opinion on the concepts of 'voice' and 'space' in order to examine the extent to which, if any, 'voices from below' are impacting and influencing the course of politics in Malawi. However, what emerged from the transcripts indicates that the idea of 'space' contains nuances and ambiguities, and that it is technically difficult to establish finite distinctions between whose voices occupy particular spaces in the public arena. Yet, the responses also suggest that even though the ruling party occupies much of the space available in the public arena, some measure of participation from civil society organizations is tolerated and appreciated. Arguable, this is a hopeful sign. Furthermore, the dedication of most civic associations such as the ones interviewed for this dissertation indicate that although there may not yet be a 'clamour of voices' in the public arena, civil society organizations have strongly committed themselves towards promoting the interests of the ordinary Malawian.

Thus to conclude, by utilizing the rights vested in the constitution, representatives of civil society organizations, such as those interviewed, indicate a strong commitment to a gradual process of dismantling the 'culture of silence' which is an important part in continuing the process of change. Their objectives are to work towards providing social justice, gender equality and popular expressivity. Without a doubt, small but important victories are being won, even if slowly and without fanfare. As such, it has been the aim of this thesis to explain and examine pertinent aspects and details of the neo-colonial paradigm in order to illustrate on behalf of Malawian people that "those who judge us...would do well to remember the depths from which we have come".¹⁵

¹⁵ Ankomah, B. 'Is Prosperity as State of Mind?'. *New African*, April 2002, p.9.

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