

**Democratisation in Malawi: State, Economic Structure and Neo-Liberal Hegemony**

by

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A thesis submitted to the Department of Political Studies in conformity with the requirements for the degree of Doctor of Philosophy.

Queen's University  
Kingston, Ontario, Canada  
2001

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## **Abstract**

Existing studies on Malawi's transition to democracy overwhelmingly cite local factors such as ethnic competition, poor leadership, corruption, and economic difficulties as being the determinants of the form of democracy that emerged in the post 1994 period. This thesis argues these studies have led only to partial insights since they have not problematized the role of the state, its economic structure and the transnational lending community's neo-liberal hegemony on the country's democracy.

In its examination of the character of the state, this study demonstrates how the previous state's authoritarian character influenced the nature of the resulting democracy by setting the parameters of the democratisation debate. In particular, it shows the state's role in the formation of a nascent postcolonial bourgeoisie, which played such a central role in the democratisation process. The thesis also shows the dependent capitalist bases of the state through an examination of Malawi's economic structure. The thesis contends that an understanding of the historical evolution of the state and its structural bases leads not only to a better understanding of its crucial role in the democratisation process but also tempers the tendency to overestimate its capacity to institute changes in the existing social and political power structures in the era of democracy.

While acknowledging that local factors did play a crucial role in shaping Malawi's so-called democracy, the thesis contends that international forces were no less important. In particular, the role of the transnational lending community needs to be critically examined, given the country's foreign 'aid' dependency and its consequent vulnerability to that community's development policy shifts.

*WITH LOVE TO:*

*Haben and Nia Serieux; Anne-Marie Gardner and  
Nadine Busmann*



## ACKNOWLEDGEMENTS

I am deeply indebted to many individuals and organisations for their help and support in the production of this dissertation. To my thesis supervisor, Professor Colin Leys, my heartfelt thanks for his guidance, patience and rigorous demands, which made this project not only a reality but also worthwhile. By challenging me at every step, he has not only stimulated my intellectual growth but also taught me many invaluable lessons that I will carry with me throughout my life.

My thanks to Professor Stephen Page, the Head of the Political Studies Department, for being there for me during the best and the worst of times. Many thanks to Professors Jayant Lele, Catherine Conaghan, Bruce Berman, Eleanor MacDonald, Charles Pentland, Michael Hawes and Louis Delvoie for their valuable contribution to my intellectual growth; and to Shirley Fraser, Barbara Murphy, Evelyn McCaugherty, Pauline Bettney, and Frances Shepherd for their support over the years.

I also owe the completion of this dissertation to my intellectual encounters with professors who challenged me during my undergraduate and graduate years at the University of Toronto. Many thanks to Professor Richard Sandbrook for being there from the beginning; to Professors Eboe Hutchful, Joyce Esbery, Julius Ihonvbere, Janice Boddy, Jonathan Baker and E. Elemeki for demanding nothing but the best from me; and to Professor David Welch for not only being a wonderful professor but also for giving me the love of teaching.

I would like to express my gratitude to the various institutions that provided financial support for this study. Many thanks to the International Development Research Centre (Ottawa) for offering a major research grant for my fieldwork and to Jean Claude Dumais, my grant officer at IDRC, for his support during the fieldwork and upon my return to Canada. Thanks to the Department of Political Studies and the School of Graduate Studies at Queen's for research grants.

During my fieldwork in Malawi, various individuals and institutions also made valuable contributions to my research. I am indebted to Professor Wiseman Chirwa for suggesting that I write my dissertation on Malawi during an initial visit to the country in 1996. My special thanks to him for all his support and wonderful sense of humour, which sustained me through difficult times during the research process. Thanks to Professor Z. Kadzamira for arranging my affiliation with the University of Malawi and facilitating the logistics of my research, especially for help with obtaining the permits for archival research. I am grateful also to my friends at the University of Malawi Library, the Malawi Collection section, for giving generously of their time. Special thanks to Mr. Dickson V. Phiri for assisting me in obtaining historical, contemporary and obscure documents; to the staff at the Malawi National Archives and the Centre for Social Research for all their support; and to my research assistants – W. Soko, Ronald Mangani, Wisdom 'King Solomon' Malongo and Timothy Chikoti – for all their help at various stages of my fieldwork. During my stay in Malawi, Professor Mitch Strimpf extended my family tremendous support that will never be forgotten. Many thanks to Dr. Chiwoza Bandawe for his friendship, and to Dr. Peter Chimimba and Frider Chimimba as well as Dr. Boniface Msamati and Felicitas Msamati for their warm friendship and welcome comic relief.

I wish to offer my thanks to my dearest friends at Queen's University, who in different ways contributed to the completion of this project: Nadine Busmann, Paul Haslam, Eva Lazar, Brian Yealland, Paritosh 'Uncle Juice' Kumar, Sevgul Topkara, Demetri Glentzacos, Sylvia Söderlind, Tom Gillon, Josie de Leon, Reena Kukreja, Ludeki Chweya, Doug Kropp and Tuula Lindlum.

Over the years I have received tremendous support and inspiration from many friends, who have made it possible for me to engage in intellectual pursuits. My special thanks to Almuth Weigedt and her children Andrea and Erik Lacroix, as well as Anne-Marie Gardner, Tesfai Ande, Lynda Tavares, Elizabeth Dwivedi and Luther Francis for their love and support. I am also indebted to Charlotte Maxwell and Susanne Frederick for their unfailing support. For their inspiration and kindness, I extend my gratitude and respect to Kamoji Wachiira, Wanjiku wa Ng'anga, Professors Ngugi wa Thiong'o, Julius Nyang'oro and Micere Mugo.

My special thanks to my parents, Esther and James K. Mugo for believing in the liberating power of education; to my late maternal grandparents, Zacharia and Joyce, for their love and for telling me about Githae's daughter (Professor Micere Mugo); and to my sisters and brothers and their families for their love. I would especially like to thank my sisters Ruth and Jennifer for their generosity and understanding. Thanks to Papa Fit. Tewelde Tedla and Mama Lemlem, Thomas, Ammanuel and Haileab Tewelde and Frederic Mwai Kaburu's family for their love. Many thanks to the Serieux clan and to Dolly and Tally for their love and support.

Last but not least my deepest and sincere thanks to John, Haben and Nia Serieux for enduring the craziness that marked the completion of this project. Without their love and support this project would have remained an unrealized dream.

While all the individuals mentioned above made a valuable contribution to the completion of this project, I alone bear responsibility for any errors and omissions contained.

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## CHAPTER ONE: INTRODUCTION

### *The Argument*

This thesis seeks to provide an analysis of Malawi's transition to democracy, and its consequences, which is as comprehensive and satisfying as possible. To do this it has sought to go beyond the parameters of previous studies in a number of respects: two in particular. First, it tries to combine internal and international developments and forces in a single explanatory framework, primarily by devoting attention to the role of foreign lenders in Malawi's political development, which has not figured significantly in previous studies. Second, it tries to explain why the all-important role of the Malawian state – before independence, immediately after independence, and in the era of democratisation – has been what it has been: i.e. far from conducive to the sort of 'substantive' democracy dreamed of by so many Malawian activists in the struggle against the autocratic rule of Dr. Hastings Kamuzu Banda. It examines the character of the colonial state and the immediately post-colonial state in some detail, and also the class interests on which state power rested, and which state power has been used to promote.

Pursuing these two aims leads one to conceive of what has happened less as democratisation than as a 'passive revolution' of the kind conceptualised by Antonio Gramsci. Multi-party elections were introduced, the elite was circulated, but there were very few wider institutional or cultural changes of the kind that would between them make government answerable to the people, let alone an expression of popular power.

The existing literature on Malawi's 'transition to democracy' will be frequently referred to throughout the chapters that follow. Here, a brief indication of its general character is in order, to make clearer the way in which this thesis departs from it. Existing scholarly work on Malawi's democratisation process falls into two, not entirely separate streams:

one describes the roles played by major political institutions and various social forces, and also provides detailed accounts of the events of the transition period; the other is concerned with explaining the limited form of democracy that emerged in Malawi. The first current is represented by the first collection of essays on Malawi's transition to democracy, Matembo S. Nzunda and Kenneth R. Ross, *Church, Law and Political Transition in Malawi 1992-94*.<sup>1</sup> The second current is represented by Kings M. Phiri & Kenneth R. Ross (eds.), *Democratization in Malawi: A Stocktaking*, and John L. C. Lwanda's *Promises, Power, Politics & Poverty, Democratic Transition in Malawi (1961-1999)*.<sup>2</sup> These two currents are also represented in journal articles examining Malawi's democratisation process. Although the first current makes a significant contribution to the understanding of the roles played by various institutions and social forces (churches, media, and labour), and the events that marked the transition process, our concern here is with the second type of literature, which examines the factors that determined what kind of democracy emerged in Malawi after 1994.

Leading observers of Malawi's politics have broadly agreed that the form of democracy that emerged with the demise of the one-party state is limited, and has not led to meaningful changes in the existing structures of political and economic power. In the words of Phiri and Ross, in the transition to democracy "the fundamental socio-economic structures remained securely in place, the politics of patronage was scarcely disturbed and attempts to address the problem of poverty remained largely at the level of

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<sup>1</sup> Matembo S. Nzunda and Kenneth R. Ross, *Church, Law and Political Transition in Malawi 1992-1994* (Gweru: Mambo Press in association with University of Malawi, 1995) and John L.C. Lwanda, *Promises, Power, Politics & Poverty: Democratic Transition in Malawi (1961-1999)* (Glasgow: Dudu Nsomba Publications Ltd, 1996).

<sup>2</sup> Kings M. Phiri and Kenneth R. Ross, *Democratization in Malawi: A Stocktaking* (Blantyre: CLAIM, 1998).



rhetoric.”<sup>3</sup> In attempts to explain the root causes of Malawi’s limited and fragile democracy, analysts have cited corruption, poor leadership, an authoritarian legacy, economic problems, poverty, ethnicity and regionalism and a weak civil society as the key explanatory factors.

The legacy of the postcolonial authoritarian state is said to have played a major role in shaping Malawi’s democracy. As chapter three demonstrates in detail, from the early days of the nationalist movement to the postcolonial period, a culture of political intolerance characterised the Malawian state. The autocratic nature of Malawian politics, which had its roots in the colonial period, deepened under Hastings Kamuzu Banda’s rule. Thus, given Malawi’s long legacy of authoritarianism, Phiri and Ross conclude that “it is not a complete surprise that on all sides there are anti-democratic tendencies” in the post one-party era<sup>4</sup> and they predict that Malawi’s democracy will remain in its limited form unless “de-autocratization” (as Jack Mapanje calls it) occurs.<sup>5</sup>

According to some analysts, the economic crisis that Malawi faced in the period leading up to the transition was a key factor in the shaping of its democracy.<sup>6</sup> While the economic problems of the 1980s led to the rise of demands for political change in the early 1990s, this crisis also limited the scope of economic changes that the democratic regime could implement, limiting also the development of a meaningful form of democracy. According to E. N. Banda, F. Nankhuni and E. Chirwa, the new government inherited a battered economy—one which had suffered from three consecutive years of drought, curtailment of donor funding pending the implementation of democratic political

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<sup>3</sup> Kings M. Phiri & Kenneth R. Ross, *op. cit.*, p. 12.

<sup>4</sup> *Ibid.*, p. 16.

<sup>5</sup> *Ibid.*

<sup>6</sup> Ellias Ngalande Banda, Flora Nankhuni, and Ephraim Chirwa, “Economy and Democracy: Background, Current Situation and Future Prospects”, in Phiri and Ross (eds.), *op. cit.*, pp. 70-86.

reforms, and a currency which was collapsing following its flotation in February 1994. Consequently, the new government took over at a time of serious economic and financial difficulties; slow growth of national income, high population growth, declining social welfare, and rising unemployment. These problems have continued to loom large and seemingly mock government rhetoric in favour of improving the lot of the masses.<sup>7</sup>

Other economic factors are also cited as contributing to Malawi's limited democracy: the promotion of a consumerist rather than a production culture, government corruption, the current state's concentration on promoting the establishment of businesses, the neglect of the agricultural sector, and external debt.<sup>8</sup> For Banda, Nankhuni and Chirwa, a resolution to the existing economic crisis will have to be sought since "without economic achievements, democracy soon becomes a meaningless concept for the majority of its advocates and mass supporters."<sup>9</sup> They state that most Malawians see the existence of democracy as "a means through which fair distribution of national income can be achieved, usually through such measures as affirmative action and the enforcement of progressive, imaginative and generous policies aimed at improving the material wellbeing of ordinary people."<sup>10</sup> For Lwanda, meaningful political and economic change will only occur "if the vicious cycle of sectional power politics/self interested accumulation/repression followed by change and the sectional power politics etc. again is broken."<sup>11</sup>

Economic analysts have proposed that the current state should implement various measures in an effort to generate what they deem to be meaningful democracy.<sup>12</sup> Primary among these is a reduction of government expenditure, and a push for more privatisation of commercial parastatals. Stabilization of prices should be a priority since

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<sup>7</sup> Ibid., p. 77.

<sup>8</sup> Ibid., pp. 77-78.

<sup>9</sup> Ibid., p. 70.

<sup>10</sup> Ibid.

<sup>11</sup> Lwanda, op. cit., p. 10

<sup>12</sup> Banda, Nankhuni, and Chirwa. op. cit., pp. 83-85.

it would lead to increased savings and result in increased investment. Further, the state should promote export-oriented foreign direct investment since this would reduce the dominant role of the state in this sector, reduce unemployment by strengthening the informal sector, and contain labour unrest since this affects economic production. Finally, the state should implement “civic education to indicate to the various economic agents that the problems the economy faces call for austerity measures and that these are never pleasant.”<sup>13</sup>

For Lewis B. Dzimbiri, the poor quality of the Malawian political elite has contributed to the limitations of Malawi’s democracy. He laments the fact that local leaders, like their counterparts in other parts of Africa, have been more interested in “self-aggrandisement and material gain than the development of available national resources for the benefit of all their citizens.”<sup>14</sup> Arguing on similar lines, John L.C. Lwanda states that in the post-Banda era the political elite has mainly concentrated on “creating pools of patronage” and accumulating wealth.<sup>15</sup> For Dzimbiri, the leadership that has emerged with democratisation is “unprincipled, unpredictable”—characteristics that are indicated, for instance, by its members “switching from one party to another or abandoning principles for which they had once campaigned.”<sup>16</sup> Thus, he concludes that unless a leadership committed to meaningful democracy emerges Malawi’s democracy will remain shallow, a phenomenon that could in the future lead to “political decay instead of political development.”<sup>17</sup>

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<sup>13</sup> *Ibid.*, p. 85.

<sup>14</sup> Lewis B. Dzimbiri, “Competitive Politics and Chameleon-like Leaders”, in Kings Phiri and Kenneth Ross, *op. cit.*, p. 87.

<sup>15</sup> Lwanda, *op. cit.*, p. 8.

<sup>16</sup> Dzimbiri, p. 88.

<sup>17</sup> *Ibid.*, p. 101.

The fragile nature of the Malawian unitary state, divided by ethnic and regional sentiments, is another factor that is seen as having contributed to the country's transition to a narrow form of democracy.<sup>18</sup> The politicisation of ethnic and regional identities in the colonial and postcolonial period meant that the democratisation process was seen as a struggle of one ethnic or regional group against another, so that no political party could claim national legitimacy since all were regionally based. Consequently, the democracy that emerged had a limited political base, making it difficult to plan and implement economic changes that would result in meaningful democracy. Commenting on the impact of ethnicity a Member of Parliament stated: "Any leader governing a fragmented people as we are, is sitting on a time bomb. Anything can happen...with this fragmentation, there can be no meaningful development in the country."<sup>19</sup> These sentiments are echoed by an observer of Malawian politics:

Those familiar with upheavals elsewhere in Africa have expressed anxiety about the long-term implications of 'tribal politics': Malawi seems to be moving in a dangerous direction, for where ethnicity is the most salient issue consolidating political constituencies, large-scale violence is the inevitable result.<sup>20</sup>

Of course a book such as Phiri's and Ross', consisting of a collection of essays by different authors, and Lwanda's, written shortly after the transition, tends to make the overall analysis seem perhaps more piecemeal than it is, even if such listings of domestic 'factors' affecting the democratisation process in Malawi are rather typical of academic writing on it. However, the corrective which this thesis seeks to apply to such approaches goes beyond adding a few more missing 'factors'. Important as the

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<sup>18</sup> Wiseman C. Chirwa, "Democracy, Ethnicity and Regionalism: The Malawian Experience, 1992-1996", in Kings M. Phiri and Kenneth R. Ross, op. cit., p. 66.

<sup>19</sup> *Hansard*, 18 July 1994, p. 124, quoted in *Ibid*.

<sup>20</sup> Deborah Kaspin, "The Politics of Ethnicity in Malawi's Democratic Transition", *The Journal of Modern African Studies*, Vol.33/4 (1995), p. 597. While acknowledging the powerful role that ethnic and regional loyalties played in the democratisation process, Jan Kees van Donge argues that the future of Malawi's democracy hinges on the ability of the political elite to create ruling coalitions that ensure the stability of the country, something he claims Dr. Hastings Kamuzu Banda was good at (see Jan Kees van Donge, Kamuzu's Legacy: The Democratisation of Malawi", *African Affairs*, No. 94 (1995), pp. 227-257.

omission of foreign 'aid' is, for example, for the analysis of a political system as dependent on aid as Malawi's, the aim of this thesis was not just to 'include' it but to try to integrate the analysis of the role of lending agencies and 'donor' states with the analysis of the role of all the 'internal' factors cited in the studies referred to above. This thesis takes a similar approach with the analysis of the state. Its aim is not merely to point out the state's specific class character, rather it seeks to integrate the analysis of the class basis of the state with the analysis of the class forces involved in the demand for democracy, as well as with the pattern of the aid that Malawi received, the policy orientations urged on Malawi by the lending community, and the kind of democratic processes adopted—and not adopted—in the transition.

Examining the interconnections between these dimensions led, eventually, to a shift in the conceptualisation of what took place in the 'transition to democracy'. In place of a truncated or even a 'failed' democratisation one came to see the most important feature of the situation as consisting of a successful absorption of the popular alienation produced by the organic crisis of the 1980s—a successful passive revolution—and a resulting political regime which so far has little in common with even a limited, purely procedural concept of democracy.

Clearly, all the factors reviewed in Phiri and Ross, and Lwanda, are relevant, but this thesis argues that they offer only partial insights into the nature of Malawi's democratisation. In the first place international factors were no less important. In particular, the role of the transnational lending community needs to be critically examined, given the country's foreign 'aid' dependency and its consequent vulnerability to that community's policy shifts. The thesis therefore analyses the way the transnational lending community shifted its policy stance in the early 1990s, withdrawing its support for

“developmental dictatorship” states such as Malawi’s in favour of the establishment of multiparty democracies. While acknowledging the crucial support that the transnational lending community provided to Malawi’s pro-democracy movement, the thesis also demonstrates that it was not a disinterested party: it promoted its own version of an elite-driven, primarily ‘procedural’ concept of democracy that ensured more continuity than change in the distribution of local political and economic power.

Second, while existing studies of Malawi’s democracy lament the fact that the state in the era of democracy has not instituted changes that would result in a meaningful democracy—that is, a democracy that addresses the economic needs of the majority of Malawians—they do not seriously probe the historical and class character of the state inherited from the colonial era. This omission is evident from their chosen remedy, when they urge that the state should stabilise prices, promote foreign direct investment, and privatise the remaining state-owned parastatals, etc. In essence, what is being recommended as a means of generating a substantive form of democracy in Malawi follows the lines of the economic policies advocated by the World Bank and the International Monetary Fund (IMF). But as chapter seven will show, since the late 1970s Malawi has implemented the austerity measures advocated by these two institutions, yet these changes have yet to lead to sustained capitalist development of the kind that underpinned democratic regimes in the industrialised world in the post World War II period.

The expectation in some of these studies that the state would, with the transition to democracy, institute changes that would result in fundamental alterations in the existing political and economic power structures stems from an ahistorical view of the Malawian state. This thesis, in contrast, adopts a historical-structural framework in an effort to

provide a broader understanding of the Malawian state, arguing that the previous state's authoritarian character influenced the nature of the resulting democracy by setting the parameters of the democratisation debate. It also seeks to assess the impact of the class basis of the postcolonial state, showing its role in the formation of an indigenous bourgeoisie which played such a central role in the democratisation process. An understanding of the historical evolution of the state and its class character not only leads to a better understanding of its crucial role in the democratisation process but also tempers the tendency to overestimate its capacity to fundamentally reconfigure the existing political and economic structures. Furthermore, the thesis analyses the evolution and nature of the Malawian state's economic base. The analysis shows the emergence of a state-led form of periphery capitalism whose central features are agrarian production for export markets, and the aforementioned dependency on international financial flows, mainly from the transnational lending community. The state's economic structure, the thesis argues, places considerable limits on both the ability and the willingness of the state to implement meaningful changes.

The neglect of these two structural factors in previous studies, such as those reviewed above, has resulted in an exaggeration of the current state's capacity to 'deepen' democracy. What emerges from these studies is a sense that some form of substantive democracy could emerge if the local state were not faced with issues such as ethnic competition, poor leadership, corruption, and economic difficulties. This neglect obliges the authors of these studies to make self-evidently unrealistic and implied assumptions, such as that all would be well if 'good' leaders happened to emerge, with enough 'will' to make the necessary changes. It is contended here that incorporating structural elements in the examination of the factors that shaped Malawi's democracy is important at both the theoretical and the concrete historical level because it clarifies the nature of Malawi's

democracy and indicates the parameters within which local social forces can realistically struggle for meaningful social and political change.

The thesis has eight chapters. Chapter two examines the relevance of the dominant perspectives in the literature of development to the study of Malawi's democratisation process. Chapter three traces the historical origins of the Malawian state and its economic structure, while chapter four describes the rise of the postcolonial authoritarian state. Chapter five analyses the evolution of the transnational lending community's hegemonic discourses. Chapters six and seven examine the evolution of the postcolonial economic structure and Malawi's 1979-93 organic crisis. The final chapter analyses Malawi's transition to democracy and the character of the resulting democracy.



## **CHAPTER TWO: DEVELOPMENT PERSPECTIVES AND DEMOCRATISATION IN THE PERIPHERY**

The main objective of this chapter is to examine the relevance of the major development perspectives to the study of democratisation in Malawi. Part I of the chapter explores the central tenets of modernisation, dependency, neopatrimonialism and neo-liberal approaches. While these dominant approaches in general provide useful insights, the analysis shows that they are inadequate for the study of Malawi's democratisation process. Part II outlines a historical-structural and neo-Gramscian approach which, it is argued, provides a better analytical framework for the central concerns of this thesis.

### **Modernisation theory**

The post World War II period saw an increased interest in the study of economic and political change in Third World countries. In the academic world sociologists, economists, and political scientists formulated a network of ideas concerning political, social, and economic change in the developing world—a body of work which led to the emergence of modernisation theory. In its various mutations this perspective concentrated on the study of what scholars deemed the transition from traditional and less developed societies to modern and developed ones. Scholars working within this framework considered the existence of a democratic political system an important feature of a society that had moved from traditional to modern.

While acknowledging that democracy was a desirable goal for developing countries, modernisation theorists were not overly optimistic about its establishment. Expressing long-term optimism about the eventual democratisation of emerging nations, however, Gabriel Almond stated in 1970 that “in the new and modernising nations of Asia, Africa and Latin America, the processes of enlightenment and democratization will have their

inevitable way.”<sup>1</sup> The assumption that developing societies would eventually have democratic political systems was based on the notion that all societies follow a universal path to modernity, an idea that stemmed from evolutionary theories in sociology and the ideas of economic development popularised by Walt W. Rostow. In Rostow’s view, in their march to modernity, societies move through five stages: traditional society, pre-take-off society, take-off, the road to maturity, and mass consumption society.<sup>2</sup> Thus, according to this view, at the end point of modernity all societies would converge. Following this line of argument, Marion J. Levy claimed that “as time goes on, they [developing countries] and we [industrialised countries] will increasingly resemble one another...because the patterns of modernization are such that the more highly modernized societies become, the more they resemble one another”.<sup>3</sup>

While modernisation theorists were generally optimistic about the *eventual* establishment of democracy, what they meant by this was a Schumpeterian<sup>4</sup> form of democracy, which Gabriel Almond defined as “a political system in which ordinary

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<sup>1</sup> Gabriel Almond, *Political Development: Essays in Heuristic Theory* (Boston: Little Brown, 1970), p. 232.

<sup>2</sup> For an elaboration on these stages and Walt W. Rostow’s overall argument see his widely quoted book, *The Stages of Economic Growth: An Non-Communist Manifesto* (Cambridge: Cambridge University Press, 1960).

<sup>3</sup> Marion J. Levy, “Social Patterns (Structures) and Problems of Modernization”, in Wilbert Moore and Robert M. Cook, eds., *Readings on Social Change* (Englewood Cliffs, NJ: Prentice-Hall, 1967), p. 207.

<sup>4</sup> The post World War II period saw a revision of democratic theory, and Joseph A. Schumpeter’s book, *Capitalism, Socialism and Democracy* (New York: Harper and Brothers, 1942) played a central role in this process. Schumpeter argued that the involvement of ordinary citizens in the political process had to be contained since, in his view, “the typical citizen drops down to a lower level of mental performance as soon as he enters the political field. He argues and analyzes in a way which he would readily recognize as infantile within the sphere of his real interests. He becomes a primitive again” (p. 262). Consequently, building on earlier elite political theories—for example, Gaetano Mosca, *The Ruling Class* (New York: McGraw-Hill, 1965) Schumpeter advocated an elite and narrowly defined form of democracy: “To put it differently, we now take the view that the role of the people is to produce a government, or else an intermediate body which in turn will produce a national executive or government. . . . The democratic method is that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people’s vote” (p. 269). He went on to declare that “democracy means only that the people have the opportunity of accepting or refusing the men who are to rule them” (p. 285). The revision process continued with Robert Dahl’s work, *A Preface to Democratic Theory* (Chicago: University of Chicago Press, 1956).

citizens exercise control over elites and such control is legitimate: that is, it is supported by norms that are accepted by elites and non-elites. In all societies, of course, the making of specific decisions is concentrated in the hands of very few people. Neither the ordinary citizen nor 'public opinion' can make policy."<sup>5</sup>

However, the dominant trend in the 1960s modernisation literature was pessimism and an emphasis on the lack of the necessary preconditions for democracy in the Third World.<sup>6</sup> For Seymour Martin Lipset, for instance, democracy could only emerge if a country had achieved high levels of economic development:

Democracy is related to the state of economic development. The more well-to-do a nation, the greater the chances that it will sustain democracy. From Aristotle down to the present, men have argued that only in a wealthy society in which relatively few citizens live at the level of real poverty could there be a situation in which the mass of the population intelligently participate in politics and develop the self-restraint necessary to avoid succumbing to the appeals of irresponsible demagogues. A society divided between a large impoverished mass and a small favoured elite results either in oligarchy (dictatorial rule of the small upper stratum) or in tyranny (popular-based dictatorship). To give these two political forms modern labels, tyranny's face today is communism or Peronism; while oligarchy appears in the traditionalist dictatorships found in parts of Latin America, Thailand, Spain, or Portugal.<sup>7</sup>

The lack of cultural preconditions for liberal democracy was acknowledged by Gabriel A. Almond, who claimed that those who advocated the establishment of liberal democracy in the emerging nations were naïve since the complex and culturally embedded Western forms of democracy would not work in these countries given their diverse cultural traditions.<sup>8</sup> Moreover, the manner in which socio-political and economic changes were taking place in the emerging nations was viewed by some scholars as creating

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<sup>5</sup> G. Almond and S. Verba, *The Civic Culture* (Boston: Little, Brown, 1963), p. 136.

<sup>6</sup> This pessimism has been attributed to changing political conditions in the United States and in the developing world. For more details on this line of argument see, Irene L. Gendzier, *Managing Political Change: Social Scientists and the Third World* (Boulder: Westview Press, 1985), pp. 35-43 and Donal Cruise O'Brien, "Modernisation, Order and the Erosion of a Democratic Ideal", in David Lehmann, *Development Theory: Four Critical Studies* (London: Frank Cass, 1979), pp. 54-74.

<sup>7</sup> Seymour Martin Lipset, *Political Man* (Baltimore: The Johns Hopkins University Press, 1981), p. 31.

<sup>8</sup> Gabriel A. Almond, *Political Development Essays in Heuristic Theory* 1970, p. 223.

conditions that would hinder the establishment of democracy. In *The Politics of the Developing Areas*, a key text in the political development literature, Lucien Pye, commenting on South-East Asia, stated that while the governing elites in these new states had “committed their peoples to the task of establishing representative institutions of government and more productive modes of economic life . . . the possibility of failure is great” since the military was accumulating more power and becoming politically involved in politics.<sup>9</sup> He argued that disunity among elites and their failure to control the masses, and the latter’s demands for inclusion in politics, would lead to chaos and the spread of communism.<sup>10</sup> He concluded that the establishment of competitive politics was not likely; the important issue was the development of “receptive and integrating political processes”, because “the alternative...is the growth of various authoritarian movements, particularly Communism.”<sup>11</sup> In the same volume, James Coleman, commenting on sub-Saharan Africa, argued that power was accruing to social forces that were not capable of handling it, and this trend increased chances for instability.<sup>12</sup>

For other modernisation theorists, the multitude of problems generated by the process of rapid change in the developing world was a recipe for chaos and authoritarianism, not democracy. According to Samuel Huntington, for instance, the governing elites in the emerging nations were confronted with problems of centralization of authority, national integration, social mobilization, economic development, political participation, and social welfare—problems that had arisen not sequentially, but simultaneously—and this was

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<sup>9</sup> Gabriel A. Almond and James S. Coleman, eds., *The Politics of the Developing Areas* (Princeton: Princeton University Press, 1960), pp. 65-66.

<sup>10</sup> *Ibid.*

<sup>11</sup> *Ibid.*, p. 152.

<sup>12</sup> *Ibid.*, pp. 312-313.

not a promising picture for the transition to liberal democracy.<sup>13</sup> In addition, he argued, the expansion of political participation as a result of rapid economic development did not augur well for the establishment of democracy since the new social forces lacked the necessary socialisation.<sup>14</sup> Quoting John Johnson's work on Latin America, he argued that this scenario had emerged in countries of this region where, starting in the 1930s, "age requirements were lowered, property and literacy requirements were reduced or discarded, and the unscrubbed, unschooled millions on the farms were enfranchised in the name of democracy. They were swept into the political life of the republics so rapidly that existing parties could not absorb many of them, and they learned little about working within the existing political system."<sup>15</sup>

Given the lack of favourable preconditions for the establishment of liberal democracy in the developing world, scholars working from the modernisation perspective advocated strong-handed regimes, which would ensure the ability of governing elites to control citizens and engender economic growth. Arguing along these lines in 1966, Pye stated:

We are led to the conclusion that it will be a slow and difficult process to achieve the substance of democratic life in most of the new states. There is much in the often cynically advanced generalization that these societies are 'unprepared' for democracy. This is a disturbing conclusion for many people in the West who share a basic sympathy for the struggles of the new states because personally they are committed to the democratic spirit and are naturally inclined to identify with the weak, the poor, and the disadvantaged. . . . The problem of working toward a more open society is above all a test of statecraft. To simply open the door to the ever-wider popular participation in politics of illiterate and insecure citizens can easily destroy any possibility for orderly government. In the developing areas there is the genuine problem of establishing effective administrations and . . . the threats of insurgency and revolutionary violence are

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<sup>13</sup>Samuel P. Huntington, "Political Development and Political Decay," in Claude Welch Jr., ed., *Political Modernization* (Belmont: Wadsworth Publishing Company, 1967), pp. 238-277. In addition, see Gabriel A. Almond, 1970, pp. 228-233.

<sup>14</sup> Samuel P. Huntington, in Claude E. Welch, Jr., op. cit., p. 224. Huntington argues that India's liberal democracy is an exceptional case in the developing world and attributes this exceptionality to the existence of an old political party, the Congress Party, and a well-established institutional framework, specifically the civil service, before the country's independence in 1947 (ibid., pp. 227-228).

<sup>15</sup> John J. Johnson, *The Military and Society in Latin America* (Stanford, 1964), pp. 98-99 quoted in ibid.

endemic in many transitional societies. There is a need for firm rule if societies are going to advance toward definite goals.<sup>16</sup>

The creation of these regimes could be achieved, for example, with the establishment and support of a strong one-party regime in the developing countries.<sup>17</sup> According to Huntington, the existence of this kind of political party ensured stability and order since it had the capacity to “expand participation through the system and thus to preempt or to divert anomic or revolutionary political activity, and, second, to moderate and channel the participation of newly mobilized groups in such a manner as not to disrupt the system.”<sup>18</sup> The creation of strong one-party states in the developing world was an important part of an overall political framework advocated by Huntington that emphasised the establishment of political institutions—a lesson he thought the West could learn from the communists—since in his view institutions facilitated economic growth, stability, order and future democratisation.<sup>19</sup> Once in power, a strong one-party regime had to curtail political participation as a way of reducing unnecessary pressures on the governing elite. In particular, the involvement in politics of educated individuals was to be contained because their increased demands were “more likely to snowball with potentially disastrous effects on political stability”.<sup>20</sup> Urging the West to accept repressive regimes in the developing world, David Apter stated:

Such systems require both sympathy and understanding. The language of politics needs to be adjusted in part to account for them. All lie somewhere between familiar extreme categories of political forms. To approach such societies as predemocratic allows us to view certain institutions of coercion as perhaps necessary to the organization and integration of a modernizing community. We need to confront the possibility that representative institutions may fail to work in most modernizing societies and therefore be discredited.<sup>21</sup>

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<sup>16</sup> Lucien Pye, *Aspects of Political Development* (Boston: Little, Brown 1966a), pp. 87-88.

<sup>17</sup> Samuel P. Huntington, in Claude Welch, Jr., op. cit., pp. 240-241.

<sup>18</sup> Samuel P. Huntington, *Political Order in Changing Societies* (New Haven: Yale University Press, 1968), p. 412

<sup>19</sup> Samuel P. Huntington, in Claude Welch, Jr., op. cit., p. 232.

<sup>20</sup> Ibid., p. 237.

<sup>21</sup> David E. Apter, *The Politics of Modernization* (Chicago: The University of Chicago Press, 1966), p. 2.

Scholars working from this perspective called upon the political elite in developing countries and the transnational lending community (chapter five shows in detail how this community's development discourse before the 1980s was greatly influenced by this perspective) to play a central role in the entrenchment of strong one-party regimes. According to E. Shils, "No new state will modernize itself in the present century without an elite of force of character, intelligence and high moral qualities."<sup>22</sup> Gabriel A. Almond called on the transnational lending community to orient its foreign policy and aid provision towards enabling the governing elites in the developing world to deepen their authority since authoritarianism and centralisation of power were the only choices available to them, given the pressures they faced from their citizens.<sup>23</sup> In the case of the United States, Huntington argued that "instead of relying on the military, American policy should be directed to the creation within modernising countries of at least one strong non-Communist political party. . . . The alternatives in those areas remain a corrupt political system or a Communist one."<sup>24</sup>

The modernisation perspective highlights some salient features of political processes in the developing countries, such as the central role played by governing elites and the involvement of the industrialised countries in these processes (although this perspective does not problematise the latter's role, as will be discussed shortly). However, as a tool for analysing transition to democracy and political change in general in the developing world, this perspective is limited on several counts. First, while modernisation theorists were mainly pessimistic about the establishment of democracy in developing countries

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<sup>22</sup> Edward A. Shils, *Political Development in the New States* (The Hague: Mouton and Co., 1962), p. 86.

<sup>23</sup> Gabriel A. Almond, 1970, op. cit., pp. 230-232.

<sup>24</sup> Samuel P. Huntington, in Claude Welch, Jr., op. cit., p. 245.

(as chapters six and seven will demonstrate, this view changed in the 1980s), the underlying assumption was that developing countries would follow an economic and political path similar to that of their Western counterparts. This supposition is ahistorical and assumes a unilinear and universal march to modernity, the final destination, presented by modernisation theorists as "the end of history, the terminal station at which passengers to modernisation can finally get out and stretch their legs."<sup>25</sup>

Second, the modernisation perspective neglects the impact of structural conditions on the democratisation processes. Consequently, although this theory uses the Western experience as its reference point, its ahistorical nature and its neglect of structural realities leads to a misrepresentation of the transition to liberal democracy in contemporary industrialised countries. An examination of the history of the establishment of liberal democracy in these countries indicates that, far from being a smooth political process, its driving force was a protracted class struggle. Scholars like Dietrich Rueschemeyer, Evelyne Huber Stephens, and John D. Stephens have shown that, contrary to the assertions of modernisation theorists, it was not the rise of capitalism per se which led to the establishment of liberal democracy in the industrialized world, but rather class struggles generated by the contradictions of the capitalist mode of production.<sup>26</sup> By neglecting the impact of economic and class structure, modernisation theory is limited in its ability to explain the process of democratisation in Malawi, or elsewhere for that matter.

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<sup>25</sup> Donal Cruise O'Brien, in David Lehmann, 1979, op. cit., pp. 53-54.

<sup>26</sup> Barrington Moore, Jr., *Social Origins of Dictatorship and Democracy* (London: Penguin Books, 1966); Goran Therborn, "The Rule of Capital and the Rise of Democracy," in David Held et al., eds., *States and Societies* (New York: New York University Press, 1983); and Dietrich Rueschemeyer, Evelyne Huber Stephens, and John D. Stephens, *Capitalist Development and Democracy* (Chicago: Chicago University Press, 1992).



Third, modernisation theorists overwhelmingly cite internal factors as the determinants of Third World political processes. When they do include international factors in their analyses, they portray them (with the exception of communism) as agents of economic and political progress. This representation of the role of developed countries in the developing world mystifies the asymmetrical and exploitative nature of the historical relationship between these two worlds. The very fact that Third World countries have been incorporated into the international system through slavery, colonialism, and neo-colonialism negates the idea that the evolution of their political economies is determined solely by internal factors. As chapter five, which examines the development discourses of the transnational lending community, and the Malawi case study as a whole will demonstrate, prevailing international political and economic conditions play a major role in the political and economic processes of developing countries. To neglect these factors can only lead to an incomplete and unsatisfactory analysis of political and economic change in these countries.

### **Dependency theory**

While different emphases characterise the work of scholars working from this perspective, the concentration here will be on two major currents: one originating with the writings of Andre Gunder Frank and the other stemming from the work of Fernando Henrique Cardoso and Enzo Faletto.<sup>27</sup> In explaining the character of Third World political economies and critiquing modernisation theory, Frank advanced the following

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<sup>27</sup> The distinction here is between theorists who concentrate on external factors in their examination of peripheral political and economic processes and those who see these processes as influenced by both local and international factors. For a detailed categorization of the various tendencies of the dependency perspective see, G. Palma, "Dependency and development: a critical overview," in D. Seers, ed., *Dependency Theory: A Critical Reassessment* (London: Frances Pinter, 1981), pp. 42-43. Discussions relating to Frank's and Cardoso and Falleto's conceptualization of capitalism—and other critical issues—are beyond the scope of this thesis.

arguments. First, the leading industrialised countries (the core) and the less industrialised countries (the periphery) belonged to one international capitalist system; thus, the argument by modernisation theorists that the developing and industrialised countries were characterised by different economic systems—one traditional and the other modern—was misleading:

Evident inequalities of income and differences in culture have led many observers to see 'dual' societies and economies in the underdeveloped countries. Each of the two parts is supposed to have a history of its own, a structure, and a contemporary dynamic largely independent of the other. . . . I believe on the contrary that the entire "dual society" thesis is false and that the policy recommendations to which it leads will, if acted upon, serve only to intensify and perpetuate the very conditions of underdevelopment they are supposedly designed to remedy.<sup>28</sup>

Second, the underdevelopment that characterised the countries of the periphery was a result of their incorporation into the international capitalist system.<sup>29</sup> According to Frank, this integration was marked by exploitative metropolis-satellite links at the international, national, and local levels, a process that resulted in underdevelopment. In his analysis, underdevelopment was the process by which peripheral countries became economically dependent on a pattern of international trade which was increasingly unfavourable to their economies and which led to the success of local capitalist enclaves at the price of the further underdevelopment in the rest of the economy.<sup>30</sup> In these relationships, the metropolis appropriated economic surplus from the satellites, resulting in the underdevelopment of the latter due to "lack of access to their own surplus."<sup>31</sup> Consequently, Frank declared, the "capitalist system has at all times and in all places—

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<sup>28</sup> Andre Gunder Frank, "The Development of Underdevelopment", in James D. Cockcroft, Andre Gunder Frank, and Dale L. Johnson, eds., *Dependence and Underdevelopment: Latin America's Political Economy* (New York: Anchor Books, 1972), p. 4.

<sup>29</sup> *Ibid.*, p. 3

<sup>30</sup> *Ibid.*, pp. 9-17.

<sup>31</sup> Andre G. Frank, *Capitalism and Underdevelopment in Latin America* (New York: Monthly Review Press, 1969a), p. 9.

as in its nature it must—produced both development and underdevelopment. The other is as much the product of the system, one is just as 'capitalist' as the other."<sup>32</sup>

Third, Frank contended that development in the periphery was not possible given the asymmetrical economic structure of international capitalism. Thus he declared: "Short of liberation from this capitalist structure or the dissolution of the world capitalist system as a whole, the capitalist satellite countries, regions, localities, and sectors are condemned to underdevelopment."<sup>33</sup> Fourth, in his framework it was not only peripheral economic structures that were heavily determined by the contradiction of the international capitalist system, but also political and social structures.<sup>34</sup> Consequently, on the question of the evolution of political systems in the periphery, he saw them as being determined by the contradictions of the capitalist system, one of which was meeting the needs of the international bourgeoisie. From this perspective then the reality of peripheral capitalism was that it created a mode of politics that was repressive and coercive—a mode in which the dominant classes in the periphery, in collaboration with their counterparts in the core countries, engaged the masses in exploitative relations of production.<sup>35</sup> In Latin America this scenario found its ultimate expression in the rise of bureaucratic authoritarianism. According to Guillermo O'Donnell, "The bureaucratic authoritarian state [is], first and foremost, the guarantor and organizer of the domination exercised through a class

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<sup>32</sup> Ibid., p. 240.

<sup>33</sup> Ibid., p. 11.

<sup>34</sup> Ibid.

<sup>35</sup> Ibid., p. xvi)

structure subordinated to the upper fraction of a highly oligopolized and transnationalized bourgeoisie."<sup>36</sup>

The work of F. H. Cardoso and E. Faletto represents the other major current of the dependency approach. Like Frank, Cardoso and Faletto argued that the establishment of peripheral capitalism "cannot be understood without reference to the economic drive of advanced capitalist economies, which were responsible for the formation of a capitalist periphery and for the integration of traditional noncapitalist economies into the world market."<sup>37</sup> Thus they too viewed the industrialised and the developing countries as belonging to one international capitalist system. Nevertheless, their perspective differed from Frank's since it did not view the political and economic structures of the periphery as being solely determined by the structure of global capitalism. According to Cardoso and Faletto, international capitalism conditioned the evolution of peripheral political economies, but this process produced different forms of dependency due to different local conditions:

The expansion of capitalism in Bolivia and Venezuela, in Mexico or Peru, in Brazil and Argentina, in spite of having been submitted to the same global dynamic of international capitalism, did not have the same history or consequences. The differences are rooted not only in the diversity of natural resources, nor just in the different periods in which these economies have been incorporated into the international system. . . . Their explanation must also lie in the different moments at which sectors of local classes allied or clashed with foreign interests, organized different forms of state, sustained distinct ideologies, or tried to implement various policies or defined alternative strategies to cope with imperialist challenges in diverse moments of history.<sup>38</sup>

Thus, for Cardoso and Faletto, the entry point for their analysis was the notion that the

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<sup>36</sup> G. O'Donnell, "Tensions in the Bureaucratic-Authoritarian Model and the Question of Democracy", in David Collier, ed., *The New Authoritarianism in Latin America* (Princeton: Princeton University Press, 1979), p. 292.

<sup>37</sup> Fernando Henrique Cardoso and Enzo Faletto, *Dependency and Development in Latin America* (Berkeley: University of California Press, 1979), p. xvii.

<sup>38</sup> *Ibid.*, p. xvii.

relation between the core and the periphery was a dialectical one “forming a complex whole whose structural links are not based on mere external forms of exploitation and coercion, but are rooted in coincidences of interests between local dominant classes and international ones, and, on the other hand, are challenged by local dominated groups and classes.”<sup>39</sup> This perspective, then, acknowledged the dependent nature of periphery capitalism but emphasised the importance of domestic factors such as local class struggles in shaping politics in developing societies, factors that were neglected by Frank. His key concepts of ‘core’ and ‘periphery’ emphasised “the functions that underdeveloped economies perform in the world market, but overlooked the socio-political factors involved in the situation of dependence.”<sup>40</sup>

In their analytic framework Cardoso and Faletto, while emphasising the powerful role played by international capitalism in the evolution of peripheral political economies, nevertheless stressed that even within this structural constraint, possibilities of capitalist development—albeit dependent—and political change existed. Consequently, they claimed that their analyses of Third World social formations

should bring to the forefront both aspects of social structures: the mechanisms of self-perpetuation and the possibilities for change. Social structures impose limits on social processes and reiterate established forms of behavior. However, they also generate contradictions and social tensions, opening the possibilities for social movements and ideologies of change. The analyses have not only to make explicit structural constraints that reinforce the reiterative aspects of the reproduction of society, but have also to delineate chances for change, rooted in the very social interest and ideologies created by the development of a given structure.<sup>41</sup>

As an approach to the study of political and economic change in the developing world, the dependency perspective offers a richer analytical tool than modernisation theory.

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<sup>39</sup> *Ibid.*, p. xvi.

<sup>40</sup> *Ibid.*, p. 18.

<sup>41</sup> *Ibid.*

However, this does not mean that the two major currents of the dependency approach have the same level of explanatory power. Regarding political change in the periphery, Frank sees this process as determined mainly by external forces, specifically the contradictions generated by the global capital accumulation process. Though claiming to transcend the modernisation perspective's emphasis on internal factors as the main determinants of political and economic change in the developing world, Frank's analysis simply shifts to the other side, concentrating on external factors and viewing local ones as merely reflecting the interests of the core countries. This approach is ahistorical. Even a cursory examination of historical developments shows the emergence of social movements—for example, anti-colonial struggles in the periphery—which, while mediated by the prevailing conditions of the international system, resulted in political change. Thus, an approach that treats domestic social forces as passive victims of international forces is not very convincing. Cardoso and Faletto's analysis, on the other hand, offers a more comprehensive approach since it stresses the dialectic nature of their relations with the industrialised world. In addition, Cardoso and Faletto take as their starting-point the ways in which historical and structural conditions shape political and economic development:

It is necessary to recognize from the beginning that social structures are the product of man's collective behaviour. Therefore, although enduring, social structures can be, and in fact are, continuously transformed by social movements. Consequently our approach is both structural and historical: it emphasizes not just the structural conditioning of social life, but also the historical transformation of structures by conflict, social movements, and class struggles. Thus our methodology is historical-structural.<sup>42</sup>

Compared with modernisation theory, both currents of the dependency approach shed more light on the links between the developed and the developing world. As mentioned earlier, modernisation theorists do not problematise the role of the industrialised world in

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<sup>42</sup> Cardoso and Faletto, *op. cit.*, p. x.

the processes of political and economic change in developing countries. They represent the involvement of the developed world in Third World political economies as natural. For those working from the dependency perspective, there is nothing natural or neutral about this involvement. The dependency approach demystifies the relation between the 'core' and the 'periphery' by demonstrating in a powerful manner the deep asymmetry that has characterised the relation between these two worlds.

### **The Neo-liberal perspective**

In the last two decades, changes in the global development agenda and local struggles for political reform have paved the way for the promotion of elite-led democracy in the developing world (see chapter five). In the 1980s, donor countries began arguing that the political and economic crises in the developing world were due to lack of political and economic accountability, and they insisted, therefore, that changes needed to be instituted which would bring about good governance, respect for human rights, withdrawal of the state from the economic arena and—eventually—the establishment of multiparty democracy. All these proposed changes coincided with struggles for political and economic changes in Africa and other parts of the developing world.

In the sub-discipline of comparative politics of developing areas, a new perspective in the study of transition to democracy in developing countries emerged simultaneously in the mid-1980s, and in connection with this shift in donor community policy. As will be shown here, this perspective is quite similar to that of modernisation theory. The neo-liberal perspective is primarily concerned with stability and favours only elite-led transitions to democracy. In this regard, Huntington claims that as long as local and global elites are committed to the establishment of democracy, it will spread internationally. He also emphasises the absence of alternatives to this form of political

system in the contemporary world because, as he puts it, "Time is on the side of democracy."<sup>43</sup> Expressing similar sentiments, Diamond, Linz and Lipset declare that "the great competing ideologies of the twentieth century have largely been discredited.... democracy is the only model of government with any broad ideological legitimacy and appeal in the world today."<sup>44</sup>

In his later work, as in his earlier work of the 1960s (discussed previously), Huntington sees elite containment of popular demands as a way of maintaining local and global order. Thus he declares that successful transitions occur when elites in the developing world "abandon violence and any commitment to revolution, accept existing basic social, economic and political institutions (e.g., private property and the market system, autonomy of the military, the privileges of the Catholic Church), and work through elections and parliamentary procedures in order to achieve power and put through their policies."<sup>45</sup> In addition, he advises elites to develop the skills needed to deal with "both radicals and standpatters who inevitably will exist and who persistently will attempt to undermine their efforts."<sup>46</sup> Concerning socio-economic problems facing the developing world, Huntington argues that a democratic political system can withstand these problems as long as elites learn to acquire "performance legitimacy" since "what determines whether or not new democracies survive is not primarily the severity of the

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<sup>43</sup> Ibid., p. 316.

<sup>44</sup> Larry Diamond, Juan J. Linz and Seymour M. Lipset, *Africa*, vol. 2 of *Democracy in Developing Countries*, (Lynne Rienner Publishers, 1988), p. x

<sup>45</sup> Samuel Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Norman: University of Oklahoma Press, 1991), p. 170.

<sup>46</sup> Ibid.



problems they face or their ability to solve those problems. It is the way in which political leaders respond to their inability to solve the problems confronting their country."<sup>47</sup>

The seemingly cynical perspective is similar to that of modernisation theory in that it does not problematise local and international structures of domination. In a seminal text on the study of transition to democracy, G. O'Donnell and P. Schmitter declare that the transition period is marked by "the problem of underdetermined social change, of large-scale transformations which occur when there are insufficient structural or behavioural parameters to guide and predict the outcome."<sup>48</sup> Further, they claim that it is impossible, given the "disorder" that characterises the transition, to identify clearly the classes, institutions, and other forces that will shape the transition and its outcome.<sup>49</sup> In addition, they contend that even when structural variables "filter down" in this process, their "mediations are looser, and their impacts more indeterminate", and thus to emphasise the impact of local and global structures is fruitless and can only be done "in an act of misguided faith."<sup>50</sup>

Some variants of this school of thought go even further. Contrary to the insistence of the dependency approach that the international structure plays a central role in the political processes of the developing countries, Diamond, Linz, and Lipset declare that "without exception, each of our authors attributes the course of political development and regime

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<sup>47</sup> Ibid., p. 259.

<sup>48</sup> G. O'Donnell and P. Schmitter, *Tentative Conclusions About Uncertain Democracies*, vol. 4 of G. O'Donnell, P. Schmitter, and I. Whitehead, eds., *Transitions from Authoritarian Rule: Prospects for Democracy* (Baltimore: Johns Hopkins University Press, 1986), p. 3.

<sup>49</sup> Ibid., p. 4.

<sup>50</sup> Ibid., p. 5.

change primarily to internal structures and actions."<sup>51</sup> They question the relevance of examining the structures that underpin capitalism and their impact on politics. According to them, the concept of a capitalist economic system is "in its vagueness almost meaningless" since it is too broad to be useful in sociological analysis.<sup>52</sup> In their volume on Africa, they firmly state that they see no need "to revisit or revise the debate over whether colonialism underdeveloped Africa, or whether dependency retards or distorts economic growth."<sup>53</sup>

The neo-liberal perspective is limited in its power to understand or explain democratisation in the developing world. To begin with, in spite of its emphasis on the importance of elites in the democratisation process, no effort is made to tell us who these elites are, their historical origins, their sources of accumulation, and how they come to be champions of democracy. As K. Remmer has argued, this approach to democratisation paints a picture of elites "who seem to float above society, manipulating events, resisting change, entering into pacts, or otherwise shaping outcomes, apparently unconnected to their followers and unrestricted in their political options by larger social forces."<sup>54</sup> As mentioned earlier, the process of democratisation has historically been the result of class struggles. Elites play an important role in the transition to democracy but represent only one moment in the process, and not necessarily a democratic one. In Western Europe, for instance, according to Goran Therborn,

**The working-class movement was nowhere capable of achieving democracy by its own unaided resources. Only in conjunction with external allies were the non-propertied masses able to gain democratic rights; and it was above all the propertied minorities who**

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<sup>51</sup> Larry Diamond, Juan Linz, and Seymour Lipset, eds., *Latin America*, vol. 4 of *Democracy in Developing Countries* (Boulder: Lynne Rienner Publishers, 1989) p. 47.

<sup>52</sup> Larry Diamond, Juan J. Linz and Seymour Lipset, eds, *Asia*, vol. 3 of *Democracy in Developing Countries* (Boulder: Lynne Rienner Publishers, 1989), p. xx

<sup>53</sup> Larry Diamond, Juan Linz, and Seymour Lipset, eds., *Africa*, vol. 2 of *Democracy in Developing Countries* (Boulder: Lynne Rienner Publishers, 1988), p. 8.

<sup>54</sup> Karen L. Remmer, "New Wine or Old Bottlenecks? The Study of Latin American Democracy," in *Comparative Politics*, vol. 23, no. 4 (July 1991), p. 485.

in the end answered the critical questions of timing and form—of when and how democracy was to be introduced. Thus, the process of democratization unfolded within the framework of capitalist state, congealing in the form of bourgeois democracy rather than opening the road to popular revolution and socialist transformation. . . . The bourgeois democracy has always and everywhere been established in struggle against . . . the bourgeoisie, but through political means and channels provided for by the capitalist state. . . . Thus, although bourgeois democracy is democratic government plus the rule of capital, its democratic component has been achieved and defended against the bourgeoisie.<sup>55</sup>

Another limitation of the neo-liberal perspective is that it neglects to examine the relationship between the political and economic realms. Democratisation does not occur in an economic vacuum. Yusuf Bangura's work on Nigeria and elsewhere in Africa clearly demonstrates the link between different existing economic structures and their attendant political forms.<sup>56</sup> And in practice neo-liberal theorists of democratisation have a highly developed awareness of the 'capitalist economic system' in which democratisation must occur; their strong focus on elites reveals an unabashed support for ruling class domination, the deepening of dependent capitalism, and the establishment of a narrowly defined democracy in the developing world. O'Donnell and Schmitter, while emphasising that structures are undetermined in the uncertainty that characterises transition to democracy, nevertheless caution that other classes must respect the rights of the bourgeoisie.<sup>57</sup> In their view, during transitions,

the property rights of the bourgeoisie are inviolable. This player may be forced to give up pawns and even be deprived of its rooks (e.g., the enlargement of the public sector, the expropriation of oligarchy-controlled land, and perhaps even the nationalisation of banks), but its king cannot be placed in direct jeopardy. This is a fundamental restriction which leftist parties must accept if they expect to be allowed to play in the central parts of the board. Otherwise, they risk being eliminated, pushed to the margins, or reduced to the status of kibitzers.<sup>58</sup>

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<sup>55</sup> Goran Therborn, "The Rule of Capital and the Rise of Democracy," in David Held et al., eds., *States and Societies* (New York: New York University Press, 1983). p. 271

<sup>56</sup> Yusuf Bangura, "Authoritarian Rule and Democracy in Africa: A Theoretical Discourse", in Lars Rudebeck, ed., *When Democracy Makes Sense* (Uppsala: Uppsala University, Sweden), pp. 69-96.

<sup>57</sup> G. O'Donnell and P. Schmitter 1986, op. cit., p. 47.

<sup>58</sup> *Ibid.*, p. 69

They further claim that to ensure a successful transition to democracy, "parties of the Right-center and Right must be "helped" to do well, and parties of the Left-center and Left should not win by an overwhelming majority."<sup>59</sup>

And Diamond, Linz and Lipset, for whom the concept of a capitalist economic system is 'almost meaningless', nonetheless declare as a fact that all countries with democratic political systems have capitalist economies whereby "prices, production and distribution of goods are determined mainly by competition in the market, rather than the state, and there is significant private ownership of the means of production."<sup>60</sup> Hence they advocate the withdrawal of the state from the economy and the expansion of market mechanisms in the developing world, and in their view, "the increasing movement away from statist economic policies and structures is among the most significant boosts to the democratic prospect in Africa."<sup>61</sup>

Similar to that of the earlier modernisation theorists, the democracy promoted by the neo-liberals follows the Schumpeterian model; it is defined by O'Donnell and Schmitter as a political system that

place[s] the burden of consent upon elites and professional politicians (sporadically subject to electoral approval) who agree among themselves, not on ethical or substantive grounds, but on the procedural norm of contingency. These actors agree to compete in such a way that those who win greater electoral support will exercise their temporary political superiority in such a way that those who lose in the present agree to respect the contingent authority of the winners to make binding decisions, in exchange for being allowed to take office and make decisions in the future. In their turn, citizens will presumably accept a democracy based on such a competition, provided its outcome remains contingent upon their collective preferences as expressed through fair and regular elections of uncertain outcome.<sup>62</sup>

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<sup>59</sup> Ibid., pp. 62.

<sup>60</sup> Larry Diamond, Juan Linz and Seymour Lipset, vol. two, 1988, op. cit., p. xxī and p. 26-27.

<sup>61</sup> Ibid., p. 27.

<sup>62</sup> G. O'Donnell and P. Schmitter, 1986, op. cit., p. 59.

Other scholars working from the neo-liberal perspective support this narrowly defined concept of democracy. According to Samuel Huntington, "Democracy has a useful meaning only when it is defined in institutional terms . . . and the key institution of democracy is the selection of leaders through competitive elections."<sup>63</sup> He continues: "Defining democracy in terms of goals such as economic well-being, social justice, and overall socio-economic equity is not . . . very useful."<sup>64</sup> Further de-emphasizing the importance of equality, he argues that "political democracy is clearly compatible with inequality in both wealth and incomes and, in some measure, it may be dependent upon such inequality."<sup>65</sup> For him, "democracy does mean that problems will be solved; it does mean that rulers can be removed; and the essence of democratic behaviour is doing the latter because it is impossible to do the former."<sup>66</sup> Thus Huntington cautions that citizens should not expect elected governments to solve their problems, and declares that the condition of "disillusionment and the lowered expectations" that is generated by democracy is the key to stability.<sup>67</sup> Further he believes that democracies would be deepened once people accept that the main aim of the introduction of "democracy is a solution to the problem of tyranny" and nothing more.<sup>68</sup>

In similar vein Diamond, Linz and Lipset declare that those living in the developing world should accept elite democracy as a value in itself and not expect anything else. They argue that "we (along with an increasing proportion of the world's population) value political democracy as an end in itself—without assuming that it is a guarantee of

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<sup>63</sup> Samuel Huntington, "The Modest Meaning of Democracy", in Robert A. Pastor, ed., *Democracy in the Americas: Stopping the Pendulum* (New York: Homes and Meier, 1989), 1989, pp. 13-14.

<sup>64</sup> *Ibid.*, p. 18.

<sup>65</sup> *Ibid.*

<sup>66</sup> Samuel Huntington, 1991, pp. 262-263

<sup>67</sup> *Ibid.*, 1991, op. cit., p. 263.

<sup>68</sup> *Ibid.*

any other important values."<sup>69</sup> While O'Donnell and Schmitter maintain that meeting the demands of popular forces is a "persistent (if remote) goal," they nonetheless declare that "political democracy per se is a goal worthy of attainment" even though its attainment "may have the effect of freezing existing social and economic arrangements."<sup>70</sup> Further, they declare that "incrementally and consensually processed change" (what they call "socialization") holds better promise for dealing with economic and political rights than radical revolutionary change.<sup>71</sup>

Diamond, Linz and Lipset, holding to this narrow definition of democracy, also insist on the separation of the political and the economic realm. For them, democracy refers to the political system alone; to include socio-economic criteria in the definition of democracy would complicate its study.<sup>72</sup> Stating their commitment to democracy as a positive force, they emphasise that "it is worth valuing and hence worth studying as an end in itself."<sup>73</sup> Further, they claim that the central characteristics of democracy—"its relativism and tolerance and its faith in the reasonableness and intelligence of the common men and women, including those uneducated and those with 'false consciousness,' deciding freely (and with a chance to change their minds every four or five years) and without the use of force"—make it the best option for developing countries.<sup>74</sup>

Commenting on this narrowly defined democracy in the context of Uganda, Mahmood Mamdani stated: "Not only does it leave out consideration of the largest section of

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<sup>69</sup> Larry Diamond, Juan J. Linz and S. Lipset, eds., vol. two, 1988, op. cit., pp. xxv

<sup>70</sup> O'Donnell and Schmitter, 1986 op. cit., pp. 12-13.

<sup>71</sup> Ibid., p. 12-14.

<sup>72</sup> Larry Diamond, Juan J. Linz, and Seymour Martin Lipset, vol. two, 1988, op. cit., p. xvi.

<sup>73</sup> Ibid.

<sup>74</sup> Larry Diamond, Juan J. Linz, vol. four, 1989, op. cit., p. xxiv

society, the bulk of its producers of wealth, the peasantry; the resulting political competition is also limited to an arena defined by the demands of struggles internal to the bourgeoisie.<sup>75</sup> In addition, Mamdani argued that the emphasis in the late 1980s on multi-party political systems, free elections, and so forth, made no sense to the majority of people since they were still tied to exploitative relations in the production process.<sup>76</sup>

Arguing on similar lines, Atilio A. Boron stated:

The heroic enterprise of creating a democratic state is reduced to the establishment of a system of rules and procedures unrelated to the ethical and social context proper to democracy and indifferent to the implications that deep-seated social contradictions and class inequalities have for the political process. Thus (mis)understood, democracy is completely 'depoliticized', becoming a set of abstract rules and procedures that only pose 'technical' problems.<sup>77</sup>

The elimination of autocratic regimes in developing countries is a laudable goal. However, in the final analysis, the neo-liberal perspective, in the guise of support for the establishment of democracy in these countries, acts as a forceful means of legitimising local and international structures of domination in them. Its ahistorical and narrow focus on elites and its failure to highlight the social forces and structural determinants of the democratisation process limit it as a theoretical tool in analysing the transition to democracy in Malawi and elsewhere.

### **The Neo-Patrimonial Perspective**

The neo-patrimonial perspective is used to explain political and economic processes mainly in sub-Saharan Africa. Drawing on Max Weber's<sup>78</sup> concept of patrimonial authority, proponents of this perspective write:

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<sup>75</sup> Ibid.

<sup>76</sup> Ibid.

<sup>77</sup> Atilio A. Boron, "State Decay and Democratic Decadence in Latin America", in Leo Panitch and Colin Leys, eds., *Socialist Register* (Suffolk: The Merlin Press, 1999), p. 210

<sup>78</sup> Max Weber, *Economy and Society* (New York: Bedminster Press, 1968).

In patrimonial political systems, an individual rules by dint of personal prestige and power; ordinary folk are treated as extensions of the "big man's" household, with no rights or privileges other than those bestowed by the ruler. . . . [In addition] the ruler ensures the political stability of the regime and personal political survival by providing a zone of security in an uncertain environment and by selectively distributing favors and material benefits to loyal followers who are not citizens of the polity so much as the ruler's clients.<sup>79</sup>

According to this perspective, neopatrimonialism has its roots in traditional sub-Saharan African political and economic systems in which leaders (patrons) extended social and economic benefits to their people (clients) and in return gained—in addition to extensive power—obedience, admiration, and loyalty. This type of relationship between the rulers and the ruled is shaped by the strong sense of obligation and loyalty that Africans supposedly feel for their kin. Proponents of this approach argue that adherence to these primordial loyalties has led to economic decline, due to modes of resource allocation that are rational in patrimonial terms but that disregard "bureaucratic rationality".<sup>80</sup> Further, in the political sphere, African "big men"<sup>81</sup> have accumulated enormous power through extensive patronage networks and, in the process, have hindered the establishment of democracy and rational forms of political organisation.

Those working from this perspective argue that democratisation processes in sub-Saharan Africa have been shaped by the neopatrimonial character of the old regimes. According to Michael Bratton and Nicolas van de Walle, presidentialism and clientelism—the central features of neopatrimonial regimes—determine the results of the transition process.<sup>82</sup> Due to the long history of presidentialism, the hallmark of which is

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<sup>79</sup> Michael Bratton and Nicolas van de Walle, *Democratic Experiments in Africa: Regime Transitions in Comparative Perspective* (Cambridge: University Press, 1997), p. 61.

<sup>80</sup> For extensive discussion on this see, Jean-François Bayart, *The State in Africa: The Politics of the Belly* (London: Longman, 1993); and Richard Sandbrook, *The Politics of Africa's Economic Stagnation* (Cambridge: Cambridge University Press, 1985).

<sup>81</sup> For further elaboration on this concept and its political and economic implications see, Jean-François Bayart, *op. cit.*, pp. 60-86.

<sup>82</sup> *Ibid.*, pp. 83-86.



acute concentration of personal power, in the struggle for democracy opposition forces tend to be driven mainly by the determination to remove the incumbent rather than by other issues; meanwhile the existing leader hangs on to power until it becomes clear that there is no longer any alternative to change. In addition, given the neopatrimonial state's control of scarce economic resources, clientelistic politics take centre stage in the democratisation process as local elites and their clients "take sides pragmatically in struggles over spoils."<sup>83</sup> Further, the extensive autonomy enjoyed by neopatrimonial states and their control of the coercive apparatus enable them to set the boundaries of transition politics without much hindrance from any other forces in society.

The neopatrimonial perspective cannot be ignored. Stories such as those about the insatiable appetites of Mobutu Sese-Seko in Zaire are well documented. Proponents of this perspective are also right in stating that the nature of earlier regimes has a powerful impact on the democratisation process, as the Malawian case will indicate. However, this perspective is limited as a tool for analysing the process of democratisation. First, it portrays cultural elements as unchanging, consequently neglecting, for instance, the redefinition of ethnic identity in African countries during colonial rule—a process that had a major impact on the nature of the postcolonial state, as chapter three will demonstrate in the case of Malawi. Second, in the study of democratisation in sub-Saharan Africa, this perspective's tendency to focus exclusively on neopatrimonialism results in explanations that see internal conditions as the exclusive determinants of the process. For instance, in their comparative study of democratisation in Africa, Bratton and Walle declare: "As should now be abundantly clear, we favour an explanation of regime transitions based on domestic political considerations"; and they go on to state that, "except that it is often overlooked, the point is so obvious that it hardly seems necessary

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<sup>83</sup> *Ibid.*, p. 86.

to make: a country's political prospects derive directly from its own inherited practices."<sup>84</sup> That local historical conditions influence the political process is not in question, but to give them prominence at the expense of external factors seems arbitrary and unreasonable. While the state played a central role in Malawi's democratisation process, international factors such as the country's aid dependency and the transnational lending community's neo-liberal policies were also central.

### **A historical-structural and neo-Gramscian approach**

These dominant development perspectives provide important insights in the study of democratisation in the countries of the periphery. However, the dependency approach, specifically the historical-structural framework of Cardoso and Falleto, offers the most convincing analysis of Malawi's democratisation process. The crucial advantage of this perspective is that it recognises that both continued international structural dependency and local social, political, and economic conditions shape political processes in the developing world. For instance, the transnational lending community clearly pushed for the recent transitions to democracy in sub-Saharan Africa—as chapter eight will demonstrate in the case of Malawi. However, the community's democracy promotion agenda also connected with demands by local social forces—both elite and non-elite—for political and economic reform, and at the same time influenced the outcome in ways satisfactory to the lending community.

This thesis therefore adopts a historical-structural framework. Nevertheless, it goes beyond Cardoso and Falleto's framework and incorporates certain Gramscian concepts in order to address some important questions. A central argument of this thesis is that ideas play a powerful role in social and political processes. While the historical-structural

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<sup>84</sup> *Ibid.*, p. 41.

approach claims that the ideologies and beliefs of social classes should be accounted for in political analysis, it does not provide an analytical tool for this kind of investigation.

There are several interpretations of Gramsci's concept of hegemony, but central to all of them is the notion that ideas play a central role in shaping political struggles and outcomes.<sup>85</sup> For Gramsci, hegemony represents a process through which a dominant class, or class element, in a national context manages to make its interests accepted by other classes, or the other elements of a given class. Describing the characteristics of a hegemonic struggle, Gramsci states:

Previously germinated ideologies become "party", come into confrontation and conflict, until only one of them, or at least a single combination of them, tends to prevail, to gain the upper hand, to propagate itself throughout society—bringing about not only a unison of economic and political aims, but also intellectual and moral unity, posing all the questions around which the struggle rages not on a corporate but on a "universal" plane, and thus creating the hegemony of a fundamental social group over a series of subordinate groups. . . . [Thus] the development and expansion of the particular group are conceived of, and presented, as being the motor force of a universal expansion, of a development of all the "national" energies."<sup>86</sup>

A hegemonic class emerges once it gains spontaneous consent from the other classes. Coercion, however, is always present too since, according to Gramsci, political life has a dual character embodied in Machiavelli's idea of the "Centaur—half-animal and half-human," representing "the levels of force and of consent" in a particular society.<sup>87</sup>

In its battle for consent and its efforts to maintain its hegemonic status, a dominant class relies heavily on its organic intellectuals. As Gramsci states, "Every social group,

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<sup>85</sup> As there is an extensive literature on hegemony, only a few examples are provided here: Christine Buci-Glucksmann, "Hegemony and Consent", in Anne Showstack Sassoon, ed., *Approaches to Gramsci* (London: Writers and Readers, 1982), pp. 116-126; Chantal Mouffe, "Hegemony and ideology in Gramsci," in Chantal Mouffe, ed., *Gramsci and Marxist Theory* (London: Routledge & Kegan Paul, 1979), pp. 168-204; and Joseph V. Femia, *Gramsci's Political Thought* (Oxford: Clarendon Press, 1981), pp. 23-60.

<sup>86</sup> Antonio Gramsci, *Selections from the Prison Notebooks*, translated and edited by Quintin Hoare and Geoffrey Nowell Smith, (New York: International Publishers, 1971), pp. 181-182.

coming into existence on the original terrain of an essential function in the world of economic production, creates together with itself, organically, one or more strata of intellectuals which give it homogeneity and an awareness of its own function not only in the economic but also in the social and political fields.<sup>88</sup> The success of organic intellectuals stems from their ability to present the ideologies, ideas, and political and economic interests of a dominant class as natural, inevitable, and universal.

For Gramsci, hegemonic struggles are not solely about ideology, ideas, or beliefs, although he argues that ideology plays a central role in this process since it acts as the “cement” that facilitates the acceptance of the interests of a hegemonic class. In his view, hegemonic battles also have an economic dimension, which sets the parameters within which a hegemonic class gains consent from the other classes. Thus Gramsci elaborates:

Undoubtedly the fact of hegemony presupposes that account be taken of the interests and the tendencies of the groups over which hegemony is to be exercised, and that a certain compromise equilibrium should be formed—in other words, that the leading group should make sacrifices of an economic-corporate kind. But there is also no doubt that such sacrifices and such a compromise cannot touch the essential; for though hegemony is ethical-political, it must also be economic, and must necessarily be based on the decisive function exercised by the leading group in the decision nucleus of economic activity.<sup>89</sup>

While Gramsci advocates that the working class should direct its efforts towards achieving hegemony since this would enable it to establish a new form of state, he contends that it is extremely difficult for subordinate classes to become hegemonic. In his view,

Creating a group of independent intellectuals is not an easy thing; it requires a long process, with actions and reactions, coming together and drifting apart and the growth of very n

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<sup>87</sup> Gramsci, op. cit., pp. 169-170.

<sup>88</sup> Ibid., p. 5.

<sup>89</sup> Gramsci, op. cit., p. 161.

numerous and complex new formations. It is the conception of a subaltern social group, deprived of historical initiative, in continuous but disorganic expansion, unable to go beyond a certain qualitative level, which still remains below the level of the possession of the State and of the real exercise of hegemony over the whole of society which alone permits a certain organic equilibrium in the development of the intellectual group.<sup>90</sup>

While the usage of Gramsci's concept of hegemony in political analysis has increased in recent decades, some scholars have questioned its value as an analytical tool. For example, Perry Anderson, in an oft-cited article, argued that Gramsci's notion of hegemony, like his other concepts, should not be taken at face value since the prison conditions under which Gramsci wrote resulted in gaps, "disorders" and "contradictions," and that therefore the utility of his concepts in political analysis is limited.<sup>91</sup> While there is merit in Anderson's claim that one should always be aware of the powerful effect of the prison censorship on Gramsci's work, this does not mean that his concepts are not useful in explaining contemporary social phenomena. As Robert Bocock stated:

A text is made useful by later generations because people bring their own conceptions, hopes, needs, values and political purpose to bear on it. The meaning of the text is constructed but not merely read off as part of an objective exercise of reading a text. However, the meanings which can be read in a text are neither infinite in number nor arbitrary in character. . . . Gramsci had written other pieces before being imprisoned and the sense of the prison writings can be related to those produced outside of prison.<sup>92</sup>

Ernesto Laclau and Chantal Mouffe have also criticised the Gramscian conceptualisation of hegemony. They see the limitation of this concept as stemming from Gramsci's identification of the working class as the central force in the struggle for hegemony.

According to them,

Gramsci's thought appears suspended around a basic ambiguity concerning the status of the working class which finally leads it to a contradictory position. On the one hand, the political centrality of the working class has a historical, contingent character: it requires the class to come out of itself, to transform its own identity by articulating to it a plurality of struggles and democratic demands. On the other hand, it would seem that this articulatory role is assigned to it by the economic base – hence, that the centrality

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<sup>90</sup> Ibid., pp. 395-396.

<sup>91</sup> Perry Anderson, "The Antinomies of Antonio Gramsci. *New Left Review*, No. 100, 1976-1977, p. 6.

<sup>92</sup> Robert Bocock, *Hegemony*. (Chichester, Sussex : Ellis Horwood Limited, 1986), p. 30.

has a necessary character. One cannot avoid the feeling that the transition from [an]...essentialist conception...to a radical historicist one has not been coherently accomplished.<sup>93</sup>

For Mouffe the privileging of class in Gramsci's formulation of hegemony is unacceptable, since this way of thinking assumes that class interests are set before a hegemonic moment. In her view, "interests never exist prior to the discourses in which they are articulated and constituted; they cannot be the expression of already existing positions on the economic level."<sup>94</sup> For Laclau the hegemonic act will not be the "realisation of a rationality preceding it, but an act of radical [discourse] construction...."<sup>95</sup> Like the previously discussed neo-liberal democratisation perspective, which places the elite in developing countries at the centre of the democratisation process, yet never indicates (among other things) the social and historical origins of these elites, Laclau's and Mouffe's criticism of the centrality of class in the Gramscian sense of hegemonic struggle has nothing to say about how class or other interests emerge before the moment of "radical discourse construction." Hence, for these two, as for most post-Marxist analysts, "where interests derive from . . . is as opaque a matter . . . as where babies come from is for the small infant."<sup>96</sup> As Terry Eagleton commented, social interests from the perspective of post-Marxists "simply drop from the skies, like any other transcendental signifier."<sup>97</sup>

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<sup>93</sup> Ernesto Laclau and Chantal Mouffe, *Hegemony and Socialist Strategy: Towards a Radical Democratic Politics* (London: Verso, 1985), p.70.

<sup>94</sup> Chantal Mouffe, "Hegemony and New Political Subjects: Toward a New Concept of Democracy", in C. Nelson and L. Grossberg (eds), *Marxism and the Interpretation of Culture* (London: Macmillan, 1988), p. 90.

<sup>95</sup> Ernesto Laclau, *New Reflections on the Revolution of Our Time* (London: Verso, 1990), p. 29.

<sup>96</sup> Terry Eagleton, *Ideology: An Introduction* (London: Verso, 1991), p. 206.

<sup>97</sup> *Ibid.*, p. 214.

While acknowledging the difficulty of using Gramscian concepts, given the conditions under which he wrote, this thesis contends that his concept of hegemony is useful.<sup>98</sup> Gramsci used hegemony to demonstrate the important role that ideas play in national political struggles. This thesis, building on the work of other scholars (mainly in international relations), situates hegemony at the international level and shows how ideas about 'Third World' development formulated by the leading industrialized states and international institutions such as the International Monetary Fund and the World Bank have influenced the evolution of political economies in the periphery in the post World War II era.<sup>99</sup> To illustrate the nature of hegemony at the international level—a site controlled by the industrialized countries and international institutions—Robert Cox writes:

Hegemony at the international level is . . . not merely an order among states. It is an order within a world economy with a dominant mode of production which penetrates into all countries and links into other subordinate modes of production. It is also a complex of international social relationships which connect the social classes of the different countries. World hegemony is describable as a social structure, an economic structure, and a political structure; and it cannot be simply one of these things but must be all three. World hegemony, furthermore, is expressed in universal norms, institutions and mechanisms which lay down general rules of behaviour for states and for those forces of civil society that act across national boundaries – rules which support the dominant mode of production.<sup>100</sup>

As chapter five will show in more detail, these countries and institutions evolved to form a community that played a central role in the developing world through the formulation of hegemonic development discourses. Intellectuals closely linked to this community

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<sup>98</sup> It is important to mention here that in general most concepts used in social science have limitations and are thus open to intellectual challenge.

<sup>99</sup> The following scholars have used the concept of hegemony to analyze international political and economy processes: Augelli and Murphy, *op. cit.*; Robert Cox, "Social Forces, States and World Orders: Beyond International Relations Theory", in Robert O. Keohane (ed.), *Neorealism and Its Critics* (New York: Columbia University Press, 1986); William I. Robinson, *Promoting Polgarchy, Globalization, US Intervention and Hegemony* (Cambridge: Cambridge University Press, 1996); and Robert W. Cox, "Gramsci, Hegemony and international relations: an essay in method," in Stephen Gill (ed), *Gramsci, Historical Materialism and International Relations* (Cambridge: University Press, 1993).

<sup>100</sup> Cox, 1993, p. 62.

generated development discourses which seemed inevitable and neutral. According to Peter Hamilton, "It is the sheer taken-for-grantedness of hegemony that yields its full effects—the "naturalness" of a way of thinking about social, economic, political and ethical issues. This makes the theory of hegemony much richer or more encompassing than the restricted concepts of ideology and legitimacy, which are used to define either distorted conceptions of reality or methods of inducing consent and acquiescence in a political system."<sup>101</sup>

While the thesis uses the concept of hegemony to describe the powerful influence of the transnational lending community development discourses on the political and economic developments of Third World countries, it does not claim that the community's hegemonic drive in these countries was complete: i.e, leaving no room for alternative ideas to emerge. This kind of claim would be a misinterpretation of Gramsci's dialectical thinking in his formulation of hegemony and other concepts. For Gramsci hegemony is a continuous struggle between classes and the possibility always exist for the formation of counter-hegemonic discourses.

The contention here is that while hegemony is never complete in any given context, in the case of the relationship between the transnational lending community and developing countries, this community's control of financial resources, military power, international institutions and the production and dissemination of knowledge severely limits the ability of peripheral countries to create counter-hegemonic discourses. This is not to say that these countries have not tried to challenge the power of the transnational lending community or they are the helpless victims of international power arrangements. Examples do exist of governments and social forces in the developing world challenging

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<sup>101</sup> Peter Hamilton, "Editor's foreword," in Robert Bocoock. *Hegemony* (Chichester, Sussex: Ellis Horwood Limited, 1986), p. 8.



the international economic and political order. In the 1970s, for instance, Third World governments attempted to challenge the international division of labour by calling for the establishment of a New International Economic Order (NIEO). While the 1971 oil crisis and the fact that most of the oil producing countries are located in the periphery forced the transnational lending community to pay attention to concerns of these governments, the latter's attempts to reconfigure the international economic order were unsuccessful. Leaving aside other factors, the NIEO initiative failed mainly because it lacked central elements that have historically led to the emergence of hegemonic power bloc: institutions, ideas and military power.<sup>102</sup>

To conclude this section, Gramsci's concept of hegemony enables one to demonstrate the power of ideas in political processes such as the transition to democracy, because he shows not only the place of ideas in political struggles, but also why dominant and subordinate classes win and lose, respectively, in the battle of ideas. Further, since the notion of hegemony subsumes political, economic and ideological elements in political analysis it "avoids reducing everything either to economics (economism) or to ideas (idealism)."<sup>103</sup> As already mentioned in chapter one, passive revolution is another of Gramsci's concepts that is highly relevant to the analysis of the kind of political struggle represented by Malawi's transition to democracy. As will be shown in chapter eight, this concept enables a commentary on the nature of the democracy that emerged in Malawi with the demise of the one-party regime.

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<sup>102</sup> For a detailed discussion of the factors that led to the formation of the NIEO and its failure see Augelli and Murphy, *op. cit.*

<sup>103</sup> Cox, 1993. *op. cit.*, p. 56.

## **CHAPTER THREE: HISTORICAL ORIGINS OF THE POSTCOLONIAL STATE AND ITS ECONOMIC STRUCTURE**

This chapter examines Malawi's colonial experience with specific reference to the political and economic structures established during this period. An analysis of the evolution of colonial political arrangements shows the emergence of an undemocratic centralized state, while an examination of colonial economic transformation shows that on the eve of independence its main features were the country's incorporation into the international capitalist system with a narrowly based export sector specialising in primary commodity production. The chapter argues that the colonial political economy shaped the nature of the postcolonial state and left the country dependent on financial flows from abroad, resulting in Malawi's vulnerability to shifts in the policies pursued by the transnational lending community. The chapter has three sections: section one traces the emergence of a colonial state and its efforts to consolidate power in a centralised state; section two analyses the nature of the colonial economic structure; and part three examines the crisis of the colonial state and the transition to independence.

### **The rise of the colonial state, 1891-1958**

#### *The embryonic colonial state, 1891-1906*

Britain declared contemporary Malawi a protectorate in 1891, marking the beginning of seventy-three years of colonial rule; Sir Harry H. Johnston became the first Commissioner and Consul-General. Prior to 1891, traditional chiefs had signed treaties with Johnston (and other individuals representing varied British interests) in exchange for protection against other colonialists and local rivals. These treaties, extremely ambiguous in their wording, or as Johnston called them, "absurd", did not mean the

acceptance of British rule in the eyes of the traditional chiefs.<sup>1</sup> On this shaky foundation, Johnston, once officially appointed, began the process of bringing the country under British colonial rule. His mandate from the home government was to establish administrative districts in the protectorate, and he and his successor, Alfred Sharpe, succeeded in this objective during the first decade or so of colonial rule. This was achieved through collaboration with some local chiefs, but, for the most part, violence was the principal method.<sup>2</sup>

The southern part of the country was the first part to fall under colonial rule. From 1891 onwards Johnston and his troops struggled with traditional chiefs resisting colonial rule for the control of this area, but in the end the chiefs lost.<sup>3</sup> Beyond their superior weaponry, the colonialists were aided by rival chiefs and other collaborators. The colonialists then moved to the central part of the country and part of the north, and after a series of battles, most of these areas were also brought under colonial control. Nevertheless, a large proportion of the northern part of the country, which was under the jurisdiction of the British South African Company (whose owner, Cecil Rhodes, as will be discussed later, provided financial support in the early years of colonial rule), remained outside the colonial administrative structure until 1904.<sup>4</sup>

Within the first decade of British rule, colonial administrators had divided the country into

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<sup>1</sup> Quoted in A.J. Hanna, *The Story of the Rhodesias and Nyasaland*, (London: Faber and Faber, 1965), p. 114. For more detailed work on the process of treaty making and other events leading to the establishment of British colonial rule in Malawi see, Sir Harry Hamilton Johnston, *British Central Africa* (London: Methuen & Co, 1897); H.L. Duff, *Nyasaland under the Foreign Office* (London: George Bell and Sons, 1906); Norman H. Pollock, Jr., *Nyasaland and Northern Rhodesia: Corridor to the North*, (Pittsburgh: Duquesne University Press, 1971); and T. David Williams, *Malawi The Politics of Despair* (Ithaca: Cornell University Press, 1978).

<sup>2</sup> Griff Jones, *Britain and Nyasaland* (London: George Allen & Unwin Ltd, 1964), p. 59.

<sup>3</sup> Sir Harry H. Johnston, *The Story of My Life* (London: Chatto & Windus, 1923), pp. 305-307.

<sup>4</sup> W.P. Livingstone, *Laws of Livingstonia* (London: Hodder & Stoughton, 1912), p. 314.

twelve districts—each headed by a Revenue Collector—which formed an embryonic state apparatus with headquarters in Zomba in the southern part of the country.<sup>5</sup> The creation of this administrative structure marked the transfer of social and political power to the colonial administration—a move that marginalised the participation of the African population in the economic and political arrangements. Power was concentrated in the office of the Commissioner (the title was changed to Governor in 1907) under various orders-in-council. Thus, while the Commissioner was answerable to the British government, locally his office had extensive powers. *The British Central Africa Order in Council, 1902*, for instance, vested all rights of Crown lands and “all mines and minerals being in, under, or upon any lands in the occupation of any native tribe” in the Commissioner.<sup>6</sup> The Commissioner also had the power to deport individuals considered to be disruptive “to peace and good order in British Central Africa.”<sup>7</sup>

Under *The Nyasaland Order in Council, 1907*, the Governor was authorised to “make and execute . . . grants and dispositions of any lands within the Protectorate”; the same order declared that “all His Majesty’s Officers, Civil and Military, and all other inhabitants of the Protectorate are hereby required and commanded to be obedient, aiding, and assisting unto the Governor.”<sup>8</sup> In addition, the Governor had the power to appoint, dismiss, and suspend civil servants as he thought fit.<sup>9</sup> As will be shown later, this pattern of concentrating power in the executive branch of government continued in the transition to independence, and, as chapter four will indicate in more detail, deepened in the postcolonial era.

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<sup>5</sup> Johnston, *British Central Africa*, op. cit., pp. 103-112.

<sup>6</sup> *The British Central African Order in Council, 1902*, in S. S. Murray, *A Handbook of Nyasaland* (London: C.A.C., 1932), pp. 102-103.

<sup>7</sup> *Ibid.*, p. 106.

<sup>8</sup> *Ibid.*, pp. 111-113.

<sup>9</sup> *Ibid.*

### *Consolidating colonial state power, 1907-1958*

The form of state that emerged during the early phase of colonial rule had a limited political base with limited staff and financial resources; so the colonial regime sought ways to consolidate its power. Several developments which occurred during this period facilitated this process: the creation of the Legislative and Executive Councils; the reproduction of traditional authority; the streamlining of the colonial administrative structure; and the participation of Nyasaland in the Central African Federation.

For some time, the European population—numbering 587 by 1908—had lobbied the Governor for the establishment of a legislative council.<sup>10</sup> This came to fruition in 1907 when the Executive and Legislative Councils were introduced under the *The Nyasaland Order in Council, 1907*, which also changed the country's name from British Central Africa to Nyasaland.<sup>11</sup> The Legislative Council's mandate was to recommend laws to the Governor, while the Executive Council was responsible for the implementation of the laws and orders issued by the Governor. The Executive Council consisted of the Government Secretary, Treasurer, and Attorney-General, as well as the Commissioner, who had the power to appoint additional members as "Extraordinary Members" to the Executive Council.<sup>12</sup> Although the Governor was expected to consult with the other members of the Executive Council on all matters relating to the colonial administration, the discretionary power accorded to his office allowed him to disregard this procedure whenever he deemed it necessary.<sup>13</sup> Overall, the Governor set the agenda of the Executive Council according to clause XII of the 1907 Order in Council which stipulated:

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<sup>10</sup> Bridglal Pachai, *Land and Politics in Malawi, 1875-1975* (Kingston: The Limestone Press, 1978), p. 17. The total Nyasaland population in 1908 was 948,270. In addition to the European population there were 515 Indians in the country (ibid.).

<sup>11</sup> *The British Central African Order in Council, 1902* op. cit., pp. 110-11.

<sup>12</sup> Ibid., p. 115.

<sup>13</sup> Ibid., p. 117.

"The Governor alone shall be entitled to submit questions to the Executive Council for their advice or decision"; and "[the Governor] may act in opposition to the advice given to him by the Members of the Executive Council, if he shall in any case deem it right to do so."<sup>14</sup>

The Legislative Council was composed of three official and three unofficial members. The latter, including one member from the local missionary community to represent African interests, were appointed by the Governor from the local European community.<sup>15</sup> There were no African members until 1949, when a new Constitution allowed for both Indian and African representatives in the Legislative Council. However, with this development, the number of Europeans in the Legislative Council was increased to ensure their continued dominance. The creation of the Legislative Council did not reduce the power of the Governor, nor did the Legislative Council members have the power to challenge the Governor. As Griff Jones has stated,

The Governor controlled the majority of the Legislative Council, which consisted of officials subordinate to him, so it is wrong to think of the Legislative Council as producing legislation on its own authority in the way the parliament does. Parliament is superior to the executive, while the Legislative Council was subordinate to it, and produced legislation on instructions from the Governor, and if the Governor suddenly wished to reverse his policy he could disallow a law passed. So the purpose of the Legislative council was not to produce legislation—that was a function which could as well have been done by Governor's decree; the purpose was to achieve consultation.<sup>16</sup>

In its search for a viable and centralised political apparatus, in 1921 the colonial regime divided the country into three provinces—northern, central, and southern—later referred to as regions. Commissioners appointed by the Governor headed the provinces and

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<sup>14</sup> *Ibid.*, p. 117.

<sup>15</sup> *Ibid.*

<sup>16</sup> Jones, *op. cit.*, p. 191

districts. The population of all three regions was multi-ethnic. In the northern province, for instance, prior to the establishment of colonial rule, different communities such the Ngoni, the Tonga, the Ngonde, and the Timbuka lived under various social and political hierarchies. In the central part of the country, the dominant community was the Chewa, although some groups belonging to various communities from the southern province also lived there. The southern province was populated by the Yao, the Ngulu (also known as the Lomwes), and segments of the Mang'anja and the Nyanja peoples. The division of the country into administrative provinces (in conjunction with other colonial developments that will be highlighted later) introduced a new, politicised regional identity, which as later chapters will demonstrate, became a salient feature of postcolonial developments.

The limited number of colonial administrators and resources resulted in the colonial regime seeking local collaborators as it sought to place the African population under its political and economic control. In 1910, the regime established the post of village Headman, and the 1912 District Administration (Native) Ordinance saw the consolidation of village areas into administrative units run by a Principal Headman who was appointed by the Governor.<sup>17</sup> The colonial regime welcomed this Ordinance, claiming that it offered an opportunity "to build up an organization to control the rising generation of natives", and the regime hoped that, on their part, the African population would see the new administrative structure as having accorded them "some measure of responsibility for their own affairs [and] a full opportunity of following a path of progress on lines which [the] Government will control and regulate."<sup>18</sup> Although the Village and Principal Headmen were accorded very limited powers, the planter community opposed the

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<sup>17</sup> Murray, *op. cit.*, p. 131.

<sup>18</sup> *Ibid.*, *op. cit.*, p. 129.

creation of these posts.<sup>19</sup> For the plantation owners, the establishment of these new administrative units posed a threat to their control of Africans residing on their estates. Consequently, they demanded that in the enclave of the Shire Highlands the application of the 1912 Ordinance be delayed.<sup>20</sup> In 1919 a compromise was reached whereby the plantation owners were authorized to assume the duties and powers of Principal Headmen, thus reducing the powers of the Village Headmen in the estate areas.<sup>21</sup>

The reproduction of traditional political structures under colonial rule occurred in 1933 with the introduction of the Native Authority Ordinance. With this Ordinance, administrative work at the district level was divided between the District Commissioner and the Chiefs, the former being responsible for collecting taxes and the maintenance of law and order and the latter ensuring the welfare of the villages by regulating and controlling, for instance, the use of natural resources and the movement of Africans and their livestock residing on estates.<sup>22</sup> The plantation owners opposed the establishment of Native Authorities since they again viewed them, like the Headmen, as a threat to their power on their estates. Their opposition yielded results: in 1933 Sir Hubert Young's administration reduced the power of Native Authorities on the plantations when the Acting Chief Secretary issued a circular addressed to all Provincial Commissioners:

I am to inform you that it should be made clear to native authorities that where private estates are concerned no order should be issued under section 8 (e), (f), (j), (n), and (p) and section 9 (l), (a), (b), and (c), unless it has first been ascertained that the owner or occupier of the estate has no objection to such order, and that when action is taken under sections 6, 7 or 8, the owner or occupier should be informed about such action as soon as possible in all cases where it may be desirable and that generally extreme care

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<sup>19</sup> The duties of these Headmen were to maintain law and order and ensure the general welfare of their communities. The first category consisted of duties such as ensuring that villagers paid their taxes or reported crime to the District commissioner, while the second category included controlling livestock movement, clearing roads and enforcing sanitary measures in the villages.

<sup>20</sup> Murray, *op. cit.*, p. 133.

<sup>21</sup> *Ibid.*, p. 135.

<sup>22</sup> *Ibid.*



should be exercised in order to avoid undue interference with the legitimate interests of non-natives.<sup>23</sup>

Under the 1933 Native Authority Ordinance, the Principal and Village Headmen fell under the authority of the Chief, who was in turn controlled by the District Commissioner. In addition, District Councils of Chiefs—the functions of which were the responsibility of the District Commissioners—were established in all three Provinces. The Ordinance, the rhetoric of the colonial regime notwithstanding, did not translate into an expansion of chiefly power or indirect rule, since the local colonial officials controlled the activities of appointed traditional leaders. As one colonial official commented, “Every service which has been ‘taken over’ by the chiefs is in actual fact largely carried out by the District Commissioner.”<sup>24</sup>

The reproduction of traditional authority and the creation of the posts of village and Principal Headmen generated tensions among the various segments of the local population. To begin with, the return of traditional Chiefs under the colonial structure led to competition among local communities for access to the colonial state. For example, during the period under review, the Timbuka (Northern Province) Chief Chikulamayembe IX was reinstated.<sup>25</sup> Until this time, this chieftancy was non-existent because of the Timbuka’s subjugation to the Ngoni. However, due to their access to Western education through the Livingstonia Mission School and the support of the missionaries, the

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<sup>23</sup> Circular. No.9 A.G.O., Hodgson to all Provincial Commissioners, 29 June 1933. Quoted in J.A. Kamchitete Kandawire, *Thangata: Forced Labour or Reciprocal Assistance?* (Zomba, University of Malawi, 1979), p. 85.

<sup>24</sup> Robert I. Rotberg, *The Rise of Nationalism in Central Africa* (Cambridge: Harvard University Press, 1965), p. 50.

<sup>25</sup> Leroy Vail and Landeg White, “Tribalism in the Political History of Malawi,” in Leroy Vail, ed., *The Creation of Tribalism in Southern Africa* (London: James Currey, 1989), p. 24.

educated Timbuka elite managed to have their Chief recognised as the legitimate leader in the community and in the process changed the local balance of power. In the Southern Province, the colonial state supported the rise of Yao chiefs by portraying the Yao as trustworthy and civilised in political matters compared to other local communities, especially the Ngulu. As Leroy Vail and Landeg White have argued, the official view was that the political structure of the Yao had evolved to comprise "the paramount chiefs, the subordinate chiefs, and the village lineage head", while the Ngulu structure had collapsed: "The Yao, then, were a tribe with a true history: they had evolved through the proper stages into something like a nation."<sup>26</sup>

Second, the reproduction of traditional authority pitted the Chiefs against the emerging educated elite in a struggle over the representation of African grievances and interests. The colonial government insisted that the Chiefs were the true representatives of African interests, rather than the educated elite, who, during this period, had formed several Native District Associations (to be discussed later). In 1930 for example, the Governor stated that he "wished always to be kept informed of native opinion but that the opinion he valued most was that expressed by tribal chiefs who in course of time would be given a more responsible share in the governance of the Protectorate."<sup>27</sup> He went on to claim that: "it was the duty of the more educated natives, such as members of the [District] Associations, to help their less enlightened chiefs with advice on the conduct of native administration. The true voice of the people expressed by the chiefs through their own institutions [would] in this way be heard by the Governor and his responsible officers."<sup>28</sup> The colonial administration, however, went further and stipulated that it would not accept

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<sup>26</sup> Ibid., 1989, p. 171.

<sup>27</sup> Malawi National Archives, NC 1/3/5: Minutes of 3 March 1930.

<sup>28</sup> Malawi National Archives, NC 1/3/5: Minutes of 6 August 1930.

the minutes or other matters raised by the District Associations unless they were first endorsed by the local District Councils.<sup>29</sup>

Nyasaland's participation in the Central African Federation in 1953—with Northern and Southern Rhodesia as partners—was another development marking the colonial regime's attempts to consolidate its political and economic base. The establishment of the Federation was the outcome of a long campaign by the colonial administrators as well as the white settlers in both Rhodesias and the European planters in Nyasaland.<sup>30</sup> Their efforts to establish some kind of political and economic union of the three countries gained momentum after World War II. In 1948 Sir Roy Welensky visited London, where he met with Arthur Creech-Jones, Secretary of State for the colonies, and asked whether the British government would support an amalgamation of the three territories. The meeting did not yield the results he expected; Mr. Creech-Jones responded in the following manner:

Do you really believe Mr. Welensky that any Government, either Tory or Socialist, would ever consider either granting Northern Rhodesia a constitution like Southern Rhodesia's, or if there were amalgamation of the two, the kind of constitution which would place the control of several million black people in the hands of a few hundred thousand whites? No Government, irrespective of its political hue, would carry out that kind of action today. The world wouldn't put up with it. If you think that the Conservatives, in power, would do what we won't do, why don't you go and see Oliver Stanley and put your proposals as bluntly to him as you have to me?<sup>31</sup>

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<sup>29</sup> Membership of District Councils was comprised of local Chiefs, and the District Commissioner chaired all the meetings of these councils.

<sup>30</sup> For extended treatment of the history of the Federation and its politics see: Sir Roy Welensky, *Welensky's 4000 Days, The Life and Death of the Federation of Rhodesia and Nyasaland*, London, Collins, 1964; Robert I. Rotberg, *The Rise of Nationalism in Central Africa, The Making of Malawi and Zambia, 1873-1964*, Cambridge, Harvard University Press, 1965; Clyde Sanger, *Central African Emergency*, London, Heinemann, 1960; Colin Leys and Cranford Pratt, *A New Deal in Central Africa*, London, Heinemann, 1960; and Griff Jones, *Britain and Nyasaland*, London, George Allen & Unwin Ltd, 1964.

<sup>31</sup> Quoted in Welensky. *op. cit.*, p. 23.

Welensky's meeting with Oliver Stanley resulted in a similar response. Stanley declared, "No Government in this country—Tory or Socialist—could give you what you ask."<sup>32</sup>

Britain's lack of enthusiasm for the establishment of a closer union did not stop Welensky and other supporters of Central Africa's amalgamation from seeking ways to achieve their goal. Their dream was realised after a series of conferences. The first was held in Victoria Falls in 1949 and was attended by European representatives from the three territories, with no African representation. They recommended that "a committee of technical experts should frame the constitution and work out the financial arrangements, and that when it had reported, a further meeting should be held to discuss its proposals; thereafter there should be a referendum on the issue of federation in all three Territories; and finally that after the referendum a further meeting should be held to decide the method of approach to the United Kingdom Government."<sup>33</sup> The meeting that sanctioned the establishment of the Federation was the second one, held in London in 1951 and led by G.H. Baxter, then Commonwealth Relations Assistant Under-Secretary of State. Although agreement was not unanimous, on March 31 the officials at the meeting issued a report whose main message opened the door for the eventual establishment of the federation:

The solution that we recommend for adoption is that of a true federal system. We believe that this would enable the territories to be knit together effectively for common action in those spheres where it would be most beneficial to all of them, while leaving unimpaired the authority of the individual territories in spheres where this seemed most appropriate, and recognising the responsibility for His Majesty's Government in the United Kingdom towards the African peoples. We suggest that the Federation might be called 'British Central Africa'.<sup>34</sup>

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<sup>32</sup> *Ibid.*

<sup>33</sup> *Ibid.*, p. 30.

<sup>34</sup> Quoted in *ibid.*, p. 39.

The Federation arrangements created a division of labour that made the Salisbury-based federal government responsible for inter-territorial and foreign affairs, customs, defence, communications (rail, aviation, posts, and telecommunications), health, income tax, prisons, roads, and education (so far as it pertained to the local European population). The regional Nyasaland government was responsible for local African affairs.<sup>35</sup> Under the Federation, some changes were also introduced in terms of non-European participation in Nyasaland's Legislative Council, and provision was made for African participation in the Federal Legislature. The 1955 Constitution introduced some changes in the Nyasaland Legislative Council by increasing the number of African representatives from three to five and increasing the number of Asian and European representatives to six. The European and Asian representatives were to be elected to the Legislative Council on a common electoral roll, while the African representatives were to be elected by the Provincial Councils, which included both traditional chiefs and members of the educated elite.<sup>36</sup> The creation of this political space did not alter the local balance of power, since significant barriers still hindered the involvement of Africans and Asians in the Legislative Council.<sup>37</sup>

To sum up this section, by the 1950s a centralised state with limited inclusion of Africans in the political process had emerged in Nyasaland. However, political exclusion was not the only marker of their marginalisation in the colonial enterprise: for example, the colonial government was not interested in creating the necessary conditions for the development of the education sector. In general its attitude was very much in line with

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<sup>35</sup> Williams, *op. cit.*, p. 150.

<sup>36</sup> Jones, *op. cit.*, p. 196.

<sup>37</sup> For instance, out of 8,500 Asians, only 338 qualified to participate in the 1956 elections due to various electoral qualification requirements. By comparison, 1,866 out of 6,700 Europeans qualified (Colin Leys, "'Partnership' as Democratisation" in Colin Leys and Cranford Pratt, *op. cit.*, p. 109-110).

the one expressed by a colonial official in 1934: "The slower the progress in the direction of higher education for the African, the better."<sup>38</sup> In addition, in the economic arena, Johnston's sentiment that Nyasaland "must be ruled by whites, developed by Indians, and worked by blacks" seemed to be the norm rather than the exception.

### **The colonial state's economic structure**

Financing the colonial state represented an enormous financial challenge for Johnston. Since his earliest attempts to involve the British government in this part of Africa, Johnston had been informed that the home government would not provide revenue to support the protectorate, except for salaries for colonial civil servants. During the early years of his administration Johnston therefore relied on support from Cecil Rhodes, who had offered financial help to the administration on the condition that "for the future it must be understood that the Chartered Company alone has the right to acquire, subject to the approval of Her Majesty's Government, concessions of land and minerals both within and without the protectorate."<sup>39</sup> However, this arrangement did not succeed in the long run. Pressure from plantation owners, missionaries and the British government eventually forced Johnston to contain Rhodes' economic ambitions.<sup>40</sup>

Lacking any known mineral wealth the colonial state depended upon taxes, immigrant labour, and agriculture as the mainstays of its economic structure, with agricultural production (discussed later) forming the core. In 1892 the colonial administration

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<sup>38</sup> Comments by Nyasaland's Chief Secretary, 22 December 1934, Malawi National Archives, Zomba S1/478/34.

<sup>39</sup> B. Pachai, *Malawi: The History of the Nation*, 1973, p. 83

<sup>40</sup> Hanna, *op. cit.*, pp. 118-122

introduced a poll tax of six shillings<sup>41</sup> for every adult male, payable in the form of money, labour, agrarian goods, or livestock.<sup>42</sup>

The introduction of the tax obviously created difficulties for the people, and the missionaries were critical of this policy. The colonial administration responded to these grievances by arguing that money was needed to run the country, as Johnston declared:

Those natives of British Central Africa who were unable to protect themselves from the incursions of slave raiders, or who by their own misconduct compelled the intervention of the Administration for the maintenance of law and order, should contribute as far as their means allowed towards the revenue of the Protectorate, for it was not to be supposed that the British taxpayer . . . could continue indefinitely finding subsidies for the support of the Protectorate.<sup>43</sup>

The colonial administration was also accused of failing to keep verbal promises made at the height of the Anglo-Portuguese competition for central Africa, during which local chiefs had entered into treaties with the British on the understanding that the latter would not impose taxes on the local population as the Portuguese had done in neighbouring

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<sup>41</sup> This figure was changed several times to accommodate the imperatives of the colonial regime and European estate owners. For an examination of the evolution of the colonial regime's taxation policy see, Eric Smith, *Report on direct taxation of natives in the Nyasaland Protectorate, and other cognate matters, 1937*.

<sup>42</sup> Tax collection was not a benign bureaucratic operation. Intimidation, harassment, and brutality marked the process. Malawians protested colonial taxation policy and practice, but as in other matters, the colonial state's financial and political needs took precedence. Remembering the colonial tax process, some Malawians stated: "Taxes were the main problem. . . . A hut tax of 3 shillings was introduced in 1906. That year the people paid the tax, but when taxes were demanded afresh in 1907, the people rebelled, saying, "Should we pay taxes a second time? No! that cannot be so!! We invited government in, not repeated tax collections." It was after the tax rebellion of 1907 that the Government sent Reuben, MacDonald, and Pickford to burn the huts of those who refused to pay. There was wailing. . . . Villages were burnt here in Embangweni, in Engalweni, everywhere. The main complaint was against the system of taxation, which was bad in those days. They arrested anyone who defaulted in the payment of their taxes. Those who defaulted in the payment of their taxes were often subjected to ill-treatment. Even if they were girls, they were tied up with ropes and beaten with a hippo-hide whip. The people had to migrate to Southern Rhodesia. There was no money in this country, so people had to walk all the way to Rhodesia" (Oral Testimony, Councillors of Traditional Authority Mzukuzuku, Embagweni village, Mzimba District, Malawi, 16 September, quoted in Leroy Vail, "The State and the Creation of Colonial Malawi's Agricultural Economy," in Robert I. Rotberg, *Imperialism, Colonialism, and Hunger: East and Central Africa* (Lexington: D.C. Heath and Company, 1983), p. 46.

<sup>43</sup> Harry H. Johnston, *British Central Africa*, op. cit., p. 111.

Mozambique.<sup>44</sup> Huts whose occupants failed to pay the tax became the property of the colonial administration and were destroyed.<sup>45</sup> While the African contribution to the development of the colonial administration through taxes was significant—for instance, prior to the first World War their share of the administration's tax revenue stood at approximately 70 per cent<sup>46</sup>—they were the most marginalised community in the colony, a fact that was evident to a colonial District Officer:

At present the natives of the Protectorate contribute the greater part of the revenue by direct taxation, irrespective of indirect taxation which they bear in common with all persons residing in the Protectorate. Europeans and Indians, who are in a better position to bear direct taxation, are not taxed directly. The natives get very little in return for providing the greater part of the revenue . . . of education nothing except minute Government contributions to Mission Funds. Of medical aid nothing whatever. . . .<sup>47</sup>

Partly to escape taxes and partly to earn money to pay them, migrating to work outside Nyasaland emerged as a key component of the colonial state's economic structure. In the early 1900s, South African recruiting agents began arriving in British Central Africa in search of mine labourers.<sup>48</sup> Local plantation owners and missionaries opposed the arrival of these agents, although for different reasons. The plantation owners claimed that there was no need for labour migration since there was abundant work available and their labourers earned decent wages. The missionaries opposed labour migration for moral reasons, being particularly concerned about family disintegration and easy

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<sup>44</sup> According to a letter by one missionary, "The chiefs were told on that occasion that the Portuguese were threatening to come up, and that they would impose heavy taxes on them in addition to other forms of oppressive government. The English, as they knew, imposed no taxes on natives. Whom would they prefer—Portuguese or English? The universal reply was, of course, that they preferred the English. On this understanding they signed a treaty agreeing to hand over their territory to no other Power without the consent of her Majesty's representative. . . . I was there when a similar treaty was made with Chief Malemya in Zomba. The chief asked Mr. Buchanan, 'Did this treaty mean taxation?' Mr. Buchanan assured him that it meant no taxation, only 'friendship'. The chief thereupon appended his mark to the document" (Pachai, 1973 op. cit., p. 83).

<sup>45</sup> Ibid.

<sup>46</sup> I. Rotberg, 1965, op. cit., p. 44.

<sup>47</sup> Quoted in ibid, p. 44.

<sup>48</sup> B. S. Krishnamurthy, "Economic policy, land and labour in Nyasaland, 1890-1914", in Bridglal Pachai, ed., *The Early History of Malawi* (London: Longman, 1972), p. 396.



access to alcohol.<sup>49</sup> While the colonial state wished to appease the European plantation owners (for political and economic reasons) it nevertheless went ahead, with the support in 1903 of the Foreign Office, and established links with the Witwaterstrand Native Labour Association (WNLA),<sup>50</sup> the South African government's labour recruiting company. What sparked the state's willingness to allow labour migration was the collapse of the local coffee industry—an important source of revenue during this period. This agreement resulted in approximately 7,000 Malawian labourers working in South African mines between 1903 and 1907, for a wage of 1s. 6d. a day, one third of which was paid in advance to their families in Malawi.<sup>51</sup> The colonial government received a hut tax of six shillings from the recruiting company, deducted monthly from the labourers' wages.<sup>52</sup>

Labour migration had a regional pattern that was dictated by ecological issues and also by the nature of colonial settlement. The Northern Region's lack of alternative economic activities forced people to leave the region and the country in order to meet their tax and other financial obligations. In some parts of the North, sixty percent of the young male population worked outside the region.<sup>53</sup> A large proportion of the Central Region's young males also worked in the mines but labour migration from this region and the Southern Region was ultimately limited because of the availability of alternative economic activities—for instance, the introduction of peasant cash crop production in both areas, and the existence of European-owned plantations.

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<sup>49</sup> Pachai, 1973, *op. cit.*, p. 121.

<sup>50</sup> *Ibid.*,

<sup>51</sup> *Ibid.*, p. 122.

<sup>52</sup> *Ibid.*

<sup>53</sup> Malawi National Archives: S 2/23/25, "Labour-Memorandum, 1925," Provincial Commissioner (Northern Province) to Chief Secretary. 17 November 1925.

### *The creation of an agrarian based economy*

The determination of land ownership signified the beginning a new era since it introduced the notion of private ownership of land in the country, thus laying the foundation for agricultural production along capitalist lines. Prior to the establishment of colonial rule, Europeans (planters, missionaries, traders, and adventurers) had settled in the country (a total of about 57 by 1891 and 300 by 1896). A unifying factor among these various segments of the European population was their acquisition of land belonging to local African communities. This was accomplished through various means, including exchange of goods, warfare, and treaties with the local Chiefs. In exchange for land, the Chiefs were promised protection from Portuguese colonialists and explorers. They also received items such as calico, beads, copper, and other commodities. For instance, John Buchanan, "who had come to work for the Blantyre Mission in 1876 but who, after some trouble with the mission authorities five years later, branched off into private enterprise, obtained 3,065 acres in Michiru for a gun, thirty-two yards of calico, two red caps and several small items of that sort."<sup>54</sup>

The process of land alienation began accelerated the establishment of colonial rule in 1891. Between the years 1892 and 1894, Harry Johnston's administration carried out a process that aimed to organize the structure of land ownership in the colony.<sup>55</sup> By 1894 he had cleared sixty land claims and issued Certificates of Claims, which acted as deeds to prove private ownership. The state's land alienation policy created two categories of land: freehold and Crown Land. Freehold land largely belonged to European estates, while Crown Land was controlled by the state. Africans could be found on both. Sir Harry Johnston's new land ownership policies also provided a "non-disturbance" clause which

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<sup>54</sup> W.H.J. Rangeley, "Early Blantyre," *The Nyasaland Journal* 7, no. 1 (1954), p. 37.

<sup>55</sup> Johnston, 1897, op. cit., pp. 112-113.

stated that "no native village or plantation existing at the date of this Certificate on the said Estate shall be disturbed or removed without the consent in writing of Her Majesty's Commissioner and Consul General; but when such consent shall have been given the sites of such villages or plantations will revert to the proprietor of the said Estate."<sup>56</sup> However, these regulations could not alleviate one of the most troublesome disputes between the estate owners and their African tenants: Africans living on estates were potential labourers for the owners, an issue that generated tensions between the Europeans and the African population throughout the colonial period.

With the establishment of colonial rule, the stage was set for the incorporation of the country into the international capitalist system. While this process had already begun with the slave trade it was solidified under colonial rule as Nyasaland became involved in agricultural production mainly geared to international markets. The incorporation of the country into the international capitalist system saw the rise of agrarian exports. According to one estimate, starting from a very low base in the late 1900s, the value of agrarian exports rose to a hundred thousand pounds by 1909 and one million pounds by 1940.<sup>57</sup> Various crops contributed to this export basket but the dominant ones during this period were coffee, tobacco, and tea. Of the three, tea was restricted to the estate sub-sector.

In the early phase of colonial rule, coffee was the dominant crop in the country, producing its highest yield—two million pounds—in 1900.<sup>58</sup> However, coffee exports

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<sup>56</sup> Quoted in Williams, *op. cit.*, p. 65.

<sup>57</sup> John Pike, *Malawi: A Political and Economic History* (London: Praeger, 1968), pp. 174.

<sup>58</sup> Pollock, *op. cit.*, p. 305.

declined in the early 1900s for a variety of reasons, one of which was the rise of the Brazilian coffee industry. The search then began for lucrative new crops, and resulted in the introduction of tobacco and cotton in the early 1900s.<sup>59</sup> Although these two crops had been grown previously in the colony, they figured more prominently in the colonial economy after the collapse of the coffee industry. Of these two crops, cotton production was the more strongly encouraged since Britain, like other imperial powers, viewed it as a promising cash crop.<sup>60</sup> In 1902 British cotton manufacturers experienced a severe cotton shortage due to unstable prices caused by speculative traders in the USA: it is estimated that “in Lancashire . . . manufacturers, spinners, and operatives lost about 2,000,000 pounds sterling” during this crisis.<sup>61</sup> Consequently Britain began encouraging cotton production in the colonies and in 1902 established the British Cotton Growing Association.<sup>62</sup>

Colonial agrarian production comprised two sub-sectors, the estate and the peasant, dominated respectively by Europeans and Africans, with the colonial state’s political and economic imperatives shaping the evolution of both. The estate sub-sector, while facing contradictory responses from the state at times, was still generally supported by the latter since estate owners were key allies. This support was manifested in different ways. To begin with, colonial land alienation saw the local plantation owners—and other

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<sup>59</sup> W.H.J. Rangeley, “A Brief History of the Tobacco Industry in Nyasaland, Part I”, in *The Nyasaland Journal* 10, (1957), p. 66.

<sup>60</sup> The high hopes marking this colonial ‘cotton fever’ are evidenced in the views expressed by various imperial interests during this period. As Allen Isaacman and Richard Roberts have written, “In an 1885 speech to the Reichstag, Bismarck predicated that colonial output would reduce his nation’s unhealthy dependence on the United States, which supplied almost 80 percent of Germany’s raw cotton. Twenty years later BCGZ representatives declared that production in northern Nigeria alone would satisfy all the needs of Lancashire. In 1906, a spokesman for the Portuguese Industrial Association assured prospective investors that the initiatives in Angola and Mozambique would surpass the levels of cotton production in other colonies.” Allen Isaacman and Richard Roberts, eds., *Cotton, Colonialism, and Social History in Sub-Saharan Africa* (Portsmouth: Heinemann, 1995), p. 14.

<sup>61</sup> Pollock, op. cit., p. 306.

<sup>62</sup> *Ibid.*

European interests—obtain the best land, which was located in the fertile Shire Highlands in the Southern Region. According to one estimate, at the end of the Johnston land alienation process,

15 percent of the land area in Malawi went to Europeans; this represented about 3 3/4 million acres out of a little more than 25 million acres (the total worked upon at the time but reduced in more recent times to 23 million odd) in the whole country. For the most part these concessions were held by large estates. About 72 per cent of the area granted belonged to eleven companies or estate holders [and] with the exclusion of the northern grant to the B.S.A Company, most of the land obtained represented the finest arable lands in the Shire Highlands, about one-half of which...became alienated in the form of private estates.<sup>63</sup>

The colonial state's justification for the alienation of land for the estate sub-sector was that the latter would be the engine driving the country's development process, given the underdevelopment of African agricultural methods. But in the first fifteen years of colonial rule, only about one per cent of the European estates had been developed to any significant extent. According to Pachai, "One company developed only 3,000 acres out of 160,000 acres, or just under 2 per cent; another developed 5,000 acres out of 367,000 acres; while the estates which were later to be involved in the Chilembwe rising developed 500 acres out of almost 160,000 acres."<sup>64</sup> Estate agricultural production picked up slightly after World War II (see Table 3:1) due to increased international prices and a steady increase in agricultural expenditure.

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<sup>63</sup> Ibid., p. 83. The land alienated for the British South African Company, which covered a large proportion of the Northern Region, generated tension between the colonial state and the African population. A commission was appointed to deal with the issue of African lands in 1929, a result of which was the return of the land to the government, which demarcated land for the African population. However, as part of the settlement deal, the company retained the mineral rights for the area. The postcolonial government recovered the mineral rights from the company in 1966, thus ending the company involvement in Northern Malawi.

<sup>64</sup> Pachai. 1973, op. cit., 1973, p. 103.

**TABLE 3.1**  
**MALAWI'S ESTATE SUB-SECTOR, 1955-1964**

Year	Average Annual number of hired workers (excludes tenants)	Planted land (hectares)	Gross crop Production (thousands of 1978 MK)	Estate share (percentage)	
				Gross crop	Exports
1955	54,240	31,467	17,895	18.6	41.7
1956	62,960	31,731	19,074	19.0	32.2
1957	63,390	30,678	18,574	18.3	33.7
1958	61,810	30,936	21,870	20.8	35.5
1959	60,210	29,937	23,084	19.7	36.4
1960	60,300	29,523	24,873	19.6	40.0
1961	57,400	30,682	25,873	19.5	42.7
1962	53,050	27,940	25,487	16.9	29.6
1963	50,023	25,569	23,394	15.5	25.4
1964	49,250	25,355	21,538	16.0	25.9

Source: Frederic L. Pryor, *The Political Economy of Poverty, Equity, and Growth* (Oxford: Oxford University Press, published for the World Bank, 1990), p. 86.

In addition to obtaining the best land in the country, the estate owners faced no restrictions from the state as to which crops they could grow; furthermore, the production of lucrative crops such as flue-cured tobacco and tea was restricted to the estates.<sup>65</sup> In addition, estate owners had access to cheap labour, especially from the African population residing on the estates and elsewhere. The methods used to obtain labour varied, but the main ones were *thangata* and tax rebate.<sup>66</sup> Prior to colonialism, *thangata*, meaning the mutual exchange of labour, among other things, within one's community,

<sup>65</sup> Pike, op. cit., p. 197.

<sup>66</sup> At various points the colonial state tried to address the labour issues for economic and political reasons. For instance, in 1895 the state had introduced regulations covering internal and external movement of labourers. Its main stipulations were that no labourer could work outside his district without a valid state-supervised contract; the length of the employment was to be twelve months, at the end of which time the labourer was given travel money to return to his village. The government also introduced passes, issued by district officials, for individuals wishing to immigrate. These regulations also stipulated that there was to be no forced labour and that employees had to be cared for by the employers. This looked good on paper, but in reality employers did not adhere to these rules. In 1903 another attempt was made by the state to clarify the practice of *thangata* after a local court passed a judgement stating that plantation owners could demand *thangata* from newcomers but not from the original residents. Because no records were kept to differentiate

was part of the African social and production system.<sup>67</sup> The colonial interpretation of *thangata* amounted to forced labour, which the 1921 Commission appointed to examine land and other issues in the colony chose to overlook:

It must be remembered that what first brought the native and the European together was a contract of labour in exchange for ground on which the native could make his garden and build his hut. This practice seems to have had a foundation in the conditions of purely native life under which the member of the village community worked for a certain period in the gardens of his chief, the latter assuming towards the former a responsibility which has its parallel in the relations of the best European landlords towards their native tenants to-day. The practice was known from the beginning by the native word '*thangata*' meaning 'to assist.' The old established foundation of this system is purely native life and its continued existence. . . shows that it has practical convenience for both sides.<sup>68</sup>

The local African population resisted *thangata* at various times during the colonial period, such as during the Chilembwe uprising of 1915.<sup>69</sup> A commission was appointed to investigate this revolt, and the practice of *thangata* was raised as an issue. Of *thangata*, the Rev. Harry Matecheta stated during the commission's hearings:

The *thangata* which is done in Plantations is not *thangata* at all, it is compulsory labour. And the labour certificate [i.e. a document which qualified an African to pay the lower tax rate since he had worked for a European for at least one month in a year] is the same as the *thangata*, a difficulty put upon the natives. The natives [accept] it for fear and for nothing else; they know that if they refuse they will be punished; they say this is *Nkhondo* (war), that we do.<sup>70</sup>

Africans were not the only people opposed to the colonial regime's labour policy in the estate sub-sector. Some missionaries, for instance Joseph Booth (considered a radical

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between original and new residents, it was difficult to clarify officially. Several land commissions (1909, 1920, and 1946) and policy directives were issued relating to *thangata*, as well as to other issues pertaining to Africans residing in the estate sector, and the *thangata* system remained in place until the 1950s.

<sup>67</sup>Kamchitete, op. cit., p. 10.

<sup>68</sup> Report of a Commission Appointed by His Excellency the Governor under the Commissions of Enquiry Ordinance, 1914, on 19 July 1920 to enquire into and report upon certain matters connected with the occupation of Land in the Nyasaland Protectorate (Zomba: Government Printer) p. 15.

<sup>69</sup> For an extensive examination of the nature and evolution of the 1915 Chilembwe revolt led by John Chilembwe, an emerging local capitalist and Christian Leader, see George Shepperson and Thomas Price, *Independent Africa: John Chilembwe and the Origins, Setting and Significance of the Nyasaland Native Rising of 1915* (Edinburgh: Edinburgh University Press, 1958).

<sup>70</sup> Pachai, 1973. op. cit., p. 104

by the colonial regime and segments of the missionary community), were very critical of this policy. Commenting on this issue, Booth stated:

Candidly now, is it not a marvellous picture to see elegantly robed men, at some hundreds of pounds yearly cost, preaching a gospel of self-denial to men and women slaves, with only a very scrap of goat skin around their loins, compelled to work hard from daylight to dark six, but more often seven days in a week. . . . I have never felt so utterly ashamed of myself and my fellow countrymen as I have since coming here.<sup>71</sup>

The rebate labour system constituted a process that required Africans to work for a certain period for the local European population, mainly in the estate sub-sector, as a way of meeting their tax obligations. For example, the tax changes introduced in 1902 had a provision stipulating that an individual could obtain a "rebate of half the tax if the taxpayer worked for a European for at least one month at the current rate of pay, which was three shillings a month on average."<sup>72</sup> While the local population was the main source of labour at various points, the estate owners also benefited from external labour thanks to the influx of the Lomwe community from Portuguese-controlled Mozambique. In the early 1900s, "pressure upon the people from the *Companhia do Niassa*, which administered the Lomwe territory on behalf of the Portuguese government, grew, and it was characterised by remarkable brutality. The Lomwe community began to seek asylum in Nyasaland."<sup>73</sup> Approximately 15,000 to 30,000 Lomwe people settled in Malawi between 1900 and 1903 and settlement continued as more people fled Portuguese oppression.

In the peasant sub-sector, state action was a pendulum swinging in a 'support-control-neglect' continuum—the results of which were limited transformation in this sub-sector

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<sup>71</sup> Quoted in George Shepperson and Thomas Price, *op. cit.*, p. 33.

<sup>72</sup> *Ibid.*

<sup>73</sup> Vail, 1983, *op. cit.*, p. 50.



and the political and economic marginalisation of the peasantry. The colonial state's promotion of cotton production involved peasant producers, mainly in the Lower Shire Valley. In 1908 the colonial state introduced a law governing peasant production of cotton, and later instituted marketing mechanisms for peasant producers.<sup>74</sup> Peasant cotton production thrived, and its success brought more state involvement. African households growing cotton were entitled to "a tax rebate in the same way as [if] they had worked one month in European employment."<sup>75</sup> This tax policy, however, lasted only two growing seasons, since the African cotton growers preferred producing cotton rather than working in the estate sub-sector, a trend that was not favoured by the state or the European planters since it meant a reduction in labour supply for the estate sub-sector.<sup>76</sup>

Even with state intervention, however, peasant production of cotton continued to flourish, and by the late 1920s approximately "thirty thousand growers were producing it in the Lower Shire Valley with a yield of up to 1,100 pounds of seed cotton per acre, the equivalent of what a person could earn in Nyasaland by working for a European for seven months."<sup>77</sup> Even with the onset of the depression, local growers continued to increase production as approximate figures for the period show: "in 1935, 5,320,279 pounds of lint cotton; 1936, 6,400,000 pounds of lint cotton; 1937, 9,850,000 pounds of lint cotton."<sup>78</sup> Cotton production generated revenue for the colonial state in several ways. First, buyers had to pay a licensing fee to the state and second, for every hundred pounds of cotton bought, a fee of eleven shillings and three pence was levied, starting in

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<sup>74</sup> Vail, 1983, op. cit., p. 48.

<sup>75</sup> Elias Mandala, "We Toiled for the White Man in Our Own Gardens": *The Conflict Between Cotton and Food in Colonial Malawi*, in Allen Isaacman and Richard Roberts, op. cit., p. 293.

<sup>76</sup> Ibid.

<sup>77</sup> Ibid.

<sup>78</sup> Vail. 1983 op. cit., p. 61.

1910.<sup>79</sup> Colonial officials also ensured that African producers paid their hut taxes before departing from the market.

While cotton remained a major feature of state-regulated peasant production and a generator of revenue for the state, tobacco, grown in both the Southern and Central Regions, became another prominent crop in this sub-sector. African growers were restricted to low-earning types of tobacco such as dark-fired western leaf.<sup>80</sup> African production of tobacco was first introduced through a share-cropping arrangement with the estate owners who would buy the produce and resell it. Africans living on Crown Lands were also allowed to participate in the production of tobacco, although in limited plots averaging 2 acres per grower.<sup>81</sup> Throughout the 1920s there was a rapid increase in tobacco grown by Africans. For instance, it is estimated that in 1923 Africans produced a hundred tons of tobacco; in 1924 and 1925 they produced 500 and 1,277 tons respectively.<sup>82</sup> The year 1926 saw an enormous upswing in African tobacco production, "with 66,321 growers producing 3,484 tons, an average of 104 pounds each."<sup>83</sup>

As with the cotton industry, this trend saw increased interference by the colonial state, beginning with the passing in 1926 of one of the many tobacco ordinances that were to be issued in efforts to control African involvement in tobacco production. This ordinance stipulated, among other things, that African growers on Crown Land were to be registered with the newly created colonial body, the Native Tobacco Board, and that

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<sup>79</sup> Mandala, *op. cit.*, p. 294.

<sup>80</sup> Pike, *op. cit.*, p. 197.

<sup>81</sup> *Ibid.*

<sup>82</sup> Rangeley, 1957, *op. cit.*, p. 82.

<sup>83</sup> Vail, 1985, *op. cit.*, p. 63.

those residing on the estates must be registered with the respective plantation owners.<sup>84</sup> By the 1930s, African tobacco production was fully under the control of the colonial state; its development was to face more crippling measures over subsequent decades. For example, in the early 1930s, the colonial state established a policy that reduced African tobacco production to approximately 3,750 tons, and instituted another policy that limited the emergence of new growers.<sup>85</sup> The disintegration of European tobacco production between 1928-1929 and the fall of the Labour government in the United Kingdom led to the introduction of these policies,<sup>86</sup> which, among others, worsened the already tense relationship between the growers and the colonial state.

The marketing of peasant produce was monopolised by state marketing boards, a process that further subordinated this sub-sector to the estate sub-sector. The Native Tobacco Board was the first to be established in 1926, while a cotton board was set up in 1952 (previously private traders sanctioned by the colonial state marketed cotton).<sup>87</sup> In 1952 a marketing board for foodstuffs, specifically maize, peanuts and beans, was set up, and in 1956 all these boards were consolidated to create the Agricultural Production and Marketing Board.<sup>88</sup> This board controlled all aspects of peasant agrarian production and thus left no room for peasants to make decisions about the future development of their plots or prices for their produce. The colonial state's rationale for establishing these boards was that this kind of agricultural marketing structure would be more efficient and would stabilise prices for peasant producers. But the colonial state, through the

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<sup>84</sup> Rangeley, 1957, op. cit., p. 83.

<sup>85</sup> Vail, 1983, op. cit., pp. 63-64.

<sup>86</sup> Ibid., and pp. 40-41.

<sup>87</sup> R.W. Kettlewell, "Agricultural Change in Nyasaland: 1945-1960," in *Studies in Tropical Development, Food Research Institute Studies* 5, no. 3 (Stanford: California 1965), p. 248.

<sup>88</sup> Ibid.

Agricultural Production and Marketing Board, set the prices and paid the peasants what it deemed "reasonable prices" after taking in profits and covering the costs incurred by the marketing board.<sup>89</sup>

In the post World War II period, the colonial state introduced new agricultural measures that were, according to official statements, supposed to curtail soil erosion and thus lead to increased agricultural development. One of the key measures was the construction of contour ridges on plots in the peasant sub-sector. In the eyes of the local African population, these measures were yet another imposition by a repressive state. Colonial officials subjected those who did not adhere to the new agricultural methods to harsh treatment, and some of them left their plots as a result:

Besides the low prices, people were forced to clean the gardens, so clean that even if one stalk remained [standing], they would arrest and fine you. [Consequently] we stopped growing cotton; we stopped cotton because if one plant was found [standing] . . . they would arrest you . . . That was when, you see, people decided to stop, saying: Let us leave everything.<sup>90</sup>

It was also during this period (which as will be discussed later, was the beginning of an intensified anti-colonial movement) that the state began to create a class of so-called 'Master Farmers', who were given free seeds, fertiliser, and advice, and the payment of cash bonuses for adhering to colonial agricultural policies.<sup>91</sup> The main goal of the Master Farmer policy, according to the colonial state, was to encourage "the most progressive individuals to become prosperous yeoman farmers."<sup>92</sup> While the state used technical language in explaining the goals of this policy, its timing indicates a desire by the

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<sup>89</sup> *Ibid.*

<sup>90</sup> Local farmer quoted in Mandala, *op. cit.*, p. 299-300

<sup>91</sup> Kettlewell, *op. cit.*, p. 275.

<sup>92</sup> *Ibid.*, p. 275.

colonial state to expand its political base among rural producers. Little success was achieved in the long run since these policies did not address the fundamental issues related to peasant agrarian production, such as the monopolisation of peasant production and availability of land especially in the densely populated areas in the Shire Highlands.<sup>93</sup> Consequently, these policies (among other issues) provided the nationalist movement with the material issues it needed to gain widespread popular support in the 1950s.

The preceding discussion shows that at every turning point the colonial state's political and economic imperatives thwarted the growth and transformation of the peasant production sub-sector. Colonial policy with respect to peasant production would swing from support to regulation to neglect and back again. Underlying this approach to peasant production were paternalistic and racist attitudes which encouraged the idea of Africans working for the European plantation owners, or working in lowly positions in the colonial administration, rather than engaging fully in the transformation of the country's productive sectors. As the then Nyasaland Governor claimed in a letter to the Colonial Secretary in 1926, "The educative value to Natives who engage in this sort of work is great and for some time to come better results will on the whole be obtained from this work than by production by Natives working for themselves."<sup>94</sup> In addition, the general racist attitude that informed colonial policies resulted in a lack of encouragement for African growers. In the context of Nyasaland, the Europe administrators "preferred the wartlike noble savage to the passive unmanly farmers", an attitude captured well by the

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<sup>93</sup> For population distribution and densities by districts and regions in 1957 see, J.G. Pike and G.T. Rimmington, *Malawi: A Geographical Study* (London: Oxford University Press, 1965), p. 220

<sup>94</sup> Quoted in Vail, 1983, op. cit., p. 62.

following statement from a British District Officer stationed in Fort Johnston (now Mangochi):

As regards the native population generally the Yao are of superior type, both physically and mentally, to the indigenous Nyanja. They make excellent soldiers, police, servants and skilled workmen [but they] do not take much interest in the products of the soil. On the other hand the Nyanja...are a quiet and peace-loving people . . . though without the brains of the Yao . . . [as] agriculturists they are industrious, but have not the perseverance of the Nguru, who in their raw state make excellent field labourers.<sup>95</sup>

The incorporation of Nyasaland into the Federation of Rhodesia and Nyasaland did not alter the foundations of Nyasaland's economic structure: as one colonial officer commented, the process did "little to disturb [Nyasaland's] status as the Ireland of Central Africa—poor, scenic, and with a ready supply of exportable labour."<sup>96</sup> And moreover whatever gains accrued from this political and economic arrangement were mainly directed to the local European community.<sup>97</sup> Overall, there were no concerted efforts by the Federal government or the regional government to facilitate economic development or to expand Nyasaland's narrow base economic base. In economic terms, Nyasaland was incorporated into the Federation as a junior partner, useful mainly for supplying labour to the two Rhodesias. In 1958 for instance, 169,000 men from Nyasaland worked outside the country as migrant labourers, with 123,000, 19,000, and 28,000 working in Southern Rhodesia, Northern Rhodesia, and the Union of South Africa respectively.<sup>98</sup> Thus migrant labour continued to generate revenue for the protectorate in the form of remittances (see Table 3:2). In the agrarian sector, the policies and practices that had been established in the earlier period of colonial rule continued during

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<sup>95</sup> Quoted in M.L. Chanock, "The political economy of independent agriculture in colonial Malawi: The Great War to the Great Depression," *Journal of Social Science* 1 (1972), p. 117.

<sup>96</sup> William J. Barber, "Federation and the Central African Economy," in Colin Leys and Cranford Pratt, eds., *A New Deal in Central Africa* (London, Heinemann, 1960), p. 96.

<sup>97</sup> Williams, op. cit., pp. 153-154. For a detailed analysis of the economic conditions in Nyasaland during the Federation see, Arthur and Hazlewood and P. D. Henderson, *The Economics of Federation* (Oxford: Basil Blackwell, 1960), pp. 35-85.

<sup>98</sup> Hazlewood and Henderson, op. cit., p. 81.

this period; some of them, as mentioned earlier, provided the rising nationalist movement with material issues for their anti-colonial struggle.

**TABLE 3.2**  
**SOURCES OF AFRICAN PERSONAL MONEY INCOME IN NYASALAND IN 1957**

	Million pounds	Percentage
Wages and salaries	7.2	51
Unincorporated enterprise	5.2	37
Emigrants' remittances	1.7	12

Source: Arthur Hazlewood and P.D. Henderson, *Nyasaland: The Economics of Federation* (Oxford: Basil Blackwell, 1960), p. 8

Like the process of colonial state formation, the evolution of the colonial economic structure had a major impact on ethnic-regional identities. The European planters settled mainly in the Shire Highlands in the Southern Region of the country and made few inroads into other regions, although some operated tobacco estates in the Central Region. The country's commercial centre, Blantyre, was located in the Southern Region. Further, peasants in this region (given their proximity to the European estates and the commercial centre) were the first ones to engage in crop production, with the introduction of coffee in the early 1900s. The colonial administration also established its headquarters in the Southern Region, in Zomba, and a railway line was built here making the area accessible for trade, among other things. This pattern of economic development resulted in uneven development, with the Central and Southern regions benefiting from the concentration of economic activities in these areas. At independence, the northern province was commonly referred to as the 'dead north', since its legacy was very limited economic development and infrastructure and provision of internal and external migrant labour. This uneven development strengthened ethnic-regional identity differences and influenced key turning points in the postcolonial period.

On the eve of the crisis of the colonial state that marked the beginning of the transition to independence, agricultural production for international markets was the foundation of the country's economic structure. Industrial and commercial development was limited throughout the colonial period, and the industrial transformation that did occur was linked to the main agricultural products. For example, in 1957 the total combined value of sales from tea- and tobacco-related industries amounted to almost £6 million, 3.2 million linked to tea and 1.1 million to tobacco.<sup>99</sup> In the commercial sector Asians controlled both retail and wholesale trade although at independence there were approximately 12,000 Africans involved in retail.<sup>100</sup> A senior official of the colonial regime noted the lack of secondary industries in the colonial period in 1959:

We do not think that much can be done to foster a more rapid expansion of secondary industry . . . nor do we think that there is much scope for the local manufacture of . . . cotton and rayon piece goods. . . .<sup>101</sup>

### **The crisis of the colonial state and the transition to independence, 1959-1963**

By the 1950s, a centralised undemocratic state, working in the interests of the small European landowner class, had been established in Nyasaland. This state had also established an economic base that had seen the country's incorporation into the regional political economy as a labour reserve and into the international capitalist system as a producer of agrarian products. The social and political tensions generated by this would emerge to form the core of the nationalist message in the 1950s with Nyasaland's participation in the Central African Federation in 1953.

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<sup>99</sup> Ibid, p .78.

<sup>100</sup> Nyasaland government, *Development Plan, 1962-1965* (Zomba: Government Printer, 1962), p. 14.

<sup>101</sup> *Nyasaland Legislative Council Proceedings*, 27 November 1950, p. 13.



### *Nyasaland nationalism, crisis of the state and the transition to independence*

The mid-1950s saw the rise of a nationalist movement. The roots of this movement lay in the district-based Native Associations of the first half of the century. The rise of these Associations began within twelve years of the establishment of colonial rule, when several district associations were formed, such as North Nyasa Native Association (NNNA) in 1912 and the West Nyasa Native Association (WNNA) in 1914. This trend was followed in the 1920s in both the Southern and the Central Regions.

As mentioned earlier, the reproduction of traditional authority under colonialism created tensions between Chiefs and the emerging educated elite. To counter this newly defined role of representatives of traditional authority, members of the educated elite started forming organisations at the district level, stating their objective as follows:

Members of the Association being members of the country and acquainted with all the habits and customs of the people, it could adequately express their desires and needs to the Government; and being educated it could fully explain the mind of the government to the people.<sup>102</sup>

Describing the membership and characteristics of these District Native Associations, J.

Van Velsen states:

The 'new men' who ran these Associations were thoroughly involved in the new ways of life: they were educated men and most of them were teachers, ministers of religion or civil servants [and] were suspicious of the conservatism of the chiefs. The Associations clearly bore the stamp of the 'new men' who founded and ran them. Meetings generally opened and closed with Christian prayer; office bearers were selected by vote; minutes were kept, often typed on paper with the Association's own printed letter-head, and so forth. Each person contributed his own experience. Consequently one finds in the records a mixture of biblical and civil service phraseology.<sup>103</sup>

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<sup>102</sup>Quoted in Roger Tangri, "Inter-war 'Native Associations' and the formation of the Nyasaland African Congress," in *Transafrica Journal of History* I, no. 1 (1971), p. 87.

<sup>103</sup>J. Van Velsen, "Some Early Pressure Groups in Malawi," in Eric Stokes and Richard Brown, *The Zambesian Past: Studies in Central African History* (Manchester:Manchester University Press, 1966), p. 381.

The social origins of this emerging political elite were the colonial service and the Christian missions. Their educational background saw members of the group emphasising that their aims and goals were national in scope and thus non-tribal. In their association meetings and in contact with the colonial state they stressed the need for moving forward as 'modern individuals' and the important role that they would play in bringing the 'uneducated masses' to modernity. Non-tribal in purpose and outlook, these Associations were led by individuals "sharing common values and appealing to loyalties that were those of common membership of an embryonic national entity."<sup>104</sup> This emphasis on being modern and having no vestiges of 'tribalism' would, due to contradictions generated by the colonial transformation process, evaporate soon after independence (as chapter four demonstrates).

Access to education through the Christian missions facilitated the emergence of this pre-independence elite since it enabled educated Africans to gain employment in the colonial structure as clerks, translators, and teachers. Compared to those in other British colonies in the region (the two Rhodesias), Nyasaland's educated elite had better access to formal employment in the colonial civil service. "In a country where the number of Europeans and Indians was limited, literate Africans could thus obtain positions of some responsibility, and the resultant accumulation of that experience and knowledge of the new social order was to enable them to play a key role in the political associations and groups through which different brands of African protest found expression in Nyasaland."<sup>105</sup>

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<sup>104</sup> Tangri, *op. cit.*, p. 87.

<sup>105</sup> *Ibid.*, p. 84.

Like the economic and political changes under the colonial establishment, the emergence of educated Africans followed a regional pattern based on earlier historical experiences. The establishment of missions mainly in the Northern and Southern regions meant that these two areas produced a large proportion of the educated Africans. In other regions of the country, especially where Islam was the dominant religion, for instance, the number of mission-educated Africans was limited.<sup>106</sup> It was not just access to education but the kind of education that was offered that influenced the nature of the emerging political elite. At the Livingstonia and Blantyre Missions (founded in 1875 and 1876) the approach to African education was liberal, and according to Tangri,

Each possessed multi-tribal colleges where the best pupils were given a literary education in English, and where they would acquire training as pastors, teachers and clerks, and also enter apprenticeships to learn a variety of trades. Here the most successful students were brought together for training that could last several years in a non-tribal environment, thus promoting the creation of a close-knit intelligentsia with a unity of focus beyond the barriers of a kin and tribe.<sup>107</sup>

In the Central, Chewa region of Malawi the Universities' Mission to Central Africa and the Dutch Reformed Church Mission operated. Their approach to education emphasised the evangelical side of their work, and they offered a curriculum that stressed mainly basic training in areas such as agricultural and small-scale industries. This regional pattern of early colonial education would greatly influence the nature of the emerging political elite and, as chapter four demonstrates, would become a thorny issue in the postcolonial era. In the colonial period, this education pattern had a notable impact, as outlined by Tangri: "Whereas Africans emerging from Livingstonia in the north and Blantyre in the south were to secure the best-paid jobs and represent all the main sources of modern political awareness in Nyasaland, their counterparts in the central

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<sup>106</sup> Ibid.

<sup>107</sup> Ibid, p. 85.

region were to be less thoroughly involved in the new ways of life, and were unable also to develop the skills to proceed to positions of responsibility."<sup>108</sup>

In 1944 leading members of the earlier District Native Associations formed a national organisation, The Nyasaland African Congress (NAC). While 1944 marked the official formation of the NAC, the ideals behind its establishment dated back to 1943. That year, James Frederick Sangala—an individual heavily involved in the inter-war Native Associations—wrote a letter addressed to “all Africans Resident in Nyasaland Protectorate” in which he outlined the objectives of the Congress. The chief reason for forming the Congress, he wrote, “is because experience has taught us that unity is strength. . . . It is considered that the time is ripe now for the Africans in this country to fight for the freedom, progress and development of Nyasaland from one field.”<sup>109</sup>

During the early phase of the nationalist movement in the 1940s, members of the NAC concentrated on raising questions pertaining to colonial agrarian policies, especially the conservation measures of the 1940s. While the NAC was concerned about issues of African political participation, independence was not a burning question at this juncture. A renewed interest in the amalgamation of the two Rhodesias and Nyasaland saw the

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<sup>108</sup> Ibid.

<sup>109</sup> Malawi National Archives, Zomba , NSB 3/3/6, James F. Sangala to “All Africans Resident in Nyasaland Protectorate”, 1 October 1943. During the first NAC meeting, Mr. Levi Mumba became the organization’s first president. A colleague of Sangala’s, he was among the first graduates of the Livingstonia Mission school and was Secretary of the North Nyasa Native Association from 1912. In his inaugural speech, Mumba called for African representation on the Legislative Council and for an end to racial discrimination, stating that there needed to be established in the Protectorate “full citizenship and consequent opportunities for all regardless of race, colour or creed” (Malawi National Archives, NS 1/3/10, Levi Mumba, Presidential Address to Nyasaland African Congress, 21 October, 1944). The NAC’s Constitution stated that the organisation aimed to “work for unity of the aborigines of Nyasaland [and] the inculcation and practice of habits of industry, thrift and cleanliness amongst the people and to propagate the gospel of the dignity of labour (Malawi National Archives, NN1/4/1, Nyasaland African Congress: Constitution, 1945). In its Constitution, the NAC did not request universal suffrage but rather “the appointment of intelligent progressive Africans in all Government Advisory Committees” (ibid).

rise of anti-Federation, anti-colonial sentiment as a core issue for the nationalists, a trend that would gain momentum in the 1950s. The NAC's leadership was in touch with Dr. Hastings Kamuzu Banda, who was based in London at the time and was keenly interested in the political events of his homeland, especially in the renewed agitation (discussed earlier) for amalgamation by the European political leaders in the two Rhodesias and Nyasaland in the 1940s.

The proposed federation met with early opposition from members of the Nyasaland African Congress, as well as from sympathisers and Africans based in Britain. One of the strongest critics of the federal idea was Banda. Following the London conference he issued a lengthy statement outlining his anti-federation sentiments, which concluded:

We are not actuated by any unwillingness to enter upon a political union with our fellow Africans in Southern Rhodesia . . . [or] by any feeling of hostility towards Europeans of that colony. . . . [But] if we accept federation under present circumstances we will . . . jeopardize our political and social future. We are asked to believe, that if federation comes, none of the rights we now possess . . . will be tampered with . . . Unfortunately we are unable to put our trust in any guarantees, given by any European community in Africa, in absolute political control over the Africans. . . . With the bitter experience of our fellow Africans in the Union of South Africa before us, with the equally painful experience of our fellow Africans in Southern Rhodesia, what reasons have we for supposing that we . . . will fare any better? . . . We are, therefore, unwilling to accept the proposed federation or even to discuss it, guarantees or no guarantees. . . . In 1928, the Hilton Young Commission stated . . . that until the Africans were able to take part in a representative form of government, and until the Europeans were willing to accept them as full partners in such a system, the imperial government must retain the right to intervene in all business of government in East and Central Africa. We are in complete agreement. . . . When that time comes, we . . . shall be willing to enter upon a federal union with Southern Rhodesia, providing the constitution of any such federal union guarantees . . . the Africans' universal suffrage, on the basis of common citizenship and common representation . . . and the right of secession by any of the federated territories . . . . We reject the notion, and shall reject it . . . in the future, that because of the supposed backwardness and ignorance of our people, any group of self-appointed aristocrats, benevolent or malevolent, has any right to deny us a voice in the affairs of the country we call our own and our home. Promoters of the federation speak of partnership between Africans and Europeans. . . . We too desire partnership . . . but this partnership must be a real partnership, and not a façade, which conceals domination. . . . We, too, must be on the board of directors and in the inner councils of the affairs of the firm.<sup>110</sup>

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<sup>110</sup> Quoted in Philip Short, *Banda* (London: Routledge & Kegan Paul, 1974), pp. 59-60.

Members of the NAC, as well as some Chiefs and segments of the local missionary community, were opposed to Nyasaland's participation in the Federation. Despite their opposition, on August 1, 1953 the Federation of Rhodesia and Nyasaland was officially established, an event that in Nyasaland was accompanied by violence and intimidation, especially during the Cholo disturbances between August and September 1953.

The establishment of the Federation provided an important opening for the nationalist movement to organise and raise the tempo of anti-colonial sentiment. The entry of Henry Blasius Masauko Chipembere and Kanyama Chiume to the Legislative Council in 1956 also saw the broadening of the NAC's message beyond anti-Federation rhetoric to include demands for the eradication of discriminatory and other oppressive practices of the local colonial state. NAC members took every opportunity in Legislative debates to express their distaste for colonial rule. For instance, Chiume commented that "whatever the European is earning in [Nyasaland] is earned on the groans and sweat of the exploited African labourer"; his colleague Chipembere referred to Europeans residing in Nyasaland as "bloodsuckers."<sup>111</sup>

The years 1958 and 1959 saw the nationalist movement pushing its anti-federation, anti-colonial message under the auspices of the NAC with great vigour throughout the country. To keep up the momentum of their struggle, top leaders of the NAC decided that what was needed was the presence of a charismatic figure to lead the NAC—someone with the power of Kwame Nkrumah in Ghana or Jomo Kenyatta in Kenya. Banda seemed to be the ideal candidate, but their initial request produced no results.<sup>112</sup>

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<sup>111</sup> *Nyasaland Legislative Council Proceedings*, 17 March 1958, pp. 23-29.

<sup>112</sup> According to Philip Short, the establishment of the Federation and the participation in its Legislature by Manoah Chirwa and Clement Kumbikano had disillusioned Banda about local politics. See Short, *op. cit.*, p. 78.

Nevertheless, persistence on the part of the NAC leaders, combined with news that a conference was to be held in 1960 for the federal leaders to seek membership in the Commonwealth, drew Banda back to the centre stage of Nyasaland politics. On 6 July 1958, Banda landed at Blantyre's Chileka airport and was welcomed by a jubilant crowd.<sup>113</sup> Nevertheless, persistence on the part of the NAC leaders, combined with news that a conference was to be held in 1960 for the federal leaders to seek membership in the Commonwealth, drew Banda back to the centre stage of Nyasaland politics. On 6 July 1958, Banda landed at Blantyre's Chileka airport and was welcomed by a jubilant crowd.<sup>114</sup> Before his return to Nyasaland to lead the nationalist movement, Banda had spent many years outside the country after leaving as a young man to work in South Africa where through his contacts with missionaries he moved to United States where he studied between 1925 and 1937.<sup>115</sup> From the US he moved to the United Kingdom where he studied and practised medicine. While in England Banda, like other members of the educated African and Caribbean elite living there, such as Jomo Kenyatta and C.L.R. James, became actively involved in the anti-colonial movement and as mentioned earlier played a major role in the anti-federation campaign.

From 1958 onwards the nationalist movement became a formidable force that the colonial regime could no longer ignore. While there was widespread support for the nationalist movement, especially in the northern region (where forty-eight out of a total of sixty-three branches of Congress were located in October 1958), divisions existed among those who overwhelmingly supported the NAC's agenda, such as Chiefs based in the Northern Province and those (mainly Chiefs in the Southern and Central

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<sup>113</sup> *Ibid.*, op. cit., p. 79.

<sup>114</sup> *Ibid.*, p. 79.

<sup>115</sup> This thesis does not provide a detailed examination of Banda's life and his personal impact on Malawian politics since this has been comprehensively covered by scholars such as Short and Williams, op. cit.

Provinces) who gave the NAC lukewarm support, and in some cases aligned themselves with the colonial authorities. There were also divisions among the leaders of the NAC on the nature of the anti-colonial struggle. Local members of the emerging pre-independence political elite, such as Manoah Chirwa—who did not support the NAC's stand on federal matters—found themselves the victims of attacks by leading members of the nationalist movement, such as Banda, who referred to moderates as 'stooges' and 'Capricorns.'<sup>116</sup>

A few months after his arrival, Banda toured the country widely and was everywhere received with enthusiasm by local people. His power within the NAC expanded shortly after his arrival when, at the Congress' annual conference in August, he was granted the "exclusive right to choose [the NAC's] office-bearers."<sup>117</sup> He also met several times with colonial officials, presenting them with what the NAC considered to be necessary constitutional changes in the protectorate, but his efforts were in vain.<sup>118</sup> The main constitutional change demanded by the NAC was outlined in a letter Banda sent to the Labour Party's shadow colonial secretary, Mr. Callaghan, in which he stated: "The minimum I am prepared to accept personally and to recommend to my people are the proposals contained in the Labour Party's statement of last March or April, which called for a majority in the Legislative Council and parity in the Executive Council, with this difference; that parity must mean balance between Europeans and Africans regardless of whether these are officials or not."<sup>119</sup>

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<sup>116</sup> *Ibid.*

<sup>117</sup> Rotberg, 1965, *op. cit.*, p. 287.

<sup>118</sup> *Ibid.*, p. 289.

<sup>119</sup> Dr. Banda's letter to Mr. Callaghan, quoted in Short, *op. cit.*, p. 238.



Frustrations mounted among members of the NAC due to the lack of interest shown by colonial officials on matters that they regarded as important. In 1959 the leaders of the nationalist movement became more militant. For instance, while in Salisbury, after attending the All African People's Conference, Banda declared at a public rally:

They can do what they like to me. They can send me to prison. They can kill me. I will never give up my fight for freedom. We have to be prepared to go to prison. We must fill the prisons, millions of us. . . . If they send me to prison I do not mind. They can put me on the Seychelles like Makarios, or on St. Helena like Napoleon. I am prepared for anything, even death. I am not afraid of anything. I will fight Federation from prison. Even from the grave my ghost will return to fight Federation.<sup>120</sup>

In the early part of 1959, Nyasaland experienced a rising tide of popular protest, which marked the onset of the crisis of the colonial state. This protest culminated with the arrest of almost the entire leadership of the NAC and the declaration of an emergency. The colonial state's March 3, 1959 'Operation Sunrise' succeeded in arresting approximately two hundred and eight individuals, including Banda.<sup>121</sup> The NAC was banned. The arrest and eventual detention of Banda was marked by protests, but the expanded powers accorded to the colonial state under the emergency measures enabled authorities to subdue protesters.<sup>122</sup>

While the mass arrests managed to slow the nationalist campaign, later in the year a new party emerged in the country whose core members were nationalists: Aleke Banda, (who had been deported from Southern Rhodesia to his motherland); Orton Chirwa (who had been arrested during 'Operation Sunrise' and released in August); Sydney Somanje; Augustine Mtambara; and other prominent members of the emerging African elite. Together they formed the Malawi Congress Party (MCP) with Orton Chirwa as the

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<sup>120</sup> Quoted in Short, *op. cit.*, pp. 104-105.

<sup>121</sup> Jones, *op. cit.*, p. 240-241.

<sup>122</sup> For example, see the discussion by Colin Leys, "The Growth of Police Powers and the 1959 Emergencies," in Colin Leys and Cranford Pratt, *op. cit.*

President-General and Aleke Banda as Secretary-General.<sup>123</sup> The leaders of this party stated that their main objective was “to work relentlessly to achieve self-government and ultimate independence for the people of Nyasaland, . . .to serve as the vigorous conscious political vanguard for removing all forms of oppression, racial, economic, social and otherwise, and for the establishment of a democratic national government in Nyasaland.”<sup>124</sup> By 1960 the MCP had emerged as a mass movement. The same year saw the release of nationalist leaders from prison—including Banda, who then became president of the MCP.

Between 1960 and 1963 a series of events occurred that would lead to independence and the demise of the Federation.<sup>125</sup> Several scholars have covered these events in great detail.<sup>126</sup> The concern here is only to examine the character of the emerging political elite and the legacy it inherited from the colonial political and economic structures, since, as argued in chapter two, it is not only social and political structures that determine socio-political change, but also their interaction with local social forces.

Two features characterised the emerging political elite: its concentration on constitutional changes above all else, and a rising tendency towards intolerance of dissenting voices. From the early days of the anti-Federation struggle, members of the emerging political

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<sup>123</sup> Jones, *op. cit.*, pp. 308-309.

<sup>124</sup> *Ibid.*, p. 309.

<sup>125</sup> Key events leading to the independence were as follows. First, the 1960 constitution conference that was organised by the then Secretary of State, Mr. Ian Macleod, and was attended by representatives from the various political parties and at which the MCP insisted on an African majority in both the Executive and the Legislative Councils. The result of this Conference was an agreement on a Nyasaland franchise characterised by a dual-roll franchise, with twelve lower-roll seats, six higher-roll and five officials in the Legislative Council, and five officials and five unofficials, the latter drawn from the elected members of the Legislative Council, in the Executive Council. Second, the Moncton Commission, which was critical of the Federation. Third, the 1961 constitution conference in London that paved the way for general elections in the same year. The results of these elections established an African majority in the Legislature Council with the MCP winning all twenty seats on the lower roll. Fourth, the Federation Review Commission which resulted in recommending the end of Federation.

elite had concentrated on obtaining constitutional concessions that would pave the way for them to form a majority in the Legislative Council and would eventually lead to independence. During the 1960 conference organised by Mr. Ian Macleod, then Secretary of State in Britain, the nationalists—led by Banda—repeated their demand for majority representation in the Legislative Council. In their struggle, the issue of liberation was cast mainly in racial terms, and no fundamental critique was offered of the nature of the country's economic structure or its place in the international capitalist system. This desire to concentrate on constitutional and political matters is understandable given the racism that the local African population faced under colonialism. The problem with this approach was that it limited the liberation project. The poverty of the emerging political elite's liberation agenda was captured by Franz Fanon's pointed observation about nationalist movements in former colonies:

The objective of nationalist parties is . . . strictly national. They mobilize the people with slogans of independence, and for the rest leave it to future events. When such parties are questioned on the economic programme of the state they are clamouring for, or on the nature of the regime which they propose to install, they are incapable of replying. . . . [Thus their] mission has nothing to do with the transforming of the nation.<sup>127</sup>

While Franz Fanon may have exaggerated the limitations of the decolonisation process as advocated by African nationalists, his point about the need for a broader vision was valid.

During this period, too, Nyasaland's political elite increasingly demonstrated authoritarian tendencies, not only within its organisational orbit but also in its dealings with individuals considered to be opponents of its political agenda. For instance, MCP leaders and their supporters were vehemently opposed to the formation of other African-

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<sup>126</sup> For detailed analysis of this period see Lucy Mair, *The Nyasaland Elections of 1961* (London: The Athlone Press, 1962) and Short, op. cit., pp.130-196.

<sup>127</sup> Franz Fanon, *The Wretched of Earth* (London: Penguin, 1967), pp. 121-122.

based political parties and made their stand very clear during the 1961 local Nyasaland elections campaign. Banda and other MCP members took every opportunity to ridicule individuals such as Chester Katsonga, the leader of the Christian Liberal Party, calling his party the 'African Branch' of the 'United Fools' Party' (the latter a reference to the United Federal Party in the two Rhodesias, a pro-Federation party).<sup>128</sup> Mr. T.D. Banda, who had fallen out with the MCP and was campaigning on a Christian Liberal Party ticket, withdrew his candidacy in the 1961 elections, claiming that MCP supporters constantly harassed him and disrupted his campaign.<sup>129</sup>

Since his arrival in 1958 Banda had acquired tremendous power within the MCP. Upon his release from prison, his power was expanded when he was made Life President of the party. Using his extensive powers, Banda established a committee whose mandate was to create party discipline mechanisms and to see that the necessary machinery existed to ensure the MCP's dominance in the country—or, as he put it, to ensure "the Party as the sole ruler of this country."<sup>130</sup> The establishment of a disciplinary committee facilitated the dismissal of those considered a threat to MCP ideas, especially leaders of the trade union movement such as Suzgo Msiska and Chakufwa Chihana, General Secretaries of the Transport & Allied Workers Union and the Commercial & General Workers Union respectively. Their support of labour union activities and demands for the improvement of economic conditions in the country were opposed by leading members of the MCP, such as Yatuta Chisiza, who claimed that the unions should be placed under government control—views that led Chihana in turn to accuse the MCP of betraying the interests of Malawian workers.<sup>131</sup> He and Suzgo Msiska were suspended

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<sup>128</sup> Short, op. cit., p. 150.

<sup>129</sup> Ibid.

<sup>130</sup> *Malawi News*, 28 December 1962.

<sup>131</sup> Short, op. cit., p. 156-7.

from Party membership in June 1962, a first step towards undermining the independence of the unions. MCP disapproval of these two mounted in February 1963 when they came out in opposition to the Trade Union (Amendment) Ordinance, which stripped the unions of their independence. Following this event, Msiska resigned as Secretary-General and a year later left the country. Chakufwa Chihana remained in office up to the end of January 1964, when he too resigned after attacks by members of the MCP, which left him seriously injured. He left the country and remained in exile in Kenya until 1971, when the postcolonial regime's security forces abducted him back to Malawi and placed him in detention without trial.<sup>132</sup>

In addition to its intolerance of dissent, the political elite advocated the concentration of power in a one-party state, arguing that this was consistent with local cultural norms. For instance, in 1960 Mr. Henry Chipembere declared:

The new independent African States have all shown themselves to be keen to inherit only the good fruits of Western thinking and to reject all its destructive myths and political superstitions. They are developing what Britons deride as 'monolithic' States. This is nothing to worry about. Africa must evolve systems that suit her people's attitudes and temperament. . . . Half the population of Europe lives under one type of authoritarian state or another, and they are none the worse for it.<sup>133</sup>

His colleague, Kanyama Chiume (who was later to become a victim of the postcolonial state) stated during a parliamentary debate that "there is absolutely nothing wrong in dictatorship, and, therefore, if we, through the Malawi Congress Party, establish a dictatorship here, we can only be described as the loyal servants of God."<sup>134</sup> Others, such as Dunduza Chisiza, while believing in the need for a strong government, also

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<sup>132</sup> Interview with Mr. C. Chihana, Lilongwe, 6 July 1998.

<sup>133</sup> H.B. M. Chipembere, "Something about Opposition Parties," *Malawi News*, 26 November 1960.

<sup>134</sup> *Hansard*, 19-26 May 1964, pp. 124-25.

believed in the need to protect individual rights. The tensions that lay ahead for nationalists were captured by Chisiza when he wrote:

If a nationalist movement is to achieve the goal of independence, it is vitally important that one of the leaders should be elevated well above the others; that his former equals should look upon themselves as his juniors; and that they should accept his decision as final; and that they should pledge loyalty to his leadership. But once independence has been achieved, the problem of reconciling submissiveness to the top leader and individual initiative on the part of second-level leaders arises. To a man who has been surrounded by submissive associates for a long time, the exercise of initiative by his associates is easily misconstrued as a sign of rivalry and disloyalty.<sup>135</sup>

Dunduzi Chisiza himself did not live to see the nature of the postcolonial state—he died in a car crash in 1962.<sup>136</sup> Nevertheless, it is important to note that as a leading Nyasaland intellectual and advocate of basic individual rights, his thinking on economic matters was not very different from that of other leaders of the MCP—particularly Banda. For instance, like Banda, he advocated the involvement of politicians in business and other arenas of economic enterprise. He also believed in strong government and advocated the exploitation of peasant producers by the state's agrarian parastatal organisation, claiming that this was necessary to "help the Government in siphoning off money from the growers for further development."<sup>137</sup>

#### *The nature of Malawi's social formation at independence*

Nyasaland became independent on July 6, 1964. After a victorious election in 1963, the Malawi Congress Party, under the leadership of Banda, took over the reins of state power. The subsequent evolution of the postcolonial political economy was greatly influenced by the nature of the social formation at independence. First, the political elite

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<sup>135</sup> Dunduzi Chisiza. *Africa's Freedom* (London: Unwin Books, 1964), p.17.

<sup>136</sup> Banda and his close associates are alleged to have been involved in Dunduzi Chisiza's early death. The rise of mysterious car 'accidents' in the postcolonial period involving those considered 'enemies of the state' is taken as proof of this claim.

<sup>137</sup> *Hansard*, 6-7 March 1962, p. 159.

inherited a state whose economic base was a nascent form of peripheral capitalism. Moreover, at no point had the members of the political elite challenged the authoritarian form of the state which they were about to inherit. Thus, when the new ruling class embarked on a drive to expand their power the foundations for this were already in place.

Second, the state they inherited had a fragile political base. The evolution of the colonial political and economic structures had resulted in the politicisation of ethnic-regional identity. The division of the country into three regions and the pattern of colonial economic development, with its concentration of economic activities in the Southern Province, reproduced ethnic identities in a manner such that all public affairs came to be viewed through an ethnic-regional lens, and the colonial political strategy of pitting one ethnic community against another deepened ethnic consciousness. All these developments generated ethnic-regional tensions, some of which came to the fore barely two months after independence. This politicisation of ethnic-regional identity was to have a major impact on postcolonial developments, particularly with respect to the democratisation process. In addition to ethnic-regional tensions, there were tensions between the African population and the other races (European and Asian), which erupted in the postcolonial period. Further, there were also major tensions among members of the political elite. All these tensions would crystallise at various turning points in the postcolonial period.

Third, Malawi was incorporated into the international capitalist system as a producer of agrarian goods and possessed a narrowly based economic structure (see Tables 3.3 and 3.4). This laid the foundation for the country's dependence on the transnational lending community for financial flows—the delivery of which was greatly influenced by

this community's political and economic policy towards the developing world at any given moment. This not only shaped postcolonial state power to a large extent, but also influenced postcolonial class formation.

Fourth, as this chapter has shown, the evolution of the colonial economic structure in general had marginalised the African population. Further, colonial developments generated limited socio-economic transformation, hence the common reference to Malawi as "a colonial slum." At independence the country was ranked among the poorest in the world with an average gross domestic product per head of Mkwacha 39.5 (approximately 20 pounds), and 90 per cent of the population was dependent on subsistence agrarian production.<sup>138</sup> In terms of employment, approximately 130,000 were engaged wage employment, with about 200,000 more working abroad as migrant labourers. Infrastructural development was also limited. For example, the country had only 6,127 miles of road, and out of these only 295.5 miles were bitumenized and 3,561.5 miles could only be used during the dry season. Most areas of the Central and Northern Regions were not served by roads at all. In the postcolonial era, these factors provided the MCP-led regime with powerful political tools in its efforts to strengthen its political and economic bases.

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<sup>138</sup> Kathryn Morton, *Aid and Dependence: British Aid to Malawi* (London: Croom Helm, 1975), p. 12



**TABLE 3.3**  
**ANNUAL EXPORT CROPS, 1948-1960**

Crop	1948		1953		1960	
	Short tons	£	Short tons	£	Short tons	£
Tobacco	12,923	2,250,000	13,127	2,877,700	17,364	2,048,000
Tea	7,535	1,350,000	6,563	1,570,400	12,366	4,096,000
Cotton	2,453	369,100	3,209	788,400	13,566	644,000
Oilseeds	1,370	19,900	11,675	455,000	20,698	855,000
Rice	11	300	1,572	100,500	7,080	118,000
Grain	860	15,700	41,545	966,600	16,613	112,000
Pulses	1,211	25,000	2,124	71,500	6,320	177,800
Roots	-	-	446	7,500	6,127	82,300
Coffee	-	-	5	1,700	179	-
Total	26,763	4,097,400	81,169	6,966,700	101,497	9,255,100

Source: J.G. Pike and G.T. Rimmington, *Malawi: A Geographic Study* (London: Oxford University Press, 1965), p. 219.

**TABLE 3.4**  
**GROSS DOMESTIC PRODUCT OF NYASALAND BY INDUSTRIAL ORIGIN, 1960**  
**(as a Percentage of the Total)**

Origin	Percentage
Agriculture:	
African	35.5
Non-African	9.2
Distribution	9.4
Manufacturing	4.5
Transport and communications	3.7
Building and construction	3.6
Public administration and defence	3.4
Services, other	2.2
Education	1.9
Health	1.0
Domestic services	1.0
Electricity and water	0.6
Banking and Insurance	0.6
Ownership of dwellings	0.5
Real estate	0.4
Mining and quarrying	0.1
African rural household services	22.3
Total gross domestic product	100.0

Source: Nyasaland Government. *Development Plan 1962-1965* (Zomba: Government Printers, 1962 ), p. 16

## **CHAPTER FOUR: THE POSTCOLONIAL STATE, 1964-1991**

I run this state as if it were my own property. I don't let Ministers do what they like in their Ministries. . . . I am not going to give up my power.<sup>1</sup>

This chapter argues that the rise of a one-party authoritarian state not only generated political contradictions that led to the general crisis of the state in 1992, but also shaped the nature of the resulting democracy. The chapter has three parts. Part one examines the genesis and evolution of the September 1964 political crisis, since this event marked not only the political demise of leading members of the national movement, but also the beginning of an intensified campaign by the postcolonial regime to consolidate power. Part two analyses the institutional and ideological frameworks that facilitated the rise of the postcolonial authoritarian state. Part three describes some of the methods utilised by the regime in its efforts to silence 'subversive' elements.

### **The 1964 crisis of the postcolonial regime**

The political crisis of September 1964 marked the collapse of the nationalist coalition. As discussed in the last chapter, differences within the nationalist bloc were muted during the decolonisation struggle. However, two months after the independence celebrations of 6 July, 1964, Malawi faced a serious political crisis that brought the differences between members of the postcolonial political elite to the fore and marked the beginning of a concerted effort by Banda to reconfigure the state's legal and ideological frameworks. The crisis arose from differences between Banda and some of his key ministers (hereafter referred to as the 'rebel' ministers). This division centred on four key issues: the nature of the postcolonial state's Africanisation program; Banda's growing

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<sup>1</sup> *Hansard*, 8-9 September, 1964, p. 18.

autocracy; Malawi's relations with regional imperialist powers; and the country's future development path and international relations.<sup>2</sup>

One of the most pressing issues that the state had to deal with immediately after independence was the nature and implementation of the long-awaited program of Africanisation in various government sectors—a key promise made by the nationalists during the struggle for independence. Malawi's Africanisation program was outlined in what came to be known as the Skinner Report. This report emerged from a study by Mr. B. Skinner, who was commissioned by the Nyasaland government, prior to independence, to look into ways of limiting government costs. One of the key areas of investigation was the conditions of civil service employment.<sup>3</sup> Mr. Skinner made a number of recommendations, among which the most important were "that the economy was not able to support a local civil service at expatriate wage rates; that lower-grade wages be cut and those of the middle-grade remain constant; and that a contributory pension fund be established to provide a pool of enforced savings."<sup>4</sup> The civil servants felt the effects of the last provision immediately, with a 7.5 per cent reduction in their salaries.<sup>5</sup> The report and its uncritical embrace by Banda angered leading cabinet ministers and civil servants. Their bitterness was further aggravated by Banda's continued policy of appointing Europeans associated with the discredited United Federal

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<sup>2</sup> The following were the so-called rebel Ministers: Mr. O.E.C. Chirwa, Minister of Justice and Attorney General; Mr. A.W. Bwanausi, Minister of Works and Housing; Mr. Y.K. Chisiza, Parliamentary Secretary and Minister of Labour; Mr. J.D. Msonthi, Minister of Trade and Industry; Mr. W. Chokani, Minister of Labour; and Mr. M.W.K. Chiume, Minister of Education, Social Development and Information (Nyasaland Protectorate, *Legislative Assembly* (Zomba: Government Printer, 1963), p. 977).

<sup>3</sup> *The Report of the Commission to Examine the Salary Scale and Conditions of Service of Local Officers*, Nyasaland Government Establishment Circular no. 148, 1 May 1964. The report is named after its chair, Mr. B. Skinner, who was at the time the Chief Personnel Officer of the East Africa Commission.

<sup>4</sup> Carolyn McMaster, *Malawi-Foreign Policy and Development* (London: Julian Friedmann Publishers Ltd, 1974), p. 57.

<sup>5</sup> *Ibid.*

Party (UFP) to head public sector bodies: for instance, Mr. Leslie Little's nomination as head of the Malawi Development Corporation.<sup>6</sup>

The second issue which divided Banda and his 'rebel' ministers was his increasingly autocratic style and the disrespect he showed for his ministers. According to Kanyama Chiume,

As we approached independence, Banda became increasingly autocratic and despotic, choosing to play to Smith, Salazar and Verwoed. He insulted us both in public and in private and made decisions concerning our ministries without consulting us. He directed the expatriate permanent secretaries to spy on us and together they reviewed our decisions which had only been arrived at with Banda's agreement. . . . The cabinet had, by then, become a rubber stamp for Banda's ideas. Whenever one initiated something, he made sure that in public one attributed the idea to 'Kamuzu'. We were made to feel that we were robots unable to work on our own without our 'great leader'.<sup>7</sup>

In July 1964, during the Organisation for African Unity (OAU) meeting in Cairo, Banda deliberately embarrassed his ministers in the presence of other dignitaries by referring to them as his "boys" and declaring that in Malawi "he decided everything. No nonsense from any of these boys."<sup>8</sup> In his capacity as Minister of Health, Banda introduced out-patient fees (three pence) in government hospitals, a move that made it difficult for most Malawians to seek medical help.<sup>9</sup> Banda implemented this change of health policy without consulting the cabinet. Ministers were faced with a citizenry that was beginning to ask where the promises made during the nationalist movement had gone.<sup>10</sup>

Other events further alienated the ministers from Banda: for instance, his instructions to the people of Malawi, while addressing a crowd of well-wishers at Chileka airport upon his return from the OAU conference in 1964, to spy on cabinet ministers and members of

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<sup>6</sup> Leslie Little was a past deputy leader of the United Federal Party.

<sup>7</sup> Kanyama Chiume, *Autobiography of Kanyama Chiume* (London: Panaf Books Ltd., 1982), pp. 201-202.

<sup>8</sup> *Ibid.*, p. 192.

<sup>9</sup> *Ibid.*, p. 203.

<sup>10</sup> *Ibid.*

the Central Committee of the Malawi Congress Party.<sup>11</sup> Later, on 5 August 1964, Banda introduced a Constitutional amendment along the lines of the *Southern Rhodesia Law and Order (Maintenance) Act*, allowing detention without trial.<sup>12</sup>

A third conflict between Banda and the four 'rebel' ministers concerned Malawi's relations with the neighbouring imperialist powers of Portuguese-ruled Mozambique, apartheid-ruled South Africa, and Northern Rhodesia. In Banda's view, cooperation and dialogue with these states was central to Malawi's economic development:

The colonial history and colonial geography makes it impossible for me to cut off all relations with Portugal, diplomatic, commercial, cultural and otherwise, because colonial history and colonial geography has denied Malawi a port of its own. Everything we sell abroad, whether it be tobacco, groundnuts, tea or anything, has to go through Beira which is plagued by a power of Europe. . . . Any resolution in this country that we must cut all relations with Portugal—diplomatic, commercial or cultural—is impossible to accept.<sup>13</sup>

Banda's view differed radically from that of the 'rebel' ministers, who were committed to anti-imperialist struggle and pragmatic panafricanism, which included 'selective' engagement with these states. In the case of Portuguese-ruled Mozambique, for instance, their approach would have been to continue transporting goods through Beira while at the same time developing alternative trade routes, preferably through Tanzania.<sup>14</sup> Banda made his views about Malawi's relations with regional imperialist powers known not only to his ministers, but also to other African leaders. During the earlier mentioned

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<sup>11</sup> Ibid, p. 189, and interview with Dr. Vera Chirwa, 15 July 1998. Dr. Vera Chirwa is the widow of the late Orton Chirwa, one of the Ministers who fled the country after the cabinet crisis.

<sup>12</sup> Chiume, op. cit., p. 205. The Constitution amendment led to the resignation of Colin Cameron, the only European Member of Parliament. Ibid.

<sup>13</sup> *Hansard*, op. cit., 8-9 September, p. 15.

<sup>14</sup> McMaster, op. cit., p. 58.

Organisation for African Unity (OAU) meeting in Cairo, he announced, to the dismay of the other African leaders, who at this point were committed to the liberation of the continent from imperialist forces, that "he had no time for the OAU's attitude to Mozambique, Angola, Rhodesia and South Africa."<sup>15</sup>

The question of the development path that Malawi was to take in the postcolonial era was another divisive issue. Before the independence celebrations, Banda had given a speech in which he outlined the various national economic "avenues" that countries followed: the capitalist path, the socialist path, the mixed economy path, and the liberal socialist path. In this speech he declared that Malawi would take a capitalist path of development. He warned his ministers to be wary of representatives of socialist countries who might try to persuade them to follow a socialist path. The 'rebel' ministers considered 'African socialism', as advocated by Julius Nyerere of Tanzania and Kwame Nkrumah of Ghana, more attractive than the pro-Western capitalist development path that Banda was proposing.

The political crisis came to a head between 7 and 9 September 1964. On September 7, three of the rebel ministers—Chirwa, Chiume, and Bwanausi—were summoned to meet individually with the Governor-General Glyn Jones, who informed them that on the order of the Prime Minister, Banda, they were dismissed from the cabinet. Two of the remaining ministers, Chisiza and Chokani, resigned in support of their colleagues.<sup>16</sup> A Junior Minister of Social Development, Mrs. R. Chibambo, was also dismissed. Mr. H.B.M. Chipembere, Minister of Local Government, who was considered a member of the rebel group of ministers, was out of the country at this time. On September 8, Banda

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<sup>15</sup> Ibid, p. 193.

<sup>16</sup> Mr. J. Msonthi, resigned and then withdrew his resignation the same evening.

addressed a special session of parliament and vehemently denounced the 'rebel' ministers as troublemakers whose sole aim was to create political instability in Malawi by destroying the four cornerstones of the ruling Malawi Congress Party and the government—Unity, Obedience, Loyalty and Discipline.<sup>17</sup> He claimed that they were puppets of the Chinese Embassy in Dar es Salaam and that the Chinese Ambassador had offered to give his regime six million pounds upon Malawi's acceptance of Chinese communist rule. When he refused the offer, he said, the Embassy offered the 'rebel' Ministers eighteen million pounds. In his view, this proved that the rebel ministers were planning to create political instability and lead the country along a communist path; they had to be stopped before it was too late.<sup>18</sup> Banda also portrayed the ministers as greedy for power and the wealth that would come with it:

They are crooks, that bunch. They say we must distribute Ministries, not because I mismanaged those Ministries, but because they haven't had a chance to practise bribery and corruption. . . . I don't let Ministers do what they like in their Ministries—well, I am not going to let them do what they like, because I know what is going on in other countries. When you let Ministers do what they like, they make their Ministries a source of fabulous sums by bribery and corruption. I am not going to give up my power. They wanted me to give up all my powers, you see, so that they could use my powers themselves to do what they like—enrich themselves.<sup>19</sup>

On 9 September 1964 Banda called a special session of parliament at which he tabled a motion of confidence and demanded that the members vote on it the same day. He won the vote and considered this a sign that he had the support of the Malawian people.

On 16 September 1964 the Malawi Congress Party announced that the 'rebel' ministers were suspended from the party and prohibited from holding meetings, and on the same day Banda announced their replacements.<sup>20</sup> The 'rebel' Ministers attempted to challenge

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<sup>17</sup> Unity, loyalty, discipline, and obedience are the four cornerstones of the Manifesto of the Malawi Congress Party and constituted the main political slogan under Dr. Banda's rule.

<sup>18</sup> *Hansard*, 8 September 1964, Government Printer, Zomba, p. 17.

<sup>19</sup> *Ibid*, p. 18.

<sup>20</sup> *Malawi News*, 17 September 1964, The following were the new Ministers: Gwanda Chakuamba, Minister of Community and Social Development; Mr. M. Q. Y. Chibambo, Minister of Housing, Works



the ban and held a series of meetings in an effort to defend their position. One of them, Mr. Henry Chipembere, addressing a rally in his district of Fort Johnston, reiterated the ex-ministers' opposition to Banda's policies, especially the implementation of the Skinner Report and the maintaining of relations with neighbouring imperialist powers, adding that the postcolonial government was "worse than Welensky's Federal Government," and that he was not going to be part of it.<sup>21</sup>

As the impasse between Banda and the ex-ministers continued, there were outbreaks of violence in the area surrounding Blantyre, the commercial centre of Malawi, and in Zomba, then the capital of Malawi. During the outbreak in Zomba on 28 September 1964, people burned the country's flag and attacked Banda's supporters, singling out his new Minister for Community and Social Development, Mr. G. C. Chakuamba. Contrary to Banda's rhetoric about his own popularity, there was considerable public support for the 'rebel' ministers, particularly on the part of the civil servants, whose living standard had been negatively affected by the Skinner Report. For example, there were serious clashes between civil servants and some Malawi Young Pioneers during a strike in support of the rebel ministers on September 29, 1964.

With the increase in the number of violent incidents and state-sponsored security operations, especially those conducted by the regime's paramilitary force, the Young Pioneers, the 'rebel' ministers began to leave Malawi for voluntary exile. By early November, only Henry Chipembere was still in the country. His activities were by then

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and Development; Mr. Richard Chidzanja, Minister of Trade and Industry; Mr. Alex Nyasulu, Minister of Natural Resources; and Mr. A.A., Muwalo, Minister of Information. Banda added the Ministry of External Affairs to his own already extensive ministerial responsibilities.

<sup>21</sup> *The Times of London*, 15 September 1964, p. 8 quoted in Selby Hickey Joffe, *Political Culture and Communication in Malawi: The Hortatory Regime of Kamuzu Banda* (Ann Arbor, Michigan:University Microfilms International, 1981), p. 222.

restricted since Banda had put him under a control order as stipulated in a newly-passed constitutional amendment known as *The Preservation of the Public Security Ordinance* (CAP.51).<sup>22</sup>

A month of uncertainty finally ended with the postcolonial regime intact and with Banda declaring victory. During a parliamentary session on 30 October 1964, Banda stressed that he had the support of the people of Malawi and declared that the rebel ex-ministers had no legitimacy in the country: "They don't count, they are just reeds who fly in the wind."<sup>23</sup> For the Prime Minister, the result of the cabinet crisis testified to the strength of his leadership. Commenting on this issue in 1965, he stated:

Only in this country is there a situation. Here you have three Ministers sacked and three others resigned and still the Government did not fall. Only in this country. In any other country, under any other so-called leader, once that happened. . . . three Ministers sacked, three others resigned . . . an election or Congo? Not here! As long as I am here things are going to be like that. Whether anyone likes it or not, they are going to be like that. Yes, I want to make this quite clear because they talk, you know, in certain places, oh, this detention, detaining people and restricting people, you know, it causes apprehension. Apprehension to whom? Only those who are plotting against me and the Government and the Malawi Congress Party need be apprehensive.<sup>24</sup>

The regime, however, was reminded of the ex-Ministers once again when on 12 February 1965 Chipembere and his supporters started a revolt and managed to capture Fort Johnston. They were planning to take Zomba, but a tip from some members of Banda's extensive spy network enabled the regime's security forces to block Chipembere and his supporters from crossing the Shire River from Liwonde.<sup>25</sup> Following this defeat, Chipembere fled the country. He died later in exile.

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<sup>22</sup> Under this Ordinance, the Minister responsible for national security was given the power to issue a control order constraining the movements of any individual deemed to be a threat to public order. The key features of a control order were: "Prohibiting, except insofar as may be permitted by the order or by a written permit issued by the Minister, the controlled person from entering, leaving or remaining in any such place or area in Malawi as may be specified in the order. Requiring the controlled person to notify his movements in such manner, at such times and to such persons as may be specified in the order. Requiring the controlled person to report to such persons, at such times and at such places as may be specified in the order" (*Gazette Extraordinary, The Malawi Gazette Supplement*, 30 September 1964, p. 332).

<sup>23</sup> *Hansard*, 30 October 1964, p. 276.

<sup>24</sup> *Hansard*, 9 April 1965, p. 512.

<sup>25</sup> Joffe, *op. cit.*, p. 226.

The departure of the ex-ministers signified the end of overt political activity in Malawi. For the Prime Minister, their departure opened an opportunity to push for more concentration of power in the executive branch of government. This was accomplished over the years through changes to the existing constitution, the introduction of the 1966 Republican Constitution, and the use of the parliament, the Malawi Congress Party, and the Malawi Young Pioneers as disseminating and legitimising instruments of the state's ideological order and authoritarian policies.

### **The rise of a postcolonial authoritarian state: the institutional and ideological frameworks**

It is generally agreed these days that strong-man governments are needed in Africa and in other under-developed parts of the world. But the question must be asked, Where do we draw the line between a strong man and a dictator? Assuming a strong man has degenerated into a dictator, backed by the police and the army, how can his clutch be dislodged? The mind of a dictator is obviously not open to persuasion.<sup>26</sup>

In postcolonial Malawi, four principal institutions aided the state in consolidating power in a one-party authoritarian state: the judiciary, the Malawi Congress Party, the postcolonial parliament, and the Malawi Young Pioneers.<sup>27</sup>

#### **The judicial framework**

The 1964 political crisis marked the beginning of an intensified campaign to expand the power of the state, and with it that of Banda. Several changes were introduced into the judicial framework, mostly aimed at the consolidating of power in the executive branch of government and providing the legal basis for dealing with individuals defined as 'subversive elements'. The repressive legal framework was formulated by parliamentary

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<sup>26</sup> Dunduza Chisiza, *Africa's Freedom* (London: Unwin Books, 1964), p. 43.

<sup>27</sup> Besides these three the bureaucracy and the state-controlled media played a key role in the making of the postcolonial authoritarian state.

amendments to some key constitutional bills in the period immediately following the 1964 crisis, and was consolidated by the introduction of the 1966 Republic Constitution.

The September 1964 *Preservation of Public Security Ordinance*, under which Henry Chipembere was restricted, gave Banda unlimited powers to restrict the activity of any individual. The Ordinance also banned the publication of material that might negatively affect public security "or public confidence in government,...promote feelings of ill will and hostility between any sections or races or classes in Malawi, or promote individual unrest."<sup>28</sup> Shortly after the Ordinance became law, the Parliament passed a Constitution (Amendment) Bill, introduced by Banda on 5 August 1964, aimed at expanding the regime's power to detain without trial any person "when such detention is reasonably required in the interests of defence, public safety and public order."<sup>29</sup> Previously the regime had power to restrict only those deemed to be a threat to public safety.

To contain unrest in the civil service, Banda made changes in the civil service regulations, empowering the Minister in charge of public security to dismiss from the civil service, without due process, anyone considered to be involved in "subversive activities." After making the changes, Banda informed Parliament:

I'd like to let you . . . know that last week I ordered changes in the Civil Service Regulations, and those changes have been carried out now! No fuss of any man having to go to the Civil Service Commission and then investigate. Investigate what? There, I have now new regulations. The minute the Minister responsible for public security says that these civil servants have been engaged in subversive activities, those civil servants are finished. No fuss and no Court of Appeal.<sup>30</sup>

Parliamentary procedures were not spared either. During the October 1964 session of Parliament, the Constitution was amended to alter the number of votes needed for

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<sup>28</sup> *Gazette Extraordinary*, 30 September 1964, op. cit., p. 332.

<sup>29</sup> Constitution of Malawi (Amendment) Bill, passed in Parliament, 29 October, 1964.

<sup>30</sup> *Hansard*, First Session, Third Meeting, 28<sup>th</sup> October, 1964, p. 209

passing a constitutional alteration from a two-thirds majority to half plus one. Explaining his reasons for introducing this amendment, Banda stated:

I am introducing this amendment to make sure that in future Chiume's friends will not take advantage of a two-thirds majority because supposing, say, some of Chiume's friends were here now and we want to pass a law against them, they will frustrate us because we wouldn't have a majority, we wouldn't have two-thirds. . . . Supposing Chipembere and Company contest elections. Enough of them contest elections, well they can come here and block us. I want to make sure that the intentions of the people of this country . . . [are] not frustrated by a few ambitious Lucifer Chiumes and Henry Fisis<sup>31</sup>. I can assure the Member [Blackwood, the leader of the European members] it will never be used against your side, never, but it will be used against the future Chiumes and future Chipembere, that's all.<sup>32</sup>

In January 1965 the regime announced its intention to open a detention camp in Lilongwe District.<sup>33</sup> The Dzekeka camp was the first of many detention facilities that the regime would establish in the course of the next thirty years. Commenting on the regime's detention policy, and in response to critics, Banda declared that "the world can howl dictatorship. I am going to rule this country."<sup>34</sup> Introducing the detention bill—which was passed unanimously—in Parliament he further stated that he would not hesitate to detain those involved in subversive activities while under control orders.<sup>35</sup> In April 1965 the *Penal Code (Amendment) Act* was passed, making treason punishable by death. In a clear message to Chipembere and his sympathisers, the provisions of the expanded *Penal Code* were made retroactive to 1 January 1965.<sup>36</sup> In the same month, Parliament amended the Constitution, eliminating provisions that allowed Malawians to appeal detentions, restriction orders, and criminal cases to the British Privy Council.<sup>37</sup>

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<sup>31</sup> *Fisi* means hyena in the President's mother tongue, Chichewa.

<sup>32</sup> *Hansard*, 30 October, 1964, p. 269.

<sup>33</sup> *Hansard*, 26 January, 1965, p. 459.

<sup>34</sup> *Ibid.*

<sup>35</sup> *Ibid.*

<sup>36</sup> Act no. 24, 1965, *Penal Code (Amendment) Act* and *Malawi Gazette Supplement*, no. 4C, 11 May 1965.

<sup>37</sup> *Hansard*, 12 April 1965, pp. 647-48 and p. 662.

Dictators have almost always attempted to control the channels of communication in their efforts to eliminate the dissemination of new or alternative ideas, and to spread and legitimise their own ideologies and policies. In Malawi, the state accomplished this with the introduction of the *Preservation of Public Security Ordinance* in 1964, the *Censorship and Control of Entertainment Act* in 1968, and the 1973 amendments to the *Penal Code*. Under the *Preservation of Public Security Ordinance*, the following activities were made crimes:

[To] publish anything likely to be prejudicial to public security; undermine the authority of, or the public confidence in, the Government; promote feelings of ill-will or hostility between any sections or classes or races of the inhabitants of Malawi; or to promote, or attempt to promote, industrial unrest in any industry in Malawi in which [a person] has not been bona fide engaged for at least two years immediately preceding.<sup>38</sup>

The 1968 *Censorship and Control of Entertainment Act* was set up to

Regulate and control the making and the exhibition of cinematographic pictures, the importation, production, dissemination and possession of undesirable publications, pictures, statues and records, the performance or presentation of stage plays and public entertainments, the operation of theatres and like places for the performance or presentation of stage plays and public entertainments in the interests of safety. . . .<sup>39</sup>

And section 60A of the 1973 amendments to the *Penal Code* declared:

Any person who, by any means whatsoever, communicates or attempts to communicate, to any person outside Malawi any false statement, information, report or rumour which he has cause to believe may be published or broadcast, either in the form or language in which he communicates it or in some other form or language, to the public generally in some place outside Malawi or to any section of such public, shall be guilty of an offence if such publication or broadcast may reasonably be expected to be harmful to the interests or to the good name of Malawi. Any person who commits an offence against this section shall be liable to imprisonment for life.<sup>40</sup>

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<sup>38</sup> *The Preservation of Public Security Ordinance* (Cap. 51), Gazette Extraordinary, 30 September 1964, op. cit. p. 333. The Ordinance went on to state that "any person who contravenes the provisions of this regulation shall be guilty of an offence," and "for the purposes of this regulation, the word 'publish' includes any publication by means of words written or spoken, pictorial representations, gramophone records and cinema films, including sound tracks" (ibid).

<sup>39</sup> Ibid. For purposes of this Act, publication was defined broadly to cover "any newspaper, book, periodical, pamphlet, poster, playing card, calendar or other printed matter; any writing or typescript which has in any manner been duplicated or exhibited or made available to the public or any section of the public."

<sup>40</sup> *The Penal Code (Amendment) Act*, 1973 op. cit.

In order to control the movements and viewing of any published material in the country, the Malawi Censorship Board was created. The list of materials banned over the years is extensive, but a few examples will suffice to indicate the scope of the censorship: *Animal Farm*, by George Orwell; *The Lion and the Jewel*, by Wole Soyinka; *The Second Sex*, by Simone de Beauvoir; *No Longer at Ease*, by Chinua Achebe; *Kwacha*, by Kanyama Chiume; *Malawi's Foreign Policy*, by Carolyn McMaster; *The Condition of the Working Class in England*, by Frederick Engels; *For Reasons of State*, by Noam Chomsky; *The Revolution of 1848*, by Karl Marx; *A Room with a View*, by E.M. Forster; *The Civil Servant*, by Legson Kayira; poems by the Malawian writer David Rubadiri; *Of Chameleons and Gods*, by Jack Mapanje; *Song of Lawino*, by Okot Bitek; *The Godfather*, by Mario Puzo; *Banda*, by Philip Short; and *Nobody's Friend*, by Samuel John Mpasu.<sup>41</sup> By tightly controlling the channels of communication, the government was able to effectively disseminate state propaganda through its various newspapers and the state-controlled Malawi Broadcasting Corporation, the only radio station legally permitted in the country.

### **Consolidating the state's judicial framework: the 1966 Republican Constitution**

With the enactment of the 1966 Constitution Malawi became a republic. At that point, the Governor General ceased to be the head of the state and was replaced by Banda as President. The origins of the 1966 constitution were proposals made by a Constitutional Committee commissioned by Banda and the ruling Malawi Congress Party during its

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<sup>41</sup> Some items were placed on the prohibited list merely because they offended the President personally. For example, Simon and Garfunkel's song *Cecilia* was banned because 'Cecilia' was the first name of the President's companion, Mama Cecilia Tamanda Kadzamira. According to Leroy Vail and Landeg White, some lines in the song—for instance, "Cecilia, I'm down on my knees, I'm begging you please to come home"—were offensive to the President since it made him appear weak (Leroy Vail and Landeg White, *Power and the Praise-Poem: Southern African Voices in History* (Charlottesville: University of California Press, 1991), p. 298.

annual convention in 1965. The new Constitution was amended several times in the period under review to accommodate the authoritarian tendencies of the state and its ruling elite. The significant features of the 1966 Constitution were the expansion of the powers of the ruling Malawi Congress Party and the President; the limitation of the powers of the judiciary, the parliament, and the public service sector; and the lack of provisions for broader protection of basic human rights.

The new President was elected first by members of the Malawi Congress Party at their October 1965 annual convention, and later by all members of parliament, acting as an Electoral College.<sup>42</sup> Under the 1966 Constitution, future presidents were to be elected by an Electoral College comprised of all members of the following groups:

The National Executive Committee of the Malawi Congress Party; the National Committee of the League of Malawi Women; the National Committee of the League of Malawi Youth; the Members of the Regional Committees of the Party; the Chairmen, Secretaries and Treasurers of all District Committees of the Party; the Chairmen, Secretaries and Treasurers of all District Committees of the League of Malawi Women; the Chairmen, Secretaries and Treasurers of all District Committees of the League of Malawi Youth; the Parliament, except in the case where Parliament has been dissolved; all persons holding or acting in the office of Paramount Chief or Chief established under an Act of Parliament; all Chairmen of District Councils.<sup>43</sup>

While Malawi had been, in effect, a one-party state since the 1961 general elections, the independence constitution still allowed for the existence of other parties. This provision was eliminated in the new Constitution, which stated that the country would have only one national party: the Malawi Congress Party.<sup>44</sup> In proposing this change, the Constitution Committee claimed that the stability and future development of the country

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<sup>42</sup> Constitution Committee, *Proposals for the Republican Constitution of Malawi* (Zomba, The Government Printer, November, 1965) p. 7.

<sup>43</sup> *The Republic of Malawi Constitution*, (Zomba: Government Printer, 1966), Chapter III, Article 11 (2), pp. 12-13.

<sup>44</sup> *Ibid.*, Chapter I, 4 (1), p. 10.



would be seriously impaired by the existence of other political parties.<sup>45</sup> In their view, the creation of a one-party state did not jeopardise democracy since the ruling Malawi Congress Party's democratic character allowed for the expression of different political opinions among its members throughout its countrywide network.<sup>46</sup> The new constitution was based on the four ideological elements of the Malawi Congress Party: Unity, Loyalty, Obedience, and Discipline.<sup>47</sup> In stating that "nothing contained in or done under the authority of any law shall be held to be inconsistent with or in contravention of the four ideological principles of the ruling Malawi Congress Party," the Constitution firmly established the supremacy of the ruling party over all laws.<sup>48</sup> The MCP's control over the expression of divergent opinions in the republic was further entrenched with the elimination in the new Constitution of the Special Roll constituencies that had been established by the 1964 *Nyasaland (Electoral Provisions) Order in Council*.<sup>49</sup> The Special Roll constituency provision had originally been included (as discussed in chapter three) to allow parliamentary representation for the local European community.

The new constitution also expanded presidential power in several ways. First, it stipulated that the President was to be both head of state and leader of the government.<sup>50</sup> The Constitution Committee claimed that a strong executive president was necessary to ensure the stability and economic development of the republic, and that the idea of having one ceremonial head of state and another head of government was undesirable since it was "quite contrary to the tradition of Africa, where it is viewed as unnatural and illogical. The people of Africa are realistic, and are accustomed to

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<sup>45</sup> Constitution Committee, *op. cit.*, p. 7.

<sup>46</sup> *Ibid.*

<sup>47</sup> *The Republic of Malawi Constitution*, *op. cit.*, Chapter 1, Section 2 (1), p. 10.

<sup>48</sup> *Ibid.*, Section 2 (2).

<sup>49</sup> *Ibid.*, Section 5 (1), p. 2.

<sup>50</sup> *Ibid.*, Chapter III, 8(1), p. 11.

giving ceremonial honour and respect both publicly and privately to the rulers who actually exercise the authority and responsibility of governing them.”<sup>51</sup>

Second, the President was given the power to appoint and dismiss whomever he pleased in the new Republic and also to open new offices for government as he saw fit: “The power to appoint persons to hold or act in any office in the public service [including power to confirm appointments]<sup>52</sup> and to remove such persons from office shall vest in the President.”<sup>53</sup> In performing these and other duties, the President was to follow “his own discretion and shall not be obliged to follow advice tended by any other person.”<sup>54</sup> In his newly expanded capacity, the President could appoint and dismiss members of the Public Service Commission and the Electoral Commission, the Director of Public Prosecutions, the Commissioner and Deputy Commissioner of Police, the Army Commander and other members of the armed forces, and Permanent Secretaries, to name just a few.<sup>55</sup> Moreover, the Constitution gave the President power to assign to himself any responsibility for any business of the government and to dismiss the Speaker of the National Assembly at any time.<sup>56</sup>

The autonomy of the civil service, which had already been curtailed by the removal of the appeal process for civil servants in the wake of the 1964 Cabinet crisis, was thus further eroded by the expanded powers of the President. More importantly, the autonomy of the judiciary was eliminated. Not only did the Constitution state that “the Attorney General shall be appointed, and may be removed, by the President,” but also it

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<sup>51</sup> Constitution Committee, *op. cit.*

<sup>52</sup> *The Republic of Malawi Constitution of Malawi*, *op. cit.*, Chapter VIII 86 (2) and (5), p. 41.

<sup>53</sup> *Ibid.*, Chapter VIII 87 (1), p. 42.

<sup>54</sup> *Ibid.*, (c).

<sup>55</sup> *Ibid.*

<sup>56</sup> *Ibid.*, Chapter IV, 2c, p. 17.

gave the President the power to appoint and dismiss the Chief Justice, the Judges, and the members of the Judicial Commission, thus effectively removing their security of tenure.<sup>57</sup> In proposing the removal of security of tenure for judges, the Constitution Committee asserted that "the function of a Judge is not to question or obstruct the policies of the Executive Government, but to ascertain the purposes of those policies by reference to the laws made by Parliament, and fairly and impartially to give effect to those purposes in the Courts when required to do so".<sup>58</sup>

In his efforts to carry out what Andrew Ross termed a "social-counter-revolution"<sup>59</sup> in the realm of the judicial process, Banda later expanded the role of the traditional courts—which had been established during the period of colonialism to deal with less serious issues—to allow them to operate alongside the official courts, which followed the common law tradition. In 1971 the role of the Traditional Courts was enlarged to cover rape and murder, and in 1976 it was further extended to handle treason cases.<sup>60</sup> To many observers of Malawian politics, it seemed clear that the impetus for the 1976 change was the impending trial of two former leading members of the President's power bloc: Albert Nqumayo, Secretary General of the ruling party, and Focus Martin Gumede, the leader of the Special Branch Policy Intelligence unit.<sup>61</sup>

The 1966 Constitution further accorded the President power to appoint members of parliament. Provision was made in the Constitution for fifty elected members of the

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<sup>57</sup> Ibid, Chapter V, 56 (3), p. 29

<sup>58</sup> Constitution Committee, *op.cit.*, p. 20.

<sup>59</sup> For an elaboration on this concept see, Andrew Ross, "Malawi, White Africa's Black Ally," in *New Left Review*, September-October 1967, p. 92.

<sup>60</sup> Dr. Makau Mutua, *Confronting the Past: Accountability for Human Rights Violations in Malawi*, The Robert F. Kennedy Memorial Center for Human Rights, Washington, May 1994, p.9. The idea of a strong Tradition Court which was supposedly more in tune with 'African culture' was merely an ideological façade mystifying the President's continued efforts to expand his political power.

<sup>61</sup> Ibid.

National Assembly, and the President was given the power to nominate five non-elected members (this was increased to fifteen in 1970).<sup>62</sup> Moreover, MPs' freedom to express independent opinions was curtailed by the new Constitution: chapter four, section 28, 2f declared that an MP would be dismissed "if, having as a Parliamentary candidate made a declaration at the next previous Parliamentary elections that he supported the President as the Presidential candidate, he votes against the President on the taking in the National Assembly of a motion of confidence in the Government."<sup>63</sup> Over the years, Banda used his extensive appointment power to mould the Cabinet and the National Assembly so as to ensure the solidification of his power base and the tightening of his authority.

The protection of human rights was a contentious issue for the Constitution Committee. In their proposal, the members of this Committee claimed they were not happy with the provision for protection of individual liberties as stipulated in the independence Constitution, asserting that the government of Malawi had accepted this provision reluctantly at the time. In the Committee's view, the extensive protection of personal liberties in the new constitution was "unrealistic, illusory and ineffectual."<sup>64</sup> There was no need for a Bill of Rights in the new Constitution, they claimed, since it was the "duty of a responsible Government to guide and tutor the people in the appreciation of the benefits of fair and impartial laws, rather than arbitrarily to impose constitutional protections for minorities which are valueless unless they enjoy popular understanding and acceptance."<sup>65</sup> Furthermore, the Committee argued,

The laws of the country already provide an elaborate code for the protection of individual rights against either private or public interference. Malawi is now a full member of the United Nations, and as such has already publicly guaranteed respect for the

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<sup>62</sup> *The Republic of Malawi Constitution*, op. cit., Chapter IV, Section 19 (20), p. 15.

<sup>63</sup> *Ibid*, p. 19.

<sup>64</sup> Constitution Committee, op. cit., p. 24.

<sup>65</sup> *Ibid*. p. 24.

comprehensive account of personal liberties enshrined in the United Nations Charter of Human Rights. Formal guarantees in a Bill of Rights tend to invite conflict between the Executive Government and the Judiciary.<sup>66</sup>

Based on the proposal put forward by the Constitution Committee, the Republican Constitution incorporated a general statement in its preamble regarding the recognition of individual rights as defined in the United Nations Charter of Human Rights. The lack of an extended Bill of Rights in Malawi had a major impact on the postcolonial social and political landscape, and, as chapter eight shows, this issue became a focal point of the constitutional discussions during the transition period in 1993-94.

### **State ideology**

Along with the establishment of a repressive judicial framework, the state created an ideological framework. This newly created ideology was summarised in four principles--Unity, Loyalty, Obedience, and Discipline--usually referred to as the four cornerstones of the party and the government. In 1968, during the ruling Malawi Congress Party's annual convention in Mzuzu, Banda declared:

In whatever we do in this country, no matter what it is, the observance of unity, loyalty, obedience and discipline is necessary. If we are to succeed in our aims to develop this country economically and to free ourselves from financial dependency on friends overseas, we must remain united, loyal, obedient and disciplined. Unity, loyalty, obedience and discipline are just as necessary now when we are fighting poverty, ignorance and disease as they were when we were fighting Federation and colonialism.<sup>67</sup>

The emphasis on unity served the ideological function of mystifying the class-based power structure of the postcolonial state. For instance, the ruling class continually claimed that the driving force of state development policy was the needs of the ordinary

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<sup>66</sup> Ibid.

<sup>67</sup> President Banda's opening speech at the Malawi Congress Party's annual convention in Mzuzu, 10-18 September 1967, p. 11).

men and women in the villages. Thus the exploitative relationship of the Agricultural Development and Marketing Corporation's (ADMARC) with smallholder producers—discussed in detail in chapter six below—was presented as beneficial to those producers. As the President claimed in the 1970s,

I have been asking you my people to produce more maize, more beans, more groundnuts, more tobacco, more cotton, more rice everywhere. I am happy that you my people have listened to me. But it is no use I appealing to you to produce maize, groundnuts, beans, while there are markets all over the country where my people sell tobacco, maize, beans, groundnuts, cotton, rice. But after the Agricultural Development and Marketing Corporation have bought tobacco in the villages, it does not eat that tobacco, it does not eat the groundnuts, it does not eat beans, cotton, rice. It sells.<sup>68</sup>

Members of the ruling class, of course, applauded Banda for bringing unity to the country; thus delegates to the ruling Malawi Congress Party's 1983 annual convention declared:

[We] note with great satisfaction the practical results brought about by His Excellency the Life President's insistence that his people should remain united at all times. In this respect, the absence of the destructive elements of tribalism, which retard progress, has enabled this country to respond positively to the Ngwazi's development appeals to his people, since we no longer consider ourselves by our tribes, but simply as Malawians.<sup>69</sup>

Yet, while Banda and the ruling class were emphasising unity, the regime implemented policies that divided Malawians. For instance, in 1968 the state introduced a language policy mandating that Chichewa, the language widely spoken in the Central region and the President's mother tongue, was to be the second national language after English, and that it was to become a central part of Malawi's education system. In time, local newspapers added a Chichewa section, and the state-controlled Malawi Broadcasting Corporation carried news and other programs in Chichewa. No provision was made for other major languages such as Tumbuku and Yao, widely spoken in the northern and southern regions of the country.

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<sup>68</sup> *His Excellency the President's Speeches*, Tobacco Auction Floors, 9 June 1971.

<sup>69</sup> *Malawi Congress Party Annual Convention, Resolutions, 1965-1985*.

The emphasis by the state on the importance of maintaining unity also masked the marginalisation of the Northern and Southern Regions in several other ways. As chapter six will show, the Central Region was the main beneficiary of the various projects introduced during this period, among which the principal ones were: moving the capital city to Lilongwe; the construction of new hospitals at Kasungu, Lilongwe, and Dedza; the upgrading of the Lakeshore, Mchinji-Lilongwe, and Lilongwe-Salima roads; the establishment of the Lilongwe and Salima Agricultural Development Projects; and the creation of new tobacco estates in the 1970s, the era of capital indigenisation.<sup>70</sup>

In the political arena too, while all Malawians deemed 'enemies of the state' faced brutality of one kind or another at the hands of the state's repressive apparatus, Malawians from the Northern Region seem to have been singled out for extra political harassment. For instance, a sample survey carried out in Mikuyu prison in 1976 indicates that of the fifty-five university-educated individuals held in the prison, forty-five were from the North.<sup>71</sup> Further, following a meeting on 2 February 1989 with senior civil servants, during which the President accused those from the Northern region of "trying to underdevelop the South and Centre," he announced that teachers would henceforth be permitted to teach only in their own districts. This move was directed at teachers from the North, for, according to the President, they had demonstrated a lack of commitment to their students when teaching in the other two regions. This lack, according to the President, stemmed from the fact that these teachers were intent on "hampering children from the Central and Southern Regions from further education so that all the top jobs in the country are eventually held by those from the North."<sup>72</sup> In another move to limit

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<sup>70</sup> Deborah Kaspin, "The Politics of Ethnicity in Malawi's Democratic Transition," in *The Journal of Modern African Studies* 33/4 (1995): pp. 605-607.

<sup>71</sup> Wiseman Chirwa, op. cit., p. 61.

<sup>72</sup> *Daily Times*, 14 February 1989, quoted in *ibid.*, p. 60.

education opportunities for Northerners, the state introduced a university quota system, here described by Wiseman Chirwa:

The introduction of a quota system was, itself, intended to manipulate the country's educational system. Previously, the North, with about 12 per cent of the population, had accounted for about half of university entrants. Now, each district was guaranteed a specific number [same number for all the regions] of places. Given that the North has only 5 districts, against 9 in the Centre and 10 in the South, it meant a major reduction of Northerners making it through to university. Though the quota system was unpopular with, and protested against by a cross-section of the student body from all the three regions of the country, only four students from the North were singled out and expelled.<sup>73</sup>

During the period under review, "Unity, Loyalty, Obedience and Discipline" meant unwavering support for the policies of the Malawi Congress Party and Banda. Issues such as detention without trial and mysterious disappearances were explained away by Banda and members of the political elite as being necessary to uphold the four cornerstones of the Malawi Congress Party, which, as Banda never failed to remind Malawians, constituted the very foundation of the state. According to the President, the main cause of the 1964 Cabinet crisis was the breakdown of these four cornerstones—as he stated in the wake of that crisis:

It is in deep sorrow and grief that I arise to speak this morning. I arise to speak in sorrow and grief because the four cornerstones on which the Malawi Congress Party, the Government—yes, even more—our State, the State of Malawi itself was built, have broken down. . . . I just want everyone to know in this House and to keep in mind what makes this country different from any other country in East and Central Africa. It is these four cornerstones on which we built first the old Nyasaland African Congress party of 1958, when I was elected Life President at Nkata, and then the succeeding Party to the old Congress, the Malawi Congress Party. I said at Rangeley Stadium that if we have got our independence, if we have defeated Welensky, if we have broken the stupid

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<sup>73</sup> Wiseman Chirwa, *op. cit.*, p. 61. While this policy could be seen as positive discrimination in favour of the other two Regions to remedy a colonial imbalance, as chapter three indicated, compared to the other two regions, this region did not experience any significant economic development during colonial rule. While it excelled in education, mainly thanks to the Scottish Missionaries in Livingstonia, economic opportunities were limited since these were concentrated in the Southern Region. Thus, education (in addition to labour migration) has historically been the route to economic advancement in the North.



Federation, it was due to these four things—Unity, Loyalty, Discipline and Obedience...would rather see those benches empty and myself in the bush, dead, than see these four cornerstones destroyed by anyone. Once there is no unity, no loyalty, no discipline, no obedience, we are finished; we are finished. Just as the Congo.<sup>74</sup>

### **The role of the Malawi Congress Party**

The mandate of the Party, as stated in its constitution, was to

Safeguard the hard won freedom and independence of the people of Malawi; secure and at all times maintain the unity of all the people of Malawi; and give assistance to work in co-operation with the government of the Republic of Malawi in the economic, social and other development schemes in the country; and work with the recognised Trade Union Movement and other kindred organisations the aims and objects of which are in harmony with this Constitution.<sup>75</sup>

The Party's organisational structure, extending throughout the country from village level offices to the national headquarters in Lilongwe, facilitated the implementation of the state's policies and the dissemination of its ideology.<sup>76</sup> For Banda, the countrywide dominance of the Party represented his vision of a democratic state: he claimed that the party's Constitution "was deliberately designed so that all sections of our community—party elders, traditional rulers, representatives of local authorities, women, youth—should be represented in a body that decides policy for this country. This is our kind of democracy, whatever others may think."<sup>77</sup> The Party's constitution set out the rules of membership and schedules of meetings for each branch or committee at each level from the village to the Region. The leadership of each level formed the membership of the

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<sup>74</sup> *Hansard*, 8-9 September, op. cit., p. 10.

<sup>75</sup> *Constitution of the Malawi Congress Party*, (Limbe: Malawi Congress Party, 1965), p. 2.

<sup>76</sup> The bureaucracy, the state controlled media, the education system and institutions, and indeed the whole apparatus of the postcolonial state played a role in the ideological formation and dissemination, but for the purpose of this project we highlight the key instruments of this process.

<sup>77</sup> His Excellency the Life President, Ngwazi Dr. H. Kamuzu Banda, in his opening address to the Malawi Congress Party Annual Convention in Mzuzu on 6 September 1970, p. 10.

next highest level, from which leaders would be elected and would meet together to form branches at the next highest level, and so on. Members of the Regional Committees, the second highest level, were elected every three years during District Conferences, and the names of those elected were submitted for approval to the Life President, who, according to the constitution, made the final decision on membership:

His Excellency the Life President shall not be bound to accept any name or names submitted to him hereunder and he shall be at liberty to appoint any person or persons, whether included in the names submitted to him hereunder or not, to be the member or members of the Regional Committee either as office bearers or ordinary members thereof.<sup>78</sup>

And,

In the event of any vacancy or vacancies occurring in a Regional Committee, His Excellency the Life President shall have the sole right to nominate a person or persons, as the case may be, to fill such vacancy or vacancies in such manner and upon such terms as His Excellency the Life President may prescribe.<sup>79</sup>

At the apex of the organisational structure of the ruling Malawi Congress Party was the National Executive Committee. In addition to elected members, it included the President, the Secretary General, the Treasurer General, and the Administrative Secretary of the Party. According to Section 19 of the Party's constitution, the presidential term was five years, at the end of which delegates at the party's annual convention would again elect a President.<sup>80</sup> Nevertheless, Section 20 of the Constitution stipulated that "Ngwazi, Dr. H. Kamuzu Banda, the Father and Founder of the Malawi Nation, shall be the Life President of the Party."<sup>81</sup>

The Malawi Congress Party also held an annual convention which members of all its

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<sup>78</sup> *Constitution of the Malawi Congress Party*, op. cit., Section 11, p. 14.

<sup>79</sup> *Ibid.*, p. 16.

<sup>80</sup> *Ibid.*, Section 19, p. 18.

<sup>81</sup> *Ibid.*,

committees were required to attend. This was the most important event of the year in Malawi, and took place every September.<sup>82</sup> Banda always opened it with a keynote speech in which he outlined the issues which would be the central focus of the gathering of the party faithful. Commenting in 1971 on the central role of the annual convention Banda stated:

The convention is the primary parliament of Malawi. The Parliament in Zomba is a secondary one. Therefore, when we are in a convention, gathered here together, from all over the country, we are not Ministers, we are not members of Parliament, we are just Malawians, getting together to consider seriously how this country can develop: what kind of life we want our people to live; how we can improve the lives of the ordinary men and women in the villages; is everything going on all right? Is there anything wrong? If so, what is it? Where? Are we doing our best for the people? What improvements should we embark on now?<sup>83</sup>

The dominance of the Malawi Congress Party during Banda's rule meant that the boundary between the state and the ruling party was effectively blurred. The annual conventions became the main forum whereby the Party's economic, political, and social policies were legitimised through the passing of resolutions, which were later forwarded to the parliament for symbolic debate and approval. The decisions to establish a one-party state and to have a Life President, for instance, were announced at party conventions. Resolution nine of the 1965 convention stated:

[The delegates] wholeheartedly and willingly endorse and accept the proposals for the Constitution of the Republic of Malawi, and in particular endorse the proposal to

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<sup>82</sup> According to the Constitution of the Malawi Congress Party, "the Annual Convention of the Malawi Congress party is the highest authority of the Party. It meets once every year at places and times designated by the Life President. The Convention also hears, discusses and decides matters of national policy. It has powers to punish, dismiss or suspend any member of the Party, and to re-admit into the Party any dismissed or suspended member. The following are delegates to the Convention: members of the National Executive Committee of the party; Cabinet Ministers; Speaker of the National Assembly; parliamentary Secretaries; members of the Regional Committees of the party; chairmen, secretaries and treasurers of District Committees of the Party; chairmen, secretaries and Treasurers of District committees of the League of Malawi Women; chairmen, secretaries and treasurers of District Committees of the League of Malawi Youth; member of parliament; traditional authorities of the rank of Chief and paramount chief; mayors of city and municipal councils; chairmen of town and district councils; members of the national committees of those organisations that are affiliated to the Malawi Congress Party" (The Constitution of the Malawi Congress Party, p. 14 )

<sup>83</sup> Dr. Hastings Kamuzu Banda's closing address to the Malawi Congress Party Convention in Lilongwe on 11 September 1971.

establish, in Malawi, a strong and stable Government under a One-Party State, and to have a President who shall be both Head of State and Head of Government and shall have no Vice-President or Prime Minister.<sup>84</sup>

At the Party's convention in Mzuzu in 1970 the delegates resolved that amendments be enacted to the country's constitution to stipulate that Banda would be "State President for his lifetime."<sup>85</sup> The state's new language policy aimed at establishing Chewa cultural dominance was also announced at the annual convention.<sup>86</sup> At the 1967 annual Party conference, the decision to establish direct links with South Africa was discussed and announced before being sent to parliament for approval. Resolution eleven declared:

[The delegates] support unreservedly the Government's wise, realistic and courageous decision to establish direct, open and formal diplomatic relations with the Republic of South Africa which is in the best interests of the four million people of Malawi, and agree to treat with utter contempt anybody or any country that will criticise this decision as only we, and we alone, know what is good for this country.<sup>87</sup>

Another key policy, that of capital indigenisation (which, as chapter six shows, characterised Malawi's capital accumulation in the 1970s), was first discussed at the Party's 1968 convention, where delegates passed a resolution stating:

[The delegates] hail His Excellency's move to encourage African participation in commerce and, in this connection, welcome the setting up by Government of a wholesale company and the policy to award contracts for the provision of good supplies to capable Africans.<sup>88</sup>

In the same vein, the state's ban on the involvement of Asian capitalists in rural commerce was endorsed by the party delegates, who "welcomed His Excellency's stand taken to help small businessmen to enter into the economic mainstream of Malawi," and

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<sup>84</sup> *Malawi Congress Party Annual Convention Resolutions, 1965-1985*, p. 2.

<sup>85</sup> *Ibid.*, p. 10.

<sup>86</sup> This was one of the resolutions passed at the 1968 annual convention in Lilongwe (*Malawi Congress Party Annual Convention, Resolutions 1965-1985*, op. cit., p. 6).

<sup>87</sup> *Ibid.*, p. 5.

<sup>88</sup> *Ibid.*, p. 9.

recommended that trading in rural areas be restricted to Malawian traders only.<sup>89</sup>

The annual Party convention legitimised the authoritarianism of the postcolonial state and its response to those deemed "enemies of the state" and "the mighty Malawi Congress Party". Thus, for instance, during the 1968 convention in Blantyre, delegates applauded the President's response to the 1964 Cabinet crisis by declaring:

Since the departure of the rebels from Malawi there has been an unprecedented economic expansion in the country as a result of the confidence which investors have in the Ngwazi and this country and, therefore, [the Party] expresses its sincere gratitude to the Ngwazi for his strong and wise leadership.<sup>90</sup>

At an earlier convention (1965), the delegates had expressed their support for the policy of containing political dissent:

[We] reassure the Ngwazi of our unflinching support in the task of stamping out any form of subversion against the people, the State of Malawi and her leader and pledge ourselves, our children, and children's children, to watch vigilantly and fight against any form of subversion whether external or internal.<sup>91</sup>

In keeping with this resolution, delegates to the 1972 annual convention legitimised the countrywide state-sponsored persecution of the country's Jehovah's Witness community by declaring that they

Deplored the fact that certain fanatical religious sects which operated like the banned Jehovah's Witness sect hindered both the political and economic development in the country. Resolved that all members of these fanatical religious sects employed in commerce and industry should be dismissed forthwith, and that any commercial or industrial concern that does not comply with this resolution should have its licence cancelled. Resolved that all members of these fanatical religious sects employed by the Government should be dismissed forthwith and that any member of these sects who is self-employed, either in business or farming, have his business or farming activities discouraged. Resolved that all the members of these sects who live in the villages should be chased away from there, and appealed to the Government to give maximum possible protection to members of the party who deal with the adherents to these sects.<sup>92</sup>

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<sup>89</sup> *Ibid.*, p. 10

<sup>90</sup> *Ibid.*, p. 2

<sup>91</sup> *Ibid.*

<sup>92</sup> *Ibid.*, p. 16.

Within a few weeks of the conference, the Jehovah's Witnesses were declared an "unlawful society" under Sections 64-7 of the Penal Code. The contention between the State and this religious group was the latter's refusal to buy party cards. As Banda declared in April 1967:

Jehovah's Witnesses cannot be allowed to go about provoking people. I want to say here and now that the country will not tolerate this kind of thing. I will not accept every case of Jehovah's Witnesses being beaten up by members of the Malawi Congress Party as a genuine or valid case of assault and battery. I have to be given the full facts before I can accept any case as genuine. Otherwise I will release or order the release of anyone from imprisonment for beating a Jehovah's Witness. The Government will protect every law-abiding citizen from molestation. . . . It will not give licence to Jehovah's Witnesses to prevent people paying tax or to prevent members of the Malawi Congress Party from renewing their cards.<sup>93</sup>

As mentioned earlier, two elements of the regime's ideological order were Obedience and Discipline. Under Banda's rule, obedience and discipline meant adherence to traditional Malawi culture, and the state reserved for itself the prerogative of defining exactly what constituted that culture. A constant theme of the state's definition of traditional Malawi culture was the importance of shunning the 'corrupting' influences of foreign ideals and cultures. At the Party's 1969 convention, the delegates passed two resolutions to address the emerging disobedience and lack of discipline among some Malawians, said to be due to negative influences of foreign forces. The eighth resolution of this convention stated:

For some time now there have been complaints by our people against the influence which the Peace Corps Volunteers have over our children because of their bad conduct and behaviour and their slovenliness. The conference therefore resolves: that the recruitment of Peace Corps Volunteers be stopped forthwith; that those Peace Corps Volunteers who are already here be replaced within the next eighteen months.<sup>94</sup>

In addition, resolution nine of the same conference recommended that "the wearing of mini-skirts in public places be banned legally; [and] the sale of mini-skirts be

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<sup>93</sup> *The Times* (Blantyre), 14 April 1967.

<sup>94</sup> *Malawi Congress Party Annual Convention*, p. 9.

prohibited.<sup>95</sup> The latter resolution was enacted into law with the *Decency in Dress Act, 1973*, which declared:

Any female person who, in any public place, is dressed in any clothing which by reason of its nature or of the manner in which it is worn causes, when she is standing in an upright position with arms unraised and with her feet not less than twelve inches apart, to be exposed to view any part of her body between the lower level of her kneecaps and her waist or any under-garment covering such party or wears any trousers as the outermost garment covering any part of her body, shall commit an offence of indecency and be liable to a fine of two hundred Kwacha and to imprisonment for a term of six months.<sup>96</sup>

On 25 November 1974, the *Decency in Dress Act, 1973* was amended to address a particular Western fashion popular among men:

Any male person who, in any public place, wears bell-bottom trousers shall commit an offence of indecency and be liable to a fine of two hundred Kwacha and to imprisonment for a term of six months. Any person who, in the course of trade, manufactures, for purposes of men's wear bell-bottom trousers, or, for such purposes, alters any trousers in any way so that the altered garment constitutes bell-bottom trousers, shall commit an offence under this Act, and be liable to a fine of two hundred Kwacha and to imprisonment for a term of six months.<sup>97</sup>

(A sense of humour was not one of the MCP's key principles.)

Possession of a Malawi Congress Party membership card was also made obligatory. Although there were no legal provisions requiring that all Malawians obtain party membership cards, the local leadership of the party, in concert with the Malawi Young Pioneers the (regime's para-military unit), forced Malawians through intimidation to buy party cards. As one participant in a group interview in Mbayani township recounted: "Without the MCP card you were finished. You could not do anything or go anywhere without the card."<sup>98</sup>

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<sup>95</sup> Ibid.

<sup>96</sup> *Decency in Dress Act, 1973*, The Malawi Gazettee, 27 July 1973, pp. 1-2.

<sup>97</sup> *Decency in Dress (Amendment)*, The Malawi Gazettee, 29 November 1974, pp. 1-2.

<sup>98</sup> Group interview, Mbayani Township, Blantyre, 16 July 1998.

Those who preached the virtues of the Malawi Congress Party, especially those who remained loyal to Banda during and after the cabinet crisis, received various rewards, including positions in the National Assembly, the bureaucracy, the parastatal sector and the Party hierarchy. One of the President's staunchest supporters at the time of the cabinet crisis, R.D. Chidzanja, who was the Central Region chairman of the Malawi Congress Party, became the leader of the House in Parliament, Chairman of the National Disciplinary Committee of the M.C.P., and Minister of Home Affairs (replacing one of the rebel ministers).<sup>99</sup> Likewise John Tembo, in addition to his post as Minister of Finance, was given many positions within the Party hierarchy and the public sector over the years. Malawi's current (2001) President, Bakili Muluzi, at one time the National Chairman of the Malawi Young Pioneers, was the Party's Secretary General until his resignation in 1982.

### **The role of parliament**

During the period under review, the parliament was reduced to an apparatus for legitimising the postcolonial state's policies and ideological order. As we indicated earlier, constitutional amendments and economic and political policies were discussed and resolved at the Malawi Congress Party's annual convention and then presented to parliament for legislative approval and symbolic debate. Consequently, the proceedings during parliamentary sessions were nothing more than rituals during which the President would give the opening and closing speeches and members of parliament would spend the time in between praising his policies and leadership. In the approximately thirty years that Banda ruled Malawi, there was never an overt dissenting voice in parliament,

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<sup>99</sup> Chipembere acknowledges that there was widespread popular support for Banda in the Central Region during the Cabinet Crisis and claims that this was in large part due to Chidzanja's organizational work in



and even when representatives of European interests expressed differing opinions these were couched in non-confrontational language.

Although the postcolonial parliament played a limited role in state policy formulation, this did not stop the President from portraying this institution as one that had power and that allowed members of parliament to express their opinions. During every parliamentary session Banda would invite members of parliament to debate issues he had laid out in his opening speech or other items in the agenda. Parliamentary debate, however, did not mean, in the President's view, any departure from the four cornerstones of the ruling party and the government. Rather, debate meant regurgitation of the state's ideology and glorification of the President. For instance, in October 1964, Banda introduced, and invited members of parliament to debate, an amendment to the constitution that called for Members of Parliament who had lost their seats through suspension or dismissal from the party to seek re-election in a by-election. This move was directed at the ex-ministers, all of whom (with the exception of Henry Chipembere) had already left the country. The amendment was also meant to solidify the President's position by eliminating any future disloyal elements from parliament. At any rate, the debate in parliament had a tone that was to characterise all future debates during Banda's time as President. During the debate, J.T. Kumbweza, Parliamentary Secretary in the Ministry of Works, declared:

**The by-elections should take place very, very soon in the constituencies these rebels were representing . . . and if one of these rebel Ministers should attempt or try to stand up as an Independent candidate, I must tell this House that we in Lilongwe District, we are prepared even to come to Chipembere's own constituency and see if he will attempt to stand and we will deal with him straightaway. We can't waste time to have someone**

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the region and his "terrorization" of Chipembere's supporters there (Henry Chipembere, quoted in Joffe, *op.cit.*, p. 462).

to try to block the way of a Malawi candidate. They are now out of this Government because they came here on the Malawi ticket, and if anyone despises the Malawi Congress Party, the Malawi Government and the Leader of the Government Ngwazi Dr. Kamuzu Banda, then he is no longer a Malawian.<sup>100</sup>

Extravagant 'praise songs'<sup>101</sup> of the President and acquiescence in all his policies and amendments became the hallmarks of parliamentary sessions. During a parliamentary debate in 1969, for instance, the then Minister of Finance, Mr. A.K. Banda, declared:

We started our independence in a very difficult situation. During the days of Federation, virtually nothing was done to develop this country—no hospitals, no schools, no roads, no houses, nothing—and on top of that a huge deficit on our recurrent budget, as you remember, Mr. Speaker, to the tune of more than six and half million. This was a task from which any weak leader would have shied, run away or surrendered, but His Excellency did not shy away from this. He did not surrender. He tackled it with determination, with vigour and with wisdom. Today, wherever you go in the country, you will see schools, you will see hospitals, see roads being built, railways being built, houses being built and what is more important than hospitals, roads, schools, etc. You will see the ordinary man and woman in the villages living well, eating well, dressing well, living in much better houses than they have lived in the past—iron roofs, now even glass windows, and now in some areas even cement floors. . . . And this development, Mr. Speaker, has taken place first and foremost because of the sound leadership, the wise leadership, of His Excellency the President. . . . But what is of even more significance is that all this development has been possible because, unlike other leaders in other areas of Africa or in many parts of the world who think first of themselves, our President thinks of . . . himself last of all. The first consideration, as far our leader is concerned, are the people of this country, the people of Malawi, 4 million people. If their interests are in conflict with this interest or that interest or the next interest, as far as our leader is concerned, the interests of the people of Malawi must come first. And this is what has characterised his policy—his domestic policy, his overseas policy, his foreign policy.<sup>102</sup>

This absurd flattery continued to pepper parliamentary debates throughout the period

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<sup>100</sup> *Hansard*, 30 October 1964, op. cit., p. 238.

<sup>101</sup> According to the Malawian academic and poet, Jack Mapanje, the idea of singing praise songs for Chiefs was very much a part of local traditional culture as a means of providing villages the opportunity to air their criticisms about local leaders. However, in the postcolonial era the praises sung by parliamentarians, the President's dancing women (or, as he used to refer to them, my *mbumba*), merely legitimised the state's authoritarian order. As Jack Mapanje states, "What the new praise-song lacks is an element of constructive criticism of either the leadership or the society. The criticism was necessary in the original song because it was one way of helping the chief or the traditional leader to improve. It was also a way of knowing what the people think about the leadership. . . . What we would like to see is a critical praise-poem to bring about sanity where it is rare to find. (quoted in Leroy Vail and Landeg White, 1991, op. cit., p. 286.).

<sup>102</sup> *Hansard*, 12 November 1969, p. 653.

under review and even during the 1992-93 crisis the parliamentarians were still glorifying Banda. D.J. Mlomo's 'praise song' was typical:

His Excellency the Life President started from scratch. The colonialists never dreamt of anything economically viable in Nyasaland. In those days . . . His Excellency the Life President, the God-fearing leader, the messiah of the Malawi nation, the Lion of Malawi, already had plans for Malawi's economy. . . . His Excellency's deeds for his people have outmatched his words. His words have been backed up by concrete deeds manifested in every sector of our nation. . . . Indeed as opposed to the advocates of multiparty politics who are flattering the nation with false promises, promises they cannot fulfil . . . the ball which His Excellency the Life President had set rolling for the Malawi nation is a wholesome functioning society in which peace rolls down like water, in which harmony, progress, prosperity are flourishing; a society less prejudiced by ignorance, disease, hunger, poverty and corruption.<sup>103</sup>

Banda himself never failed to remind Malawians of the development progress that the country had made under his leadership:

I thank my people for the country is prosperous. It is prosperous because those who used to be governors, chief secretaries, financial secretaries, when they come back here now to see us, they are amazed about the development that has taken place. As I have mentioned more than once before, they always ask me, "Oh! But how have you done it? This is not the same country that we left, it is quite different. Everything has gone up in the nature of development. How have you done it?" My answer has always been, "Well, I have just appealed to my people to work hard everywhere, in the field, and anywhere else they are working." And, fortunately for me, fortunately for me to repeat, my people have listened to their Kamuzu and have done what their Kamuzu has asked them to do. As a result, the country is developed beyond recognition.<sup>104</sup>

### **The role of the Malawi Young Pioneers**

Officially the purpose of the Malawi Young Pioneers (MYPs) was to set an example for local people in agricultural development and to help the state maintain peace and stability, but the true role of the MYPs was to assist the state in consolidating power. In the postcolonial era, especially after the 1964 cabinet crisis, the MYPs permeated all areas of daily life in Malawi. During the nationalist struggle, the MYPs, then known as the Youth League and under the auspices of the Malawi Congress Party, actively

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<sup>103</sup> *Hansard*, June, 1993, p. 23.

<sup>104</sup> *Hansard*, 2 April 1993, p. 1201.

participated in the politics of decolonisation. With the achievement of independence, the state changed the role of the Youth League, arguing that its members needed new skills that "would equip them for the new era of construction".<sup>105</sup>

Before the cabinet crisis, the MYPs' activities were controlled by the Ministry of Education and Social Development, under the Chairmanship of the Hon. Kanyama Chiume, who ran the affairs of the MYPs with the help of a twelve-member council. This organisational structure changed after the crisis when Dr. Banda took control of the MYPs and gave himself the power to appoint the National MYP Chairman responsible for the daily management of the organisation.<sup>106</sup> These organisational changes were considered necessary to bring the MYPs back into the Party since, as Aleke Banda recounts, under the leadership of Kanyama Chiume (one of the rebel ministers), they had been led astray:

The people who controlled the movement deliberately misinterpreted the *Ngwazi's* intentions and the aims and objects of the movement. They so manipulated the organisation that it dwindled into nothing more than an instrument for the self-glorification of certain individuals who have since proved to be traitors to this country. The young men and women who organised the movement then were led into believing that the Malawi Young Pioneers was a separate organisation from the Malawi Congress Party and the League of Malawi Youth. They were taught to disrespect the Party and Party Officials.<sup>107</sup>

Training in agricultural methods of production and security matters was a core part of the MYPs' program. The first official training for MYPs recruits took place in 1962 when Banda sent nine young Malawians to train as instructors in Ghana. In the following year the first local training base for MYPs was established at Nasawa in Zomba,<sup>108</sup> and in the

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<sup>105</sup> The Hon. Aleke Banda, National Chairman of the Malawi Young Pioneers, "The History of the Youth Movement," in *The National Youth Movement of Malawi: Portrait of Activities, 1975*, Department of Information and Malawi Young Pioneers' Headquarters, p.4.

<sup>106</sup> *Ibid.*, pp. 4-5

<sup>107</sup> *Ibid.* p. 4.

<sup>108</sup> *Ibid.*

same year Banda approached the Israeli government to provide assistance for the training.<sup>109</sup> Banda's regime provided a three-month training program; after completing this, MYPs began active involvement in what the government described as the tasks of nation-building.<sup>110</sup> Over the years, numerous MYP training bases (Table 4.1) and development settlement schemes (Table 4.2) were established throughout the country.

The Malawi Young Pioneers, although not a formal state institution, acted as a vital tool in the implementation of certain programs of the increasingly authoritarian state. Their coercive function was the most prominent, and, until they were disbanded in 1994, they were the most feared people in the country. As with most institutional and socio-political changes established in the aftermath of the 1964 cabinet crisis, the expansion of the MYPs' coercive function was made official through a series of parliamentary acts. The passing of the Young Pioneers Act in 1965, which provided for (among other things) the deployment of Young Pioneers' security forces at the discretion of the Commander-in-Chief of the movement (Banda), greatly augmented the MYPs' security responsibilities.<sup>111</sup> Introducing the bill in parliament, Banda stated:

Yes, yesterday I mentioned that very soon I will be opening another camp and that one will be in Fort Johnston in Kathuli's area. There, the Young Pioneers will be taught not only better agricultural methods but also how to shoot guns, how to shoot rifles, how to

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<sup>109</sup> Ibid, p. 5. The Israeli government responded positively and sent Mr. P. Gonen, LL.B, an ex-leader of the "Gadna", Israel's National Youth Movement, Mr. P. Lavie, Mr. Uri Yanay and Mr. Ran Lachman to oversee the evolution of the MYPs.

<sup>110</sup> Joffe, op. cit., p. 258.

<sup>111</sup> *Hansard*, 9 April 1965, p. 613.

shoot machine guns, sub-machine guns, and above all in that area how to hunt. And they are going to hunt the whole of that area, the whole of that mountain range right up to the Portuguese border, to the north, to the east and right up to the ends of the reeds along the Lake, so that anything hiding in that area, anything at all hibernating in that area, will be ferreted out.<sup>112</sup>

TABLE 4.1: MALAWI YOUNG PIONEERS BASES IN 1982.

Malawi Young Pioneer Base	District	Year Opened	Graduates Up to 1981
Nasawa	Zomba	1963	2,802
Amalika	Thyolo	1963	2,542
Lipinda	Mangochi	1964	2,632
Chitipa	Chitipa	1965	8,157
Makhanga	Nsanje	1965	1,411
Chipunga	Nkhata Bay	1965	1,408
Mchinji	Mchinji	1965	1,611
Kaporo	Karonga	1965	1,779
Khola	Kasungu	1965	4,197
Chipoka	Salima	1966	1,248
Dwambazi	Nkhotakota	1966	1,147
Ntchisi	Ntchisi	1966	997
Neno	Mwanza	1966	1,216
Hewe	Rumphi	1966	1,274
Dedza	Dedza	1968	1,089
Kakoma	Chikwawa	1968	1,030
Ntonda (Banje)	Ntcheu	1968	1,883
Mbzanzi	Dowa	1968	2,070
Kamwanjiwa	Mzimba	1968	1,715
Chifumbe	Machinga	1968	1,116
Ngapani	Mangochi	1976	1,258
South Rukuru	Mzimba	1976	1,360
Mapanga boys/girs	Blantyre	1976	2,747
Gola	Chikwawa	1977	381
Kawalazi	Nkhata Bay	1978	273
<b>Total</b>			<b>39,238</b>

Source: *Youth Week* (Blantyre: Blantyre Print and Packaging, 1982), p. 3.

<sup>112</sup> Ibid. The phrase 'ferreting out anything hiding in that area' was directed at Henry Chimperere and his supporters.

TABLE 4.2 MALAWI YOUNG PIONEERS SETTLEMENT SCHEMES.

<b>SOUTHERN REGION</b>			
<b>A) Settlement</b>	<b>District</b>	<b>No. of Pioneers</b>	<b>Crop</b>
Rivi-Rivi	Kasupe	53	Cotton
Likangala	Zomba	104	Rice
Mangulenje	Chikwawa	146	Cotton
Chikonje	Nsanje	21	Cotton
<b>B) Fishing Village</b>			
Lake Chilwa	Zomba	6	Fish
	<b>TOTAL</b>	<b>330</b>	
<b>CENRAL REGION</b>			
Namitete	Lilongwe	198	Tobacco
Chitala	Salima	179	Tobacco
Rusa	Mchinji	99	Tobacco
Dwangwa	Nkhota-Kota	20	Rice
Mpamantha	Nkhota-Kota	30	Rice
	<b>TOTAL</b>	<b>526</b>	
<b>NORTHERN REGION</b>			
Hara	Karonga	71	Rice
Wovwe	Karonga	93	Rice
Thulwe	Rumphi	59	Tobacco
Nkhozo	Rumphi	91	Tobacco
Limphasa	Nkhata Bay	64	Rice
	<b>TOTAL</b>	<b>378</b>	

Source: *Youth News*, Vol. 1, 2<sup>nd</sup> Quarter, July 1972, p. 13.

Along the same lines, Banda continued:

Clause 10 allows the Young Pioneers to have the same powers, protection, rights and duties that are enjoyed by the police. In others words, once my Young Pioneers are in the field they are police officers, they can arrest anyone—anyone. They are also Malawi Rifles—they can shoot anyone that resists arrest. . . . And when there are bandits about and they challenge that bandit and he doesn't answer, he doesn't surrender, he doesn't agree to being arrested—well . . . (gesture by the Prime Minister).<sup>113</sup>

A further amendment to the *Young Pioneers Act* was introduced in November 1965 in an effort to define the relationship between the Pioneers and the other security forces. This amendment stated that the police had to honour any arrest made by the Pioneers except when directed otherwise by the MYP commander in the district concerned, and further

<sup>113</sup> *Ibid*, p. 613.

provided that the Police could not arrest a Pioneer without prior consultation with his district commander and without the ultimate approval of the Commander-in-Chief of the Pioneers.<sup>114</sup> The establishment of the MYPs as the main enforcers of the state's oppressive policies created animosity between them and members of the police and the armed forces, but until the 1994 army-led 'Operation *Bwezani*', (discussed in chapter eight) there was no overt challenge to the MYPs' special status. The strengthening of the MYPs' security functions in the post-Cabinet Crisis era was explained as being necessary for economic reasons. According to the then National Chairman of the Pioneers, Aleke Banda, having MYPs as the main security force was the best option for the country:

Most countries of the world of our size and wealth cannot afford to keep several thousands of regular soldiers who have to be accommodated, fed and paid. Malawi is one of these countries. We cannot afford to have a very large Army or Police Force. The Government has, therefore, to rely on the whole population of the country for the maintenance of law and order and the preservation of the security of the state. But a government cannot rely on a mass of people who have not had training in this work, which requires training. The Malawi Young Pioneers has, therefore, the task of training the youth for this work and the Malawi Young Pioneers Act was passed by Parliament to provide for this.<sup>115</sup>

The enormous power given to the MYPs by the state enabled them to play a key role in containing political dissent. Their brutal methods had the full support of the President, and he often commended them for maintaining peace and calm. For example, during the cabinet crisis, the Pioneers were involved in acts of violence directed at supporters of the rebel Ministers. Praising their contribution, Banda declared:

The Commissioner of Police, he co-operates with the Youth League. What happens? He is catching more criminals now through the Youth League than he was doing before. . . . For the benefit of the House, it was not the regular Police Force which discovered

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<sup>114</sup> *Hansard*, 10 November 1965, p. 63.

<sup>115</sup> Aleke Banda, quoted in *The National Youth Movement of Malawi: Portrait of Activities*, op. cit., p.4.



those arms and ammunition at Chitimba, it was my Young Pioneers . . . we are not asleep. Over and above the regular Police Force is my Young Pioneer movement, and my Youth League, and the whole Malawi Congress Party.<sup>116</sup>

The anxiety expressed in the passage quoted below, the experience of Cholo, the main character in the Malawian writer Tiyambe Zeleza's novel *Smouldering Charcoal*, captures the feelings of most Malawians when they remember their encounters with members of the MYPs:

There was a long line of cars in front of him. He bit his upper lip with annoyance. The road was infested with the Party's Youth Militia in their bright green uniforms and caps. Badges of the Leader's face glittered on their shirts. None of the drivers, however, openly showed any sign of impatience. A gang of five young men approached him. Their supreme confidence betrayed the hollowness of their lives, a hollowness so deep that it could only be covered by the darkness of its abyss. . . . From his rear window he saw other drivers anxiously awaiting his fate, except whites who were exempt from the search. Every citizen of the country was supposed to have a Party membership card. The Youth Militia carried out searches any time they wanted to, particularly during periods of political tension and unrest, which were quite frequent, and also after new cards had been issued at the beginning of each year. All this was done in the name of rooting out subversive elements. . . .It was tragic to witness so much misspent energy of youth....It was not power that they possessed but destructiveness. Violence flowed in their veins like poisoned blood, draining them of meaning and purpose and leaving them with the spasms of death.<sup>117</sup>

MYP brutality took various forms, but for most Malawians the daily harassment they faced over their possession of the ruling party's membership card stands out sharply.

One Malawian, during a group interview in Ndirande township, recalled those times:

We could not go anywhere without the MCP's party card. The Pioneers were everywhere. They would stop you at the maize mill, the market, the school, the bus and they would come to your home demanding to see whether you had the card. They were very harsh when doing this and selling the party cards. If you refused the cards like the Jehovahs did, you were beaten up, killed or you would be sent to the prisons. We were always afraid of them and it is good that they are not here anymore.<sup>118</sup>

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<sup>116</sup> *Hansard*, 26 January 1965, p. 480. Banda tended to use the terms Youth League and Malawi Young Pioneers interchangeably.

<sup>117</sup> Tiyambe Zelewa, *Smouldering Charcoal* (Oxford: Heinemann, 1992), pp. 17-18.

<sup>118</sup> Group interview, Ndirande Township, 14 July 1998.

Besides serving as a para-military force, the MYPs played a key role in disseminating propaganda and legitimising state ideology. After completing their training, the MYPs were required to work closely with the local officials of the MCP in ensuring that the four elements of the state's ideological order were adhered to at all times.<sup>119</sup> In January 1965, the state declared that henceforth Young Pioneer activities were to be taught at all secondary schools and teachers' colleges by Young Pioneer graduates.<sup>120</sup> This move was, on the one hand, a means of containing political agitation by teachers, since many of them had shown strong support for the dissident ministers during the cabinet crisis; and on the other, a way to limit dissent among secondary school students. At the post-secondary level, MYPs pretending to be students infiltrated institutions such as the University of Malawi in Zomba and deepened the already growing climate of fear on campus associated with the lack of academic freedom. As Professor Kings Phiri mentioned during a fieldwork interview,

It was a difficult period to be an academic. You would come to work and hear that so and so was picked up. Sometimes you would be looking out of a window and suddenly see a colleague being led away by government security forces. There was a sense of helplessness when witnessing these events and there was a strong fear among all of us since we did not know who would be next.<sup>121</sup>

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<sup>119</sup> Of the long list of items comprising the state-defined Code for the Malawi Young Pioneers, the principal ones were patriotism, discipline, loyalty, obedience, and unity. Patriotism meant that a MYP was supposed to "love his country beyond anything else . . . and to protect the state and National property and Natural Resources." MYPs were also required to ensure that discipline was maintained in the country at all times in order to prevent "chaos and anarchy". Guaranteeing that Malawians remained loyal to the State, the Malawi Congress Party, and the President was an important role for MYPs, and those who failed would be considered "traitors" to the Leader and the country. Obedience for an MYP member meant that the latter "obeys without question. When a Young Pioneer receives a lawful Order he does not ask why, he does not complain." MYPs were also supposed to promote the unity of the country, as, according to the state, Malawians had to be united in their "fight to develop our country, and eradicate poverty, ignorance and disease" (op. cit. p. 15).

<sup>120</sup> *Malawi News*, 19 January 1965, p. 3.

<sup>121</sup> Interview with Professor Kings Phiri, 5 May 1998. It is important to note that while MYPs acted as the primary security agents of the state around the Zomba campus, the state policy of encouraging individuals to write anonymous letters informing Banda and other members of the ruling class of subversive activities led to the arrest and harassment of many academics. For instance, according to Dr. John Dubbey, the last British Vice-Chancellor of the University of Malawi in Zomba, even though it was difficult to prove the reasons behind the arrest of Jack Mapanje, the famed Malawian poet, "what seems more likely was that an anonymous letter had been the cause." In Jack's case, like most others, "a letter signed or otherwise" was sufficient; "it [would] be believed and acted upon, without too much worry about whether this might have been the invention of an enemy. . . ." (Dr. John Dubbey, *Warm Hearts, White Hopes*, [Gaborone,

## Political violence

I will keep them there and they will rot . . . they will rot. And I am going to make sure that in addition to the regular prison officers we have additional warders (members of the party Youth League) who . . . will know what to do with these fools. . . they will knock sense into their heads.<sup>122</sup>

The brutal methods used to consolidate the regime's power are legendary in Malawi and led Richard Carver to state: "Although many states in sub-Saharan Africa suffer from greater political violence than Malawi, there are few African countries with such a combination of totalitarianism and personal despotism."<sup>123</sup> The state's preferred methods of eliminating its perceived enemies were detention without trial, 'accidentisation', long-term imprisonment, firebombs, 'disappearance' in the Shire River, and seizure of property. It is not possible to include here an extensive list of all the Malawians who became victims of the state's 'elimination' campaign, but a few examples of the documented cases will further illustrate the extreme authoritarianism of the postcolonial state.<sup>124</sup>

Detention without trial was frequently used by the state in its campaign of silencing "subversive elements". Chakufwa Chihana, one of the early leaders of the labour movement, was detained twice by the postcolonial regime. Banda's extensive security network tracked him down in exile and brought him back to Malawi where he was detained from 1971 to 1977.<sup>125</sup> He was held in solitary confinement, denied reading material, and prohibited from communicating with his family. For Chakufwa Chihana, it

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Botswana: Penrose Book Printers, 1994], p.117). Jack Mapanje was arrested on 25 September 1987 at the Gymkhana Club in Zomba, a popular club for academics and civil servants (among others) and spent approximately three years in Mikuyu prison.

<sup>122</sup> *Hansard*, 1965, p.

<sup>123</sup> *Africa Watch*, (New York: Africa Watch, 1990), p. 1

<sup>124</sup> In collaboration with a colleague at the Centre for Human Rights and Rehabilitation in Lilongwe, the author of this thesis is involved in a social history project involving a documentary film and a book based on personal stories of both victims and perpetrators of human rights abuses during Dr. Banda's regime.

<sup>125</sup> Interview with Chakufwa Chihana, President of the Alliance for the Restoration of Democracy (AFORD), 6 June 1998.

was very difficult to bear, "a dehumanising and a soul destroying experience."<sup>126</sup>

Before being detained without trial in Mikuyu Prison, Jack Mapanje, a lecturer and writer, was "taken in handcuffs to the University of Malawi (in Zomba) where he [was] head of the Department of English Language and Literature. The police searched his office and seized various manuscripts, including poems and a paper delivered at a conference in Stockholm in 1986, entitled 'Censoring the African Poem: Personal Reflections.'" <sup>127</sup> His arrest shocked many people since he had not been arrested after the 1981 publication of his collection of poems, *Of Chameleons and Gods*, touching on various themes of life under an autocratic regime. Writing about Mapanje's arrest, Dr. John Dubbey states:

On September 25, the Registrar brought me the shattering news that Jack Mapanje had been arrested. . . . The shock of this arrest was one from which I never fully recovered. Here was the unacceptable face of Malawi brought right home to me. I had, of course, heard many stories of repression, of arrest and imprisonment without trial, of political prisoners detained indefinitely, even of executions and car accidents arranged by the State, and over the next few years learnt of many more atrocities in this so-called warm heart land. But to have Jack, whom I knew well and greatly respected as a scholar and a true patriot of his country, taken away in this fashion, left a wound that refused to heal.<sup>128</sup>

Martin Machipisa Munthali was alleged to be a supporter of the previously mentioned uprising staged by Chipembere and his supporters in 1965. After his trial, Munthali was sent to prison where he served his eleven-year sentence, but Banda issued an order that led to another eighteen years. After his release in 1992 he sued the state for

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<sup>126</sup> Ibid.

<sup>127</sup> *Africa Watch*, op. cit., p. 75.

<sup>128</sup> J. Dubbey, op. cit., p. 116.

damages.<sup>129</sup> During the trial, details about his experience in prison were released, beginning with his first imprisonment in 1965:

He was taken to Dzeleka Prison in Dowa. He was put in a dark solitary room. He was ordered not to speak to anyone. He was further told that he was a very influential person and that he would influence them and others because he told them that he wanted multi-party to come into the country. He was at Dzeleka for two months. After those two months he was sent to Mikuyu Prison. According to him it was worse there. He was in a solitary cell measuring three feet by six feet. The room was much darker. There was no window and no ventilation. He was alone in Mikuyu up to 1974. His only companion was Chakufwa Chihana who joined him later and was released subsequently.<sup>130</sup>

The late Orton Chirwa (one of the 'rebel' ministers) and his wife Dr. Vera Chirwa were two other Malawians who spent many years in prison. As indicated earlier, Orton Chirwa was one of the founders of the Malawi Congress Party; in 1960 he had stepped down from the party's presidency to make room for Banda. In 1964, in the wake of the cabinet crisis, he left Malawi for exile in Tanzania where he and his wife founded the Malawi Freedom Movement.<sup>131</sup> The Chirwas were detained in May 1983 after the regime's security forces had kidnapped them together with their son in Zambia on 24 December 1981. After their abduction, they were tried by the Southern Regional Traditional Court and sentenced to death on treason charges. In 1984, the President, under heavy international pressure, commuted their sentences to life imprisonment. The Chirwas

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<sup>129</sup> Martin Machipisa Munthali was awarded US\$ One Million as compensation by the state. In making the award Justice Dunstain Mwaungulu stated: "This is surely a case where exemplary damages should be awarded. The plaintiff was sentenced to four years imprisonment with hard labor for the offence which he had committed. The state felt that this sentence was wholly inadequate; they appealed. That sentence was enhanced almost three times over to 11 years imprisonment to reflect the seriousness of the offence and to allay fears that might have been there as to the security of the nation. Then to keep the man for another 19 years without any court order or conviction shocks every sense of justice or punishment. The ignominy in this case lies in the (blatant way) in which public officials disregarded the constitutional and legal avenues available to justify the incarceration or release of the plaintiff. . . . In my mind, this is a case where not only should he be adequately compensated, but a case also where public officers who are called upon to act within the confines of the law and authority should get the signal that the court will award such damages as would prevent and deter the repetition of what has happened" (*Martin Machipisa Munthali v. The Attorney General*, Mutua, op. cit., p. 9).

<sup>130</sup>Ibid.

<sup>131</sup> Interview with Dr. Vera Chirwa, 15 July 1998, Blantyre, Malawi.

were incarcerated in Zomba Central Prison where they were denied the right to see each other. Orton Chirwa died under mysterious circumstances on 20 October 1992 at the height of the pro-democracy movement. Dr. V. Chirwa was released in January 1993.<sup>132</sup> Enemies of the state could also be eliminated through 'accidentisation,' to use the term Jack Mapanje coined to describe mysterious accidents involving certain prominent Malawians. As early as 1962, Banda and his inner circle were suspected of involvement in the mysterious death of thirty-two-year-old Dunduza Chisiza. It is evident from his writings that his thinking differed markedly from that of Banda on the subject of establishing a dictatorial state in Malawi and elsewhere in postcolonial Africa: "One thing is clear," Chisiza had once stated, " that no effort should be spared to prevent the establishment of a dictatorship. Salvation seems to lie not in cure but in prevention."<sup>133</sup>

In 1983, Dick Matenje, the Secretary General of the ruling MCP and a leading contender in the undeclared war of succession between John Tembo and other members of the Presidential court, was killed in an unexplained car accident together with Cabinet Ministers Aaron Gadama and John Sangala, and an M.P named David Chiwanga. Three of these men belonged to the faction of the ruling class that was pushing for reform in the authoritarian order and the postcolonial pattern of capital accumulation. According to a report prepared by Dr. Makau Mutua for the Robert F. Kennedy Memorial Center for Human Rights, the four politicians disappeared on 17 May 1983 after a tumultuous parliamentary session in which those close to the President argued for the creation of

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<sup>132</sup> Commenting on their arrest and subsequent imprisonment, Dr. Vera Chirwa stated: "The government had no grounds for putting us on trial and subsequently placing us in detention. However, I do not think the President forgave us for what he perceived as betrayal in 1964. While in exile we always knew that we were targeted but we underestimated the government's extensive spy network. Anyway, I have forgiven those who caused pain to my family, but this does not mean that I have forgotten or will ever forget what they did to us" (interview with Dr. Vera Chirwa, 15 July 1998, Blantyre).

<sup>133</sup> Chisiza, *op. cit.*, p. 44. In 1959, Dunduza Chisiza had shared a cell with the President in Gwelo prison.

the post of Prime Minister, and supported John Tembo as the leading candidate.<sup>134</sup> The four 'accident victims' are said to have been opposed to the idea, and this, among other issues, is said to have led to their demise. The circumstances of their 'accident' in Mwanza near the Malawi-Mozambique border are not clear, but those who saw their bodies reported evidence of foul play. "I saw four bullet holes on the face and the back of the head, which was partially blown off," Augustine Chiwanga stated. In addition, Dr. M. Mutua reported that the state issued conflicting reports after the 'accident.' In the first instance, state sources claimed that the four politicians were "missing," but later the same agency declared that "they had been killed in a car crash in Mwanza as they attempted to flee the country."<sup>135</sup> Suspicion of state involvement in the 'accident' was there from the beginning, and was heightened by the fact that Banda neither sent a representative to their funerals nor expressed any sympathy.<sup>136</sup> As well, official instructions concerning the way the bodies were to be buried raised further suspicion.

According Mary Gama, a daughter of one of the victims:

After the government announced the deaths, it transported the bodies to our homes in Land Rovers with instructions for us not to wash the bodies or have them examined. We were instructed to bury them as we had received them. Mourners who were not immediate family members were turned away from the funeral by the police and the MYP.<sup>137</sup>

Several other former loyalist supporters of the postcolonial state became, in one way or another, victims of the state's silencing machinery. Gomile Kuntumanji, who had been a close associate of Banda for many years and had, in the name of political stability, been involved in human rights violations, was detained without trial in 1969 and died in prison

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<sup>134</sup> Dr. Makau Mutua, *op. cit.*, p. 12.

<sup>135</sup> *Ibid.*

<sup>136</sup> *Ibid.*

<sup>137</sup> Quoted in *ibid.* The bodies remained covered and were constantly guarded by security personnel; thus the family could not see them.

in 1990.<sup>138</sup> One of the most shocking of the high-profile detentions was that of Aleke Banda (not related to Dr. Banda) who had risen quickly in the party and government hierarchy after being personally recruited by Banda in 1960 at the age of twenty-four. At the height of his career he held various positions, the most powerful being that of Secretary General of the Malawi Congress Party, and, as indicated earlier, he had played a key role in the rise of the MYPs. As the Secretary General of the MCP he was politically the second most powerful person in the country, as the constitution designated the holder of this position as the interim successor to the Life-President. In 1973, Aleke Banda was dismissed from the Party and was detained without trial after speculation in the Zambian media that he was a likely successor to President Banda (a taboo subject). He was released and partially rehabilitated by Banda when he was assigned to the position of managing director of Press Holdings—Banda's conglomerate—in 1974. In the late 1970s, Aleke Banda became increasingly critical of the President's use of the conglomerate's finances at a time when the country was facing a serious economic crisis—a position that led to his detention in 1980. He remained in prison until his release in 1992.<sup>139</sup>

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<sup>138</sup> In his prison memoir, Samuel Mpasu, a leading politician in Malawi's Second Republic, talks of the irony of sharing stories with several of the President's 'sons' in the same prison. He writes vividly about stories told to him and others prisoners by one of Banda's strongmen, Sweetman Kumwenda, the first head of the Malawi Police Force. According to S. Mpasu, "It was Sweetman Kumwenda, by his own account, who had recommended to Dr. Banda that a new maximum security prison for political prisoners should be built in Zomba, close to the police headquarters and the army headquarters. Dzeleka, he had told Dr. Banda, was too far from Dowa in the Central Region and would be indefensible in the event of a massive jail-break. Mr. Kumwenda was entrusted with the job of building such a maximum security prison. He had gone to South Africa and to Ghana to borrow architectural plans. It was he who had supervised the construction of Mikuyu Maximum Security Prison until it was ready for occupation. Then he was unexpectedly retired and subsequently arrested. Ironically, he became the first inmate of a prison he himself had built for others" (Sam Mpasu, *Political Prisoner 3/75 of Dr. H. Kamuzu Banda of Malawi* (Harare: African Publishing Group, 1995), p. 85.



Gwanda Chakuamba, another member of the presidential inner circle, was jailed for twenty years in 1978 after a Traditional Court found him guilty of treason and sedition. At the time of his arrest, Chakuamba was the Minister of Youth and Culture and the head of the ruling MCP in the Southern Region.<sup>140</sup> Austin Madinga, a General Manager of the Malawi Development Corporation, one of the key state-owned parastatals, died in an 'accident' after the World Bank, his previous employer, pushed to have him replace John Tembo as the Governor of the Reserve Bank of Malawi.<sup>141</sup> Brown Mpinganjira, during his tenure as the state's Deputy Chief of Information, was detained in Mikuyu prison for allegedly providing information to external journalists.<sup>142</sup> Albert Nqumayo, the secretary general of the MCP, and Focus Martin Gumede, the head of the Special Branch policy intelligence unit, fell suddenly out of the regime's favour. During their trial, they were accused of planning to assassinate the President, and sentenced to death.

Nqumayo was executed, but Gumede was later pardoned.<sup>143</sup> Samuel John Mpasu, a leading member of the ruling class in Malawi's second republic, was another victim of state repression in the 1970s. In his book *Political Prisoner 3/75 of Dr. H. Kamuzu*

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<sup>139</sup> Aleke Banda is a powerful member of Malawi's new government.

<sup>140</sup> John Lloyd Lwanda, *Kamuzu Banda of Malawi: A Study in Promise, Power and Paralysis* (Glasgow: Dudu Nsomba Publications, 1993), p. 283.

<sup>141</sup> *Africa Watch*, op. cit., p. 49. Commenting in 1992 on John Tembo's 'staying power', Chris McGreal stated:

"As others have fallen and sometimes died in strange circumstances, Tembo has risen to just one rung below the presidency. Careless driving appears all too common among Malawi's politicians. Three cabinet ministers and an MP died in what was officially described as a car crash in 1983. The governor of the Central Bank died in similar circumstances. All had been in confrontation with John Tembo. The cabinet ministers were last seen alive at Mikuyu prison a few days after they had challenged Tembo's rising power. After the bank governor's death, Tembo added the bank job to his portfolio. (See Chris McGreal, *Esquire*, October 1992, p. 132.)

<sup>142</sup> *Africa Watch*, op. cit., p. 81.

*Banda of Malawi*, he has given a detailed account of his experience with the state's repressive apparatus. At the time of his arrest, he was a senior officer with Viphya Pulp and Paper Corporation, a state-owned parastatal where he was on secondment from his job as a Trade Officer in the Ministry of Trade, Industry and Tourism. He was detained without trial between 1975 and 1977 for writing a fictional book in which the plot involved the killing of a president. While he was in prison, his Ethiopian-born wife was raped by a well-known civil servant, and in an effort to provoke Mpasu, security officials arranged for him to meet with his pregnant wife on 10 January 1977. Of this visit he writes:

Suddenly, the door opened. In walked a two-year-old boy, clad in a dirty, oversize T-shirt. I did not recognize my own son. The last time I had seen him was when he was still a baby in his mother's arms. The woman who walked in, behind the small boy, looked familiar but haggard and pregnant. I looked closer at her. Then the shock hit me. It was my wife. She was at least six months pregnant. There was no mistake about it. Her tummy was so large. She was followed by Miss Esnat Kadzamira, younger sister of Miss Cecilia Kadzamira, Dr. Banda's official hostess.<sup>144</sup>

The regime did not restrict its silencing campaign to its domestic opponents, but extended its reach to 'subversive elements' living outside the country. For 'enemies of the state' living in exile, a bomb was the chosen method of elimination. For example, Attati Mpakati, the leader of the Socialist League of Malawi, had his fingers blown off by a bomb in Maputo, Mozambique. Afterwards, the President bragged about his "boys" involvement in the incident. Mpakati later died at the hands of the state security forces in Harare, Zimbabwe, in March of 1983, also by a bomb.<sup>145</sup> Another bomb victim was Mkwapatira Mhango, who perished along with his immediate family after a firebomb

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<sup>143</sup> Ibid.

<sup>144</sup> Sam Mpasu, op. cit., p. 123.

<sup>145</sup> *Africa Watch*, op. cit., p. 48.

attack on his home in 1989. Mhango was a Malawian journalist living in exile in Zambia; death occurred a few weeks after Banda attacked him for being critical of the regime. His brother Goodluck Mhango, a scholar, also faced harassment from the state security forces. He was detained prior to his brother's death, and again later between 1987 and 1992.<sup>146</sup>

Confiscating the property of state 'enemies' was another means of containing dissent. Under the *Forfeiture Act* (Cap. 14:06) 1966, the state had the legal authority to appropriate property. It is estimated that approximately three hundred forfeiture orders were issued by the state, but the actual number of properties confiscated could be much higher as many Malawians lost their property through other means, including the terrorising tactics of the Malawi Young Pioneers.<sup>147</sup>

### Conclusion

In summary, this chapter has demonstrated the efforts by the postcolonial regime to consolidate power in a one-party authoritarian state. The evolution of this regime would generate political contradictions that led to a new crisis in 1992-93, and as chapter eight will also show, the authoritarian character of the postcolonial state greatly influenced the form of democracy that emerged in Malawi in the post-Banda period. Before we move on to these events, however, we must consider the nature and outlook of a new political

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<sup>146</sup> John Lloyd Lwanda, *Kamuzu Banda of Malawi, A Study in Promise, Power and Paralysis* (Glasgow: Dudu Publications), 1993, p. 167.

<sup>147</sup> For a partial list of Malawians who lost their property in this manner see, Mekki Mtewa, *Malawi: Democratic Theory and Public Policy* (Cambridge: Schenkman Books, 1986), pp. 87-90 and also Lwanda, op. cit., p. 92.

and economic actor, or 'community' of actors, which came into existence at the time of Africa's transition to independence, and was to play a particularly important role in Malawi.

## CHAPTER FIVE: THE TRANSNATIONAL LENDING COMMUNITY AND ITS DISCOURSES

Since World War II through their hegemonic development discourses the leading countries of the international capitalist system and international financial institutions have, in different but complementary ways, played a central role in the evolution of the political economies of the so-called Third World societies. This chapter examines the nature of two principal discourses that marked the relationships between developing countries and international financial institutions and their home states during this period. First, the chapter outlines the concept behind the term 'transnational lending community' and highlights in brief the factors that led to the rise of this community as a world phenomenon. Second, it analyses the hegemonic discourses of the transnational lending community before 1980 and from 1980 to 2000.

### **The transnational lending community as a world phenomenon**

Like many concepts in the social sciences, the term 'community' is a contested one—as evidenced by its “almost bewildering variety of conceptions.”<sup>1</sup> However, as Robert Fowler has noted, underlying any definition of community is the notion of commonality.<sup>2</sup> Thus, a community is defined by its common characteristics, and the specific character of its commonalities defines the identity of a particular community.<sup>3</sup> It is contended here that the lending agencies of the leading industrialised countries, international financial institutions such as the World Bank and the International Monetary Fund (IMF), and the United Nations' specialised agencies such as the United Nations Development

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<sup>1</sup> Robert Booth Fowler, *The Dance with Community: The Contemporary Debate in American Political Thought* (Lawrence: University Press of Kansas, 1991), pp. x and pp. 1-3. See the following works for detailed examination of the term community: Eugene Kamenka, *Community as a Social Ideal*, (London: Edward Arnold, 1982); Frances Hesselbein, et al (eds.), *The Community of the Future* (San Francisco: Jossey-Bass Publishers, 1998); and Georges Van Den Abbeele, *Introduction*, in Miami Theory Collective, (ed), *Community at Loose Ends* (Minneapolis: University of Minnesota Press, 1991).

<sup>2</sup> *Ibid.*, p.3.

<sup>3</sup> *Ibid.*

Programme, which have dominated the provision of foreign 'aid' to peripheral states since World War II, can fruitfully be thought of as forming a transnational lending community.<sup>4</sup> The specific characteristics of this community are its shared interest in maintaining the international political and economic order, the vast scale of the financial resources it collectively deploys, and its resulting powerful influence on political and economic developments in peripheral countries.

The emergence of the transnational lending community as a world phenomenon has its roots in events following the Second World War: the rise of the USA as a hegemonic global power; the formation of international organisations; and the emergence of new states following the decolonisation process. The destruction of Western Europe and Japan during the War and the division of the world between Eastern and Western spheres of influence during the cold war led to the rise of the USA as the leading hegemonic power in a Western alliance that included Japan. In addition, the USA's major role in the reconstruction of Western Europe through the Marshall Plan spurred the former's rise to hegemonic status. Commenting on the influence of the Marshall Plan on the emergence of the new international order with the USA at its apex, Simon Clarke stated:

The solution to the problem [global currency reforms] was Marshall Aid, a free gift of \$13 billion to finance reconstruction and currency stabilisation, which had the added merit of staving off the looming US recession by expanding US exports. The programme had the longer-term cosmopolitan objective of stimulating a flow of US private investment to Europe, to secure the integration of Europe into an Atlantic economy and to raise European productivity levels to overcome the uneven development of the forces of production that was the primary barrier to the recovery of accumulation on a world scale. It was the linchpin of a strategy to secure the social and political reconstruction of Europe on the American model, by providing the expansionary economic environment in which to foster collaborative industrial relations and American mass production methods,

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<sup>4</sup> For data on this community's 'aid' to developing countries between 1955 and 1993 see William Ryrie, *First World, Third World* (New York: St. Martin's Press, 1995), pp. 6-9; and Bruce Dinwiddy, ed., *Aid, Performance and Development Policies of Western Countries* (New York: Praeger), pp. 25-26.

while launching a political offensive against the Left in the trades unions and sponsoring right-wing political regimes.<sup>5</sup>

While economic and military power played a fundamental role in the emergence of the USA as a hegemonic power, a group of "organic intellectuals" in the Gramscian sense able to articulate American political and economic views also aided this process. The detailed study of the evolution of the Council on Foreign Relations by Laurence H. Shoup and William Minter describes the formation of such a group of intellectuals, with their close ties to leading American capitalists, intellectuals, and government officials, and their powerful role in shaping the post-war international political and economic order.<sup>6</sup> For example, a 1946-1947 Council study group, with Charles M. Spofford as head and the banker David Rockefeller as secretary, formulated plans for the reconstruction of Western Europe which become the foundation for the Marshall Plan.<sup>7</sup> Ensuring the USA's hegemony in this international order was a central goal of the Council. Expressing this sentiment, Isaiah Bowman, the director of the Council, claimed that there was a need to "think of world-organization in a fresh way. To the degree that the United States is the arsenal of the Democracies it will be the final arsenal at the moment of victory. It cannot throw the contents of that arsenal away. It must accept world responsibility. . . . The measure of our victory will be the measure of domination after victory."<sup>8</sup> Other members of the Council expressed similar views. For instance, Gen. George V. Strong, who participated in the War and Peace Studies, stated that the

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<sup>5</sup> Simon Clarke, *Keynesianism, Monetarism and the Crisis of the State* (Aldershot: Edward Elgar, 1988), p. 256.

<sup>6</sup> Laurence H. Shoup and William Minter, *Imperial Brain Trust: The Council on Foreign Relations and United States Foreign Policy* (New York: Monthly Review Press, 1977), pp. 11-187.

<sup>7</sup> *Ibid.*, p. 35.

<sup>8</sup> Letter from the Director of the Council and Territorial Group leader, Isaiah Bowman, to Hamilton Fish Armstrong, the editor (1928-1972) of the Council's main publication, *Foreign Affairs*, December 15, 1941, Bowman papers, Armstrong File, JHUL. quoted in *ibid.*, p. 163.

USA "must cultivate a mental view towards world settlement after this war which will enable us to impose our own terms, amounting perhaps to a pax-Americana."<sup>9</sup>

Following the economic depression of the 1930s and World War II the leading industrialised countries instituted a process of constructing a new political and economic order. To aid this process, several international institutions were created; the Council on Foreign Relations played a key role in their formation and viewed them as important in ensuring American leadership. The Council's interest in the creation of international financial institutions was proposed in 1941 and 1942 by its War and Peace study groups, who argued that these institutions were vital for "stabilizing currencies and facilitating programs of capital investment for constructive undertakings in backward and underdeveloped regions."<sup>10</sup> They continued, "It might be wise to set up two financial institutions: one an international exchange stabilization board and one an international bank to handle short-term transactions not directly concerned with stabilization."<sup>11</sup> In the same year the Council proposed to President Roosevelt and the Department of the State that the creation of these institutions should be a joint effort between the United States and the United Kingdom, thus laying the foundation for the later collaboration between Dexter White and John Maynard Keynes. These ideas culminated in the 1944 Bretton Woods Agreement that led to the creation of the International Monetary Fund (IMF) and

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<sup>9</sup> Minutes S-3 of the Security Subcommittee, Advisory Committee on Postwar Foreign Policy, May 6, 1942, Notter File, Box 77, R.G.59, quoted in *ibid.*, p. 164.

<sup>10</sup> Memorandum P-B23, October 11, 1941, Council on Foreign Relations, *War-Peace Studies*, quoted in *ibid.*, p. 166.

<sup>11</sup> *Ibid.*, p. 167 and Memorandum E-B49, April 1, 1942, Council on Foreign Relations, *War-Peace Studies*, Baldwin Papers, YUL, quoted in *ibid.*, p. 168.



the International Bank for Reconstruction and Development (later the World Bank), which evolved to form the institutional core of the transnational lending community.<sup>12</sup>

The UN and its specialised agencies, such as the United Nations Development Programme (UNDP), the World Health Organisation (WHO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), and the United Nations Food and Agriculture Organisation (FAO), emerged during the same period and came to play central roles in the international arena. The Council on Foreign Affairs advocated the creation of the UN to the US government, arguing that since the USA had to “avoid conventional forms of imperialism”, an international body was needed that would provide the necessary political and security framework.<sup>13</sup> Between 1943 and 1944 the Informal Agenda Group (referred to by President Roosevelt as “my post-war advisers”), whose membership was dominated by Council members, designed the UN framework, including its Charter. The design process culminated with the holding of the Dumbarton Oaks and the San Francisco Conferences in 1944 and 1945 respectively.<sup>14</sup>

The decolonisation process (which increased the number of so-called Third World countries) and the cold war provided the context for the rise of the transnational lending community as a world phenomenon. The USA, as a leading member of this community, to a large extent influenced its policies towards peripheral countries. Aiding economic development in these areas was presented as the central goal of the community's

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<sup>12</sup> Simon Clarke, *Keynesianism, Monetarism and the Crisis of the State* (Aldershot: Edward Elgar, 1988), p. 249.

<sup>13</sup> Memorandum E-A26, February 7, 1942, Council on Foreign Affairs, War-Peace Studies, quoted in *ibid.*, p. 170.

<sup>14</sup> *Ibid.*, pp. 170-172.

relationship with the emerging nations, as Present Truman stated in his 1949 inaugural speech:

More than half the people of the world are living in conditions approaching misery. . . . For the first time in history, humanity possesses the knowledge and skill to relieve the suffering of those people. I believe we should . . . in co-operation with other nations, foster capital investment in areas needing development. . . . We must embark on a bold new program for making the benefits of our scientific advances and industrial progress available for the improvement and growth of underdeveloped areas. The old imperialism—exploitation for foreign profit—has no place in our plans. What we envisage is a program of development based on the concepts of democratic fair dealing.<sup>15</sup>

Nevertheless, economic development was not the only goal of the USA and its allies in the new international order. A political project marked the emerging transnational lending community's relationship with the new states. As Fred Halliday argued, while Western Europe and Japan had distinct areas of influence after 1945, "no such delimitations were stabilized" in the peripheral countries; they became zones of East-West rivalry.<sup>16</sup> As a superpower, the USA was at the forefront of the struggle against the spread of communism.

By the mid-1960s, then, when most countries in the periphery had gained formal independence, a new international order was in place with the USA at its helm. Members of this order and the international financial institutions created in the immediate post-war period came to represent a transnational lending community. The hegemonic discourses of this community, discussed below, influenced the political and economic developments in the countries of the periphery, as chapters four, six, seven, and eight demonstrate in the case of Malawi.

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<sup>15</sup> Harry S. Truman, Inaugural Address, January 20, 1949, in *Documents on American Foreign Relations* (Connecticut: Princeton University Press, 1967).

<sup>16</sup> Fred Halliday, *Cold War, Third World: An Essay on Soviet-US Relations* (London: Hutchinson Radius, 1989), p. 11.

### **The transnational lending community's development discourse before 1980**

As chapter three demonstrates, the character of Malawi's social formation at independence played a large part in the deepening of authoritarianism in the postcolonial period; nevertheless, this process did not occur in an international vacuum. As chapter six shows in detail, the transnational lending community was heavily involved in Malawi's efforts at promoting economic development during the period of rising authoritarianism, yet there was no outcry from this community concerning the political situation there. This silence was a result of its prevailing development discourse.

The post-1945 international order had a major influence on the nature of the transnational lending community's hegemonic discourse during this period. The core tenets of this discourse were that the developing states needed to concentrate on economic development which would lead to democratic forms of government, and that they had to contain radical politics, especially communism, since this would lead to social upheaval and stunted economic growth. The transnational lending community was to play a leading role in the development process in the periphery through the provision of foreign aid. The twin objectives of economic development and communist containment guided the transnational lending community's foreign aid programs during this period. For example, in the 1970s leading members of the transnational lending community (the USA, West Germany, and Britain) pushed Canada to play an aggressive role in providing aid to Tanzania in efforts to thwart China's role in the country's development process.<sup>17</sup> In the case of the USA the main thrust of its foreign aid program was to "help deter Soviet aggression and to meet it more effectively if

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deterrence should fail" and to "help raise living standards in the less developed areas and thus make Communist claims less attractive."<sup>18</sup> According to Enrico Augelli and Craig Murphy, writing in 1988, as far as the US administration was concerned, the fight against communism was an absolute one between good and evil:

The real battle is between the United States and the Soviet Union and transfers of resources are just ammunition. From this perspective foreign assistance can be given quite generously to those who join the fight, to those who are in danger of being overcome by evil, and to those tempted by evil offers. In this conceptual scheme there is no difference between military and economic aid because both can be instrumental in stopping the evil of Soviet communism.<sup>19</sup>

Other members of the transnational lending community emphasised similar themes. For instance, in 1964 France expressed its motivation for aid provision in the following terms, though with a noticeably more nuanced and sophisticated attitude to peripheral 'socialism':

We want to be free to live under the social system of our choice. This freedom could be endangered by the formation of a political and military bloc in Asia, Africa and Latin America hostile to our way of life. The way to prevent this is not to seek to impose liberal economic structures identical with our own; the masses, who will inevitably remain unsatisfied for a long time, would turn to whoever opposed us. Our only concerns should be that their political ideology does not induce them to fight against us, and that it favours their development. The effectiveness of our cooperation with the Third World will depend in the long run on our ability to help countries whose economic regime will be, to a greater or lesser extent, socialist.<sup>20</sup>

Although other members of the transnational lending community may, for historical or other reasons, have established different strategies in dealing with specific countries in

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<sup>17</sup>David R. Morrison, *Aid and Ebb Tide: A History of CIDA and Canadian Development Assistance* (Waterloo: Wilfrid Laurier University Press, 1998), p. 48.

<sup>18</sup>Robert A. Packenham, *Liberal America and the Third World* (Princeton: Princeton University Press, 1973), p. 51.

<sup>19</sup>Enrico Augelli and Craig Murphy, *America's Quest for Supremacy and the Third World* (London: Pinter Publishers, London, 1988), p. 79.

<sup>20</sup>*La Politique de Cooperation avec les Pays en Voie de Developpement* (London: Development Institute, 1964) quoted in H.J.P. Arnold, *Aid for Development: A Political and Economic Study* (London: The Bodley Head, 1966), pp. 106-107.

the developing world and were more cautious about the political goals of aid provision, to a large extent they did not sway far from the general outline of the post-World War II liberal international order. For instance, Britain declared the objectives of its aid policy as follows:

Our aim is to do what lies in our power to help the developing countries to provide their people with the material opportunities of using their talents, of living a full and happy life and of steadily improving their lot. It [our aid programme] can at the same time be defined in political terms. The international discussion of aid and the programmes to which it gives rise are an important part of international politics. . . . But we must be clear about the political objectives which an aid programme can and cannot be expected to achieve. Aid is a means of promoting long-term economic development. . . . Aid is not a means of winning the friendship of individual countries, though we are glad to offer aid to our friends.<sup>21</sup>

On the rare occasion that a member of the transnational lending community supported the establishment of democracy in the developing world (for instance President John F. Kennedy's administration), this did not translate into the denial of support for dictatorships. The following statement made by President Kennedy after the 1961 assassination of the Dominican Republic's dictator, Molina Trujillo, summarises the USA's view of political systems in the developing world during this period:

There are three possibilities in descending order of preference: a decent democratic regime, a continuation of the Trujillo regime, or a Castro regime. We ought to aim at the first but we really cannot renounce the second until we are sure that we can avoid the third.<sup>22</sup>

The transnational lending community's development discourse in this period relied heavily on mainstream intellectual ideas (specifically modernisation theory) regarding the processes of political and economic development in the periphery. In fact for some scholars, for instance, intellectuals involved in the production of the political development literature, the hope that their works would influence policy makers in the USA and

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<sup>21</sup> H.J.P. Arnold, *op. cit.*, p. 129.

<sup>22</sup> Quoted in Arthur M. Schlesinger, Jr., *A Thousand Days: John F. Kennedy in the White House* (Boston: Houghton Mifflin, 1965), p. 769.

Western Europe in their dealings with the emerging nations was an openly expressed aim.<sup>23</sup> For L. Pye (a key contributor to the political development literature), there was an urgent need to establish an intellectual framework that these countries would use as their guide in their development process. According to Pye:

People in the new countries aspire to have things which are in no way consistent with their fundamental cultural pattern; . . . politically, they want their societies quickly to possess all the attributes of the modern nation-state. The time has clearly arrived for those who value free institutions to face up to the very problems of the appropriate strategies and doctrines which might facilitate the process of nation building in the new countries.<sup>24</sup>

As discussed earlier, the central idea of modernisation theory was the notion that all societies followed a linear historical process whereby traditionalism gave way to modernity. Economic development along capitalist lines was seen as the key to this process, and while this process was taking place, other things that characterised modern societies, such as democratic political systems, had to wait. Accordingly, scholars working from this perspective advocated instead strong-handed regimes that had the capacity to control their citizens and engender economic growth, a process that would in the future result in the transition to liberal democracy. Modern elites were presented as the social actors who would guide developing societies along this path, and who would also need to consolidate power and prevent popular forces from interfering with the important issues of nation building, institution building and economic development.

While the 1950s and 1960s development discourse of the transnational lending community was marked by a belief that as long as developing countries were following a

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<sup>23</sup> For this view see G. Kahin, G. Pauker, and L. Pye, "Comparative politics of non-Western countries," in *American Political Science Review*, no. 49 (1955): pp. 1028-1029 and G. Almond, T. Cole, and R. Macridis, "A suggested research strategy in Western European government and politics," *ibid.*: pp. 1046-1048.

<sup>24</sup> L. Pye (ed.), *Communications and Political Development* (Princeton: Princeton University Press, 1963b), pp. 12-13.

capitalist path economic prosperity and democratic politics would eventually emerge, by the late 1970s the community's development discourse had begun to change. By the 1980s a new development discourse had emerged that would greatly influence the evolution of the political economies of developing countries. As the next section will illustrate, this shift was heavily influenced by changes in mainstream development thinking.

### **The transnational lending community's development discourse 1980-2000**

As we enter the final decade of this century, which we intend should be a Decade of Democracy, we reiterate our commitment to support the strengthening of democracy, human rights, and economic reconstruction and development through market-oriented economies.<sup>25</sup>

The 1980s saw a shift in the development policies of the transnational lending community. This shift was characterised by a strong emphasis on the introduction of market mechanisms in the development process, and, by the late 1980s, the establishment of multiparty democracies in the developing world. This section highlights the core tenets of the transnational lending community's market and democracy promotion agenda and contends that, contrary to the assertions of this community, this new development discourse did not represent a restructuring of social and political power in the developing world—a contention supported, in the case of Malawi, by the evidence presented in chapters seven and eight.

#### *Promoting markets*

In its call for the implementation of market reforms in the developing world, the transnational lending community was influenced by neo-liberal thought that gained

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<sup>25</sup> Sherrill Brown Wells, *American Foreign Policy Current Documents*, 1990, p. 129. Excerpt from a lengthy statement issued by heads of state of the seven major industrialized countries and the president of the European Communities at the annual economic summit in Houston, Texas, July 11, 1990.

prominence in the 1970s and whose core tenets were the limitation of government's role in a country's economic affairs and the promotion of free markets, both of which would facilitate the most rational employment of capital on a global scale.<sup>26</sup> Factors such as the shift in models of global production, the emergence of neo-liberal governments in the leading countries of the industrialized world — the governments of Margaret Thatcher in Britain, Helmut Kohl in Germany and Ronald Reagan in the United States—and the rise of the newly industrialised countries in Asia are cited as playing a major role in the emergence of international neo-liberalism.<sup>27</sup>

In development economics there emerged a new discourse that fell in with the neo-liberal doctrine. According to neo-liberal economists, the stunted and crisis-ridden economies of countries in the developing world were the result of misguided economic policies and the dominant role played by their governments in their national economies.<sup>28</sup> In addition, the existence of a large parastatal sector impeded economic growth since it hindered the expansion of the private sector and the emergence of private entrepreneurs. Governments of developing countries were also accused of creating an economic environment that failed to create incentive structures and was riddled with economic distortions, especially in agriculture and in trade; and of neglecting the development of human capital in their quest for physical capital formation.<sup>29</sup> This thinking shaped the development policies of the transnational lending community from the late 1970s onwards.

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<sup>26</sup> Samir Amin, "The Issue of Democracy in the Contemporary Third World", in Barry Gills, Joel Rocamora, and Richard Wilson, eds., *Low Intensity Democracy* (London: Pluto Press, 1993), p. 59.

<sup>27</sup> Adam Przeworski, *Sustainable Democracy* (Cambridge: Cambridge University Press, 1995), p. 4-5.

<sup>28</sup> John Toye, *Dilemmas of Development: Reflections on the Counter-Revolution in Development Economics* (Oxford: Blackwell, 1993), p. 70.

<sup>29</sup> *Ibid.*



In relation to development in Africa, the World Bank and the International Monetary Fund (IMF) together played a leading role in the implementation of neo-liberal development policies. The World Bank set out its new development agenda for Africa in its 1981 report, *Accelerated Development in Sub-Saharan Africa: An Agenda for Action*,<sup>30</sup> in which the definition of the key causes of the African economic crisis was very much in line with the central ideas of the neo-liberal economic perspective: that is, that economic development was impeded by the postcolonial expansion of inefficient parastatals, state involvement in the economic arena and the growth of the public sector, stunted agricultural growth, decline in the 1970s of agrarian exports, and tightly controlled trade and exchange policies.

The structural adjustment policies of the World Bank and the IMF were characterised by three main policy reforms. First, market mechanisms were to replace the central role played by African governments in the economic affairs of their countries. As a World Bank 1989 report stated, these countries needed "not just less government but better government—government that concentrates its efforts less on direct interventions and more on enabling others to be producers."<sup>31</sup> This policy included the elimination or scaling back of government provision of subsidised fertilisers, health care, and education, and the retrenchment of public service employment. Second, and closely related to the preceding reforms, was the introduction of changes to the parastatal sector. The World Bank's goal in parastatal reform was to generate an efficient and market-oriented parastatal sector and to encourage the emergence of independent

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<sup>30</sup> World Bank, *Accelerated Development in Sub-Saharan Africa: An Agenda for Action* (Washington: The World Bank, 1981), p. 38.

<sup>31</sup> World Bank, *Sub-Saharan Africa From Crisis to Sustainable Growth* (Washington: The World Bank, 1989), p. 5.

entrepreneurs and privatisation. Parastatal reform called for

. . . a clear definition of objectives and terms of reference; an explicit understanding between government and the parastatal entity defining the annual financial and production plan within the framework of agreed long-term objectives . . . ; an incentive system conducive to efficient performance; independence in day-to-day management; independent personnel management; proper accounts and records; and acceptance of the principle that under certain circumstances liquidation of an enterprise may be desirable.<sup>32</sup>

Third, reforms were introduced in the agricultural sector. The aim was to concentrate on smallholder production and provide “incentive structures by hiking producer prices [and] developing more open and competitive marketing arrangements,” and to expand research in African agricultural production.<sup>33</sup> Finally, African countries needed to reform their trade and exchange policies. This included the reduction of import duties and export tax subsidies, and re-setting exchange rates along market-friendly lines.<sup>34</sup>

Entrepreneurs rather than developing states were now deemed by the World Bank to be the catalysts of economic success. In sub-Saharan Africa, the Bank claimed that entrepreneurs “will play the central role in transforming African economies.”<sup>35</sup> Governments in this region were called upon to create economic environments that encouraged the growth of entrepreneurs by eliminating opportunities for rent-seeking and ensured that entrepreneurs were “free to accumulate capital—both as a reward for success and to compensate for occasional losses.”<sup>36</sup> Specifically these governments could encourage the growth of entrepreneurs by taking the following measures:

Removing undue regulatory constraints, protecting property and contract rights, and improving the public image of entrepreneurs; broaden financial and information systems to speed market responses, create employment and boost productivity for small-scale enterprises; stimulate markets through infrastructure linkages, local and regional

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<sup>32</sup> World Bank, 1981, op. cit., p. 38.

<sup>33</sup> Ibid, p. 50.

<sup>34</sup> Ibid, pp. 24-31.

<sup>35</sup> Ibid., World Bank, 1989, op. cit., p. 147.

<sup>36</sup> Ibid.

sourcing of government purchases, and private sector competition to provide public services; and encourage associations (including trade and professional groups, grassroots organizations, and NGOs) that help entrepreneurs to pool their interests and mobilize resources.<sup>37</sup>

In addition to developing states creating the necessary conditions for local capital to operate, international forces were seen by the World Bank as playing a central role in the evolution of African entrepreneurs. For instance, transnational corporations through an organisation called the African Management Services Company (established by forty TNCs), and through local representatives of the transnational lending community, were already involved in the drive to expand Africa's entrepreneurial development.<sup>38</sup>

### *Promoting democracy*

While the transnational lending community welcomed 'friendly' dictatorships in the 1960s and 1970s, by the 1980s they had swung towards supporting the establishment of multiparty democracy: for instance, in 1982 Ronald Reagan declared in London that his government was going to push for changes that would "foster the infrastructure of democracy around the world."<sup>39</sup>This global democracy promotion agenda evolved throughout the 1980s, reaching its zenith in the early part of the 1990s. In its new discourse, the transnational lending community stressed that the development crisis facing peripheral countries was not solely the result of misguided economic development strategies, but also a product of the authoritarian and corrupt mode of politics in these countries—a state of affairs now referred to as a "crisis of governance."<sup>40</sup> Regarding

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<sup>37</sup> World Bank, 1989, op. cit., pp. 135-136.

<sup>38</sup> Ibid., 145.

<sup>39</sup> Ronald Reagan, "Promoting Democracy and Peace", in *Current Policy*, no. 399 (Washington: Department of State, Bureau of Public Affairs, 1982).

<sup>40</sup> World Bank, *Sub-Saharan Africa, From Crisis to Sustainable Growth* (Washington: The World Bank, 1989), p. 60. As with its market promotion doctrine, the transnational lending community borrowed the concept of governance from mainstream intellectual ideas of political process in the developing world in this case from Goran Hyden, who defined governance as "the conscious management of regime structures with a view to enhancing the legitimacy of the public realm" (Goran Hyden, "Governance and the Study of

sub-Saharan African countries, for instance, the World Bank declared in 1989 that “underlying the litany of Africa’s development problems is a crisis of governance.”<sup>41</sup>

Echoing the World Bank’s view of the roots of the African crisis, Goran Hyden declared:

Although it has taken a long time for international finance institutions to recognize that the cause of Africa’s crisis is as much political as anything else, it is clear that a major reason why African economies had to undergo structural adjustment in the 1980s was a result of the rapidly declining levels of efficiency and effectiveness in state-driven and state-controlled operations. . . . Most fundamental . . . is the self-inflicted wounds that Africa’s political leaders caused their countries by undermining the rational and legal foundation of state policy after getting to power.<sup>42</sup>

The transnational community argued, as they had in the economic arena, that most states in the developing world had contributed to political chaos and that reform was needed. In contrast to the earlier development discourse, this new discourse no longer upheld dictators and their strong regimes as the foundation for economic development, since they had over the years created political environments that had led to economic stagnation by their encouragement of unproductive economic activities such as rent-seeking, corruption, and patronage. For example, referring to sub-Saharan Africa, the World Bank claimed:

State officials in many countries have served their own interests without fear of being called to account. In self-defence individuals have built up personal networks of influence rather than hold the all-powerful state accountable for its systemic failures. In this way politics becomes personalized, and patronage becomes essential to maintain power. The leadership assumes broad discretionary authority and loses its legitimacy. . . . This environment cannot readily support a dynamic economy.<sup>43</sup>

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Politics,” in Goran Hyden and Michael Bratton (eds.), *Governance and Politics in Africa* (Boulder: Lynne Rienner, 1992, p. 7) and went on to state that “the governance approach [to the study of comparative politics] offers a meaningful way of relating to the ongoing efforts...to reverse autocracy and build democracy” (ibid., p. 22). For a detailed critique of the governance concept see, Gerald J. Schmitz, “Democratization and Demystification: Deconstructing “Governance” as Development Paradigm”, in David B. Moore and Gerald J. Schmitz, *Debating Development Discourse* (New York: St. Martin’s Press, 1995), pp. 72-79.

<sup>41</sup> World Bank, *Sub-Saharan Africa: From Crisis to Sustainable Growth* (Washington: The World Bank, 1989), p. 60.

<sup>42</sup> Goran Hyden, “The Governance Challenge in Africa”, in Goran Hyden, Hastings W.O. Okoth-Ogendo, and Bamidele Olowu, *African Perspectives on Governance* (Trenton: Africa World Press, 2000), p. 16.

<sup>43</sup> World Bank, 1989, op. cit., pp. 60-61.

Consequently, since Third World dictators engendered unproductive economic behaviour they were unsuitable stewards of the ongoing process of economic restructuring that sought to establish market-oriented economic development. The type of regime that would create a favourable environment for a free market in these countries was one that encouraged the growth of civil society and respected human rights in addition to adhering to good governance.<sup>44</sup> These principles were the hallmarks of multiparty parliamentary democracies such as Botswana and Mauritius, countries which, when compared to other African countries, had “the best economic performance.”<sup>45</sup> By the end of the 1980s then, the establishment of multiparty democracy (along with other terms such as governance, human rights and markets) in the developing world occupied a prominent place in the development discourse of the transnational lending community who utilised foreign aid as a powerful tool in the push for its establishment.<sup>46</sup>

For the USA, the provision of political aid and the establishment of various new institutions were the principal means through which its democracy promotion agenda was to be achieved. Over the years several organisations were established both in the USA and in the developing world to facilitate this agenda.<sup>47</sup> Leading among these

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<sup>44</sup> Ibid., p. 61.

<sup>45</sup> Ibid.

<sup>46</sup> Aid conditionality in the 1980s concentrated on economic reforms from the late 1980s and into the 1990s, when conditionality was extended to include reforms in political and administrative structures, of which the most important was the establishment of democratic political systems in the developing world. For detailed discussion on the broadening of conditionality measures by the transnational lending community, see Tony Killick with Rammani Gunatilaka and Ana Marr, *Aid and the Political Economy of Policy Change* (London: Routledge, 1998), especially pp. 1-18, and Olav Stokke, ed., *Aid and Political Conditionality* (London: Frank Cass, 1995), pp. 1-87.

<sup>47</sup> Stressing the importance of institutions in the American agenda of democracy promotion in 1986, Raymond D. Gastil declared: “The campaign for democracy will eventually require a substantial bureaucracy dedicated to its purposes and able to represent its interests vis-à-vis competing foreign and domestic interests. We can hope that the greater attractiveness of democracy will allow the campaign to perform satisfactorily with hundreds of employees rather than the thousands routinely assigned by the Soviet Union to the task of promoting communism internationally. . . . Parts of the campaign for democracy

organisations was the National Endowment for Democracy (NED), which was created in 1983 as a result of a 1981 commission report—referred to as *Project Democracy*—produced under the auspices of the National Security Council.<sup>48</sup> In its findings, the same report stated that it was important for the United States to support

programs to strengthen friendly political movements in other countries as they are one of the foreign arms of a modern great power....aid to friendly political organizations abroad helps build up political actors in other polities, rather than merely seeking to influence existing ones....in international affairs, organization is now as important as issues, just as has always been the case in domestic politics.<sup>49</sup>

In the early 1990s the President of the United States, George Bush, declared that a New World Order characterised by democracy and markets had arrived. According to Bush, "Today is freedom's moment. . . . The possibility now exists for the creation of a true community of nations built on shared interests and ideals, a world where free governments and free markets meet the rising desire of the people to meet their own

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are already in place, particularly in functional areas such as the information services of the United States Information Agency. . . . A massive translation and book distribution service should be developed, at least sufficient to begin to compete with the Soviet effort. Much is also being done in other functional areas such as union organization, often by U.S. labour unions. The Human Rights and Humanitarian Affairs Bureau performs an important service in direct support of many of the goals of the campaign. Institutes for the study of democracy could be developed on a continental basis to help train cadres of leaders familiar with democracy and to study the problems of developing and maintaining modern civil societies and democratic institutions (Raymond D. Gastil, "Aspects of a U.S. Campaign for Democracy," in Ralph M. Goldman and William A. Douglas, eds., *Promoting Democracy Opportunities and Issues* (New York: Praeger, 1988), pp. 39-41).

<sup>48</sup> Two key elements of the NED were "to encourage free and democratic institutions throughout the world through private sector initiatives, including activities that promote the individual rights and freedoms, including internationally recognized human rights and fundamental freedoms, which are essential to the functioning of democratic institutions; [and] to encourage the establishment and growth of democratic development in a manner consistent both with the broad concerns of U.S. national interests and with the specific requirements of the democratic groups in other countries that are aided by programs funded by the endowment (Ralph M. Goldman, "The Democratic Mission: A Brief History," in Ralph M. Goldman and William I. Douglas, 1998, op. cit., pp. 21-22). Organisations such as the Free Trade Union Institute (an organisation established by the American Federation of Labour-Congress of Industrial Organizations (AFL-CIO) and the Center for International Private Enterprise (an agency of the U.S. Chamber of Commerce) also received funding from the American government for purposes of democracy promotion (ibid., p. 21).

<sup>49</sup> Michal A. Samuels and William A. Douglas, "Promoting Democracy," *Washington Quarterly* 4, no. 3 (1991): pp. 52-53, quoted in William I. Robinson, *Promoting Polyarchy, Globalization, US Intervention and Hegemony* (Cambridge: Cambridge University Press, 1996), p. 83.

destiny.<sup>50</sup> In another speech the President reiterated this claim, declaring that the New World Order “enables people to pursue their natural instincts for enterprise”; he went on to say that in the post-Cold War era, “the world has learned that free markets provide levels of prosperity, growth and happiness that centrally planned economies can never offer,” and that “prosperity encourages people to live as neighbours, not as predators, and supplies the soil in which democracy grows best.”<sup>51</sup> According to James Baker, Secretary of State under the Bush administration, the provision of foreign assistance was to be guided by core American values: democracy, freedom, and free market principles.<sup>52</sup> In 1990 the United States Agency for International Development (USAID) introduced its “democracy initiative” and declared that “within each region of the world, allocations of USAID funds to individual countries will take into account their progress towards democratisation” and the deepening of market-based economic reforms.<sup>53</sup> The Clinton administration was committed to a continuation of the democracy agenda with President Bill Clinton declaring in 1992 that “our leadership is especially important for the world’s new and emerging democracies . . . [and] if we could make a garden of democracy and prosperity and free enterprise in every part of this world, this world would be a safer and a better and a more prosperous place for the United States.”<sup>54</sup>

The United States was not the only industrialised country promoting democracy and markets and linking the establishment of democracy to foreign aid provision. In 1989 the Group of 24 industrialised countries declared that aid to Poland, Hungary, and other East European countries was conditional on their showing commitment to “free markets

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<sup>50</sup> “Address to the 44<sup>th</sup> Session of the United Nations General Assembly,” New York City, 25 September 1989, *Public Papers of the Presidents of the United States: George Bush*, 1989.

<sup>51</sup> “Address to the 46<sup>th</sup> Session of the United Nations General Assembly,” New York City, 23 September 1991, *Public Papers of the Presidents of the United States: George Bush*, 1991.

<sup>52</sup> Sherrill Brown Wells, *op. cit.* pp. 3–4

<sup>53</sup> Joan Nelson, *op. cit.*, p. 16.

and political democracy"; and in the same year the European Bank for Reconstruction and Development incorporated this criterion as part of its lending policy.<sup>55</sup> Other members of the transnational lending community followed suit. The French Minister of Cooperation and Development, Jacques Pelletier, claimed that the establishment of democracy would lead to development and that his government was "very concretely and solidly on the side of those who made, and continue to make, the necessary reforms."<sup>56</sup> In 1990 the British Foreign Secretary, Douglas Hurd, stated that democracy and good governance were the essential underpinnings of social and economic development, and went on to declare that donors should "look out for opportunities to support countervailing sources of power where it made sense to do so, along with nongovernmental organizations."<sup>57</sup> Japan also declared its support for the establishment of free markets and democracy when it announced in 1990 that its future allocation of foreign aid would be guided by the extent of the recipient country's implementation of these reforms. About the same time, Belgium called for the transnational lending community to "postpone the meeting of the bilateral co-operation commission, to freeze loans agreed to in 1989 and to suspend further commitments for 1990" until Zaire took measures to move towards a democratic system that respected human rights and

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<sup>54</sup> President Bill Clinton, "American University Convocation Address," Washington DC, February 26, 1993, US Information Service Transcript, p. 7.

<sup>55</sup> Joan M. Nelson, *Encouraging Democracy: What Role For Conditioned Aid?* (Washington: Overseas Development Council, 1992), p. 15

<sup>56</sup> Quoted in *ibid.*, p. 16

<sup>57</sup> Quoted in *ibid.*, p. 16.



instituted policies that would lead to good governance.<sup>58</sup> As for the World Bank and the International Monetary Fund, the promotion of good governance and market-oriented reforms became the normal condition for the extension of financial aid, although, as chapter seven will indicate in the case of Malawi, the commitment of these two institutions to political reforms was riddled with contradictions.

Elites drawn from government and business sectors and leading civil society organisations were deemed by the transnational lending community to be the central players in the establishment of democracy in the developing world. As the World Bank declared in 1989, "A common mistake is to ignore local leadership, often on the grounds that it is exploitative. . . . On the contrary, studies show that working with existing leaders" yields better results.<sup>59</sup> In its democracy promotion efforts, USAID developed a strategy called 'picking winners' which amounted to supporting through various methods local elites who had the capacity to win multiparty elections.<sup>60</sup> An elite-driven process of democratisation was supported by leading American intellectuals such as Samuel Huntington, who claimed that democracy could only be established in countries where "political leaders willing to take the risk of democracy" existed.<sup>61</sup> According to him, in this process local elites would be accused "of having sold out the interests of their constituents [however] the extent of this disaffection was, in a sense, a measure of their

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<sup>58</sup> Robrecht Renard and Filip Reyntjens, "Aid Conditionality: The Case of Belgium, with Particular Reference to Burundi, Rwanda and Zaire," in Olav Stokke, op. cit., p. 98.

<sup>59</sup> World Bank, 1989 op. cit., p. 61.

<sup>60</sup> Lisa Peterson, *Consolidating Democracy: Lessons We Are Learning from the Results of USAID Democratic Governance Programs in Africa* (USAID, 1996), p. 6.

<sup>61</sup> Huntington, 1991, op. cit., p. 108.

success" in reaching their goal of establishing democracy.<sup>62</sup> Others scholars supporting elite-led democratisation were G. O'Donnell and P. Schmitter, who claimed that the transition from authoritarian rule to democracy depended on "whether some civilian, as well as military, leaders have the imagination, the courage, and the willingness to come to interim agreements on rules and mutual guarantees" governing the parameters of this process.<sup>63</sup>

The transnational lending community was also to play a major role in the establishment of these new political frameworks. This sentiment was expressed in a 1991 World Bank document that stated:

Since poor countries generally have fragile polities and weak systems of accountability, with few autonomous institutions and little countervailing power to that exercised by the government at the centre, external agencies are potentially key political players capable of exerting considerable influence in promoting good or bad governance. In raising the shortcomings of a country's governance, external agencies are calling into question its government's performance. Clearly, this goes further than a critique of a particular programme or project (generally regarded as a legitimate concern of a financing agency), to touch on the ability of a regime to govern effectively in the interests of its citizenry.<sup>64</sup>

A closer examination of the transnational lending community's global democracy promotion agenda indicates advocacy of the establishment of a narrowly-defined form of democracy that emphasised elite dominance legitimized through periodic elections and the entrenchment of market-oriented economic reforms. Like its free market campaign, the transnational community's democratic vision borrowed heavily from dominant intellectual ideas about democracy defined in terms of form, and not substance. As early as 1972 an intellectual closely linked to the US government was advocating the

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<sup>62</sup> Ibid., pp. 168-169.

<sup>63</sup> O'Donnell and Schmitter, op. cit., p. 36

<sup>64</sup> I. Pierre and Ismail Serageldin, *Governance and the External Factor* (Washington: World Bank, 1991), .

establishment of a limited form of democracy in the developing world. In his widely quoted book *Developing Democracy*, William A. Douglas (a leading member of the earlier cited commission report, *Project Democracy*) argued:

That a firm hand is needed is undeniable. However, it is harder to accept the claim that only dictatorship can provide the sufficient degree of firmness. First, in regard to keeping order, what is involved is basically effective police work, and there is no reason why democratic regimes cannot have well-trained riot squads. . . . Democratic governments may be able to do the same things as dictatorships to overcome centripetal social forces: use police to stop riots, strike bargains with the various groups to keep them reasonably satisfied, and call out the army when peaceful means fail. . . . There is no denying the need for organizational structures by which the modernized elite can exercise tutelage. However . . . it is common experience that in obtaining the desired behaviour from a balky mule, a balky child, or a balky peasant, the real key is to find just the right balance between carrot and stick. . . . Democracy can provide a sufficient degree of regimentation, if it can build up the mass organizations needed to reach the bulk of the people on a daily basis. Dictatorship has no monopoly on the tutelage principle.<sup>65</sup>

William Douglas was not the only intellectual advocating the establishment of a very narrowly defined form of democracy in the periphery. As discussed in chapter two, intellectuals such as Samuel Huntington and Larry Diamond, among others, also advocated the establishment of a procedural democracy that above all else ensured the protection of the property rights of the dominant class and the operation of free markets. These intellectual origins of the transnational lending community's democratisation campaign make it clear that underlying the push for peripheral democratisation was the stabilisation of the existing economic and social system, and hence the interests of capital at both the local and international levels. In effect, the democratisation agenda secures and is seen as securing the reproduction of existing patterns of social and economic power. As Samir Amin has stated (from the opposite end of the ideological spectrum),

Neoliberalism – the name given to the offensive—knows no frontiers and is deemed to have worldwide validity. 'Openness' (to capital and to 'information', that is, the dominant

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<sup>65</sup> William A. Douglas, *Developing Democracy*, (Washington: Heldref, 1972), pp. 16-22, quoted in William. I. Robinson, *op. cit.*, p. 84.

media) is synonymous with essential progress. . . . Democratisation is considered the necessary and natural product of submission to the rationality of the worldwide market. A simple dual equation is deduced from this logic: capitalism = democracy, democracy = capitalism.<sup>66</sup>

But the transnational lending community's promotion of global capitalism (referred to as 'free markets') and its claim to be democratic is problematic and could even be seen by some as hypocritical. The basic ethos of capitalism is private property, which, according to F. Hayek, leads to the realm of individual freedom.<sup>67</sup> Consequently, capitalism is characterised by the promotion of inequalities, and not equality, a factor that was highlighted by Robert Dahl, American's leading liberal democracy theorist, when he stated that "capitalism is persistently at odds with values of equity, fairness, political equality among all citizens, and democracy."<sup>68</sup> In addition, like their view of market economic reforms, the transnational community's view of democratisation in the developing world is not that of a historical and social process; rather their idea is that as long as there are local elites who are interested in implementing procedural democracy, liberal democracy can generally operate.

### Conclusion

To conclude, the decade of the 1980s saw the emergence of a new hegemonic development discourse that emphasised the promotion of free markets and democracy. This new "historical structure"<sup>69</sup> (in Robert Cox's sense) represented a policy shift in the

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<sup>66</sup> Samir Amin, *op. cit.*, pp. 59-60.

<sup>67</sup> F. Hayek, *The Constitution of Liberty*, (London: Routledge & Kegan Paul), 1960.

<sup>68</sup> Quoted in Gerald Schmitz and David Gillies, *The Challenge of Democratic Development: Sustaining Democratization in Developing Societies* (Ottawa: The North-South Institute), 1992, p. 28.

<sup>69</sup> According to Robert Cox, at a given historical juncture, the prevailing historical structure—which embodies ideas, institutions and material capabilities—plays a central role (though not in a mechanistic manner) in social and political processes ("Social Forces, States and World Orders: Beyond International Relations Theory", in Robert O. Keohane (ed.), *Neorealism and Its Critics* (New York: Columbia University Press, 1986), pp.217-229). The notion of 'historical structure' includes the transnational lending community with its central ideas of markets and democracy; international financial institutions such as the World Bank and the International Monetary Fund to implement these ideas; and the dependence of most

development agenda of the transnational lending community, which encouraged the demise of authoritarian states and the establishment of multiparty democracy and market-based reforms. And, as the preceding discussion has demonstrated, and the examination of Malawi's transition to democracy (chapter eight) will show, the transnational lending community acted on its (new) beliefs: in concert with local elites it played a central role in the emergence of a procedural form of democracy that preserved the existing structures of economic and political power.

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development countries on financial assistance from these institutions and their home states, which represent the material capabilities.

## CHAPTER SIX: THE ECONOMIC BASE OF THE POSTCOLONIAL STATE

This chapter examines Malawi's postcolonial economic base. It shows that while the country enjoyed increased economic growth between 1964 and 1979, the essential feature of the economy, i.e., agricultural production for the international market, remained unchanged. The analysis also shows that international financial flows from the transnational lending community were a significant feature of the state's economic base. Further, the chapter highlights the state's commitment to creating a propertied elite as part of its capital accumulation strategy. The chapter argues, and chapters seven and eight demonstrate in some detail, that the democratisation process was greatly influenced by these features of the state's economic base.

### The agrarian roots of the postcolonial state

I have told you that my business in this country now is to develop this country, because the political struggle is over. My job now is to develop this country, to wage war against three enemies: poverty, disease and ignorance.<sup>1</sup>

On the subject of different systems of government and economics—communism, socialism and capitalism—I am glad that you have decided that whatever our neighbours may do or may want to do or say, the only practical system of government and economics is that which passes for capitalism.<sup>2</sup>

The sentiments expressed in the quotations above, which emphasise the postcolonial regime's commitment to increased levels of economic growth, and to capitalism, can be found in most of the speeches given by Banda during his rule. In the first decade or so of independence the regime's economic hopes were realised when the country saw steady economic growth (see Table 6.1). This led the President and other members of the

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<sup>1</sup> *The President Speaks to Delegates at the Malawi Congress Party Political Education Conference*, 18 April 1966 (Blantyre: Department of Information, 1966), p. 14.

<sup>2</sup> *The President Speaks to Delegates at Malawi Congress Party Convention*, September 1968, Lilongwe (Blantyre: Department of Information, 1968), p. 2.

political elite to claim that Malawi had developed 'beyond recognition'. According to Dharam Ghai and Samir Radwan, Malawi's annual GDP grew by 4.6 per cent per annum between 1954 and 1963, by 6.8 per cent between 1964 and 1972, and by 6.4 per cent between 1973 and 1978.<sup>3</sup> Compared with that of other least developed countries, Malawi's per capita GDP between 1970 and 1980 (see Table 6.2) was significant. Increased agricultural production, especially in the estate sub-sector, was the prime source of this economic growth.<sup>4</sup>

Rising agricultural productivity was a continuous theme of the postcolonial regime, beginning as early as 1961, when the Malawi Congress Party (MCP) won a majority in that year's general elections. The regime's first development plan (1962-1965) declared:

Production in agriculture must increase at a phenomenal rate so that reliance on it as a source of income has meaningful content not only for the few, but also for the masses. It will do so only if there is a sustained and effective campaign to encourage and assist the masses to take to cash crop farming. This is what the Government sets out to do in the present plan.<sup>5</sup>

This development plan saw the expansion of the co-operative movement as a key avenue to the stimulation of Malawi's agrarian based economy. Stressing this point, the plan stated:

The co-operative movement has not caught on in Nyasaland as well as it has done in other territories. . . . Having regard to the principle of "mutual aid and co-operation" upon which most African societies are founded, co-operation must indeed occupy a prominent place in African economies. Moreover, it is only co-operation that on the supply side will enable the peasants to band together in the sale of their produce, thereby brushing aside the hand of the middle man, augmenting their bargaining power and realizing

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<sup>3</sup> Dharam Ghai and Samir Radwan, "Growth and Inequality: Rural Development in Malawi, 1964-78," in Dharam Ghai and Samir Radwan, *Agrarian Policies and Rural Poverty in Africa* (Geneva, International Labour Organisation, 1983), pp. 73-74.

<sup>4</sup> During the period under review, the category 'least developing countries' comprised of countries with the following characteristics: "per capital gross domestic product of less than \$100; contribution of the manufacturing sector to GDP of less than 10%; and adult literacy—age group 15 years and over—of less than 20%" (Anthony Jennings, "Measures to assist the least countries – the case of Malawi", in *Malawi, An Alternative Pattern of Development* (Edinburgh: Centre of African Studies, University of Edinburgh, 1984), p. 474.

<sup>5</sup> Nyasaland Government, *Development Plan 1962-1965* (Zomba: Government Printer, 1965), p. 46.

higher prices for their produce. On the demand side, only co-operation can enable rural peasants to buy their consumer goods at reasonably low prices. In short co-operation is the peasants' only method of extricating themselves from a situation in which they are compelled to sell their produce in wholesale markets and purchase their supplies in retail markets.<sup>6</sup>

**TABLE 6.1**  
**GROSS DOMESTIC PRODUCT BY INDUSTRIAL ORIGIN**  
(Millions of Mkwacha)

SECTOR	1964	1971
Agriculture: small-holder		
Monetary	12.2	40.2
Non-monetary	38.0	102.0
Agriculture: estate	5.9	17.1
Manufacturing	7.6	44.4
Building and construction	5.5	13.5
Electricity, sanitation and water	1.1	3.5
Public administration and defence	11.8	20.6
Education	2.8	3.9
Health	1.1	2.9
Distribution, banking and finance	11.7	30.9
Transport and communication	5.2	12.5
Other services	41.5	15.8
<b>GDP at factor cost at current prices</b>	<b>144.6</b>	<b>309.4</b>
Monetary	68.5	192.9
Non-monetary	76.2	116.5
Indirect taxes (net)	4.9	21.6
<b>GDP at current market prices</b>	<b>149.5</b>	<b>331.0</b>

Source: Carolyn McMaster, *Malawi—Foreign Policy and Development* (London: Julian Friedmann Publishers Ltd, 1974), p. 186

<sup>6</sup> *Ibid.*, pp. 46-47.



TABLE 6.2

## SELECTED ECONOMIC AND SOCIAL INDICATORS OF LEAST DEVELOPED COUNTRIES

Country	Population		GDP/per capita		Labour force % in Agriculture in 1980	Manufacturing % in GDP in 1980
	Total Million	Growth Rate 1970-80	Level in US\$	Growth Rate % 1970-80		
Afghanistan	15.9	2.6	240	-0.9	78	11
Bangladesh	88.2	2.6	129	1.3	84	7
Benin	3.5	2.9	288	-1.1	46	5
Bhutan	1.3	2.2	80	..	93	8
Botswana	0.8	2.6	1107	8.4	80	7
Burundi	4.2	2.0	210	0.8	83	8
Cape Verde	0.3	2.0	340	-1.7	56	6
Central African Republic	2.3	2.1	320	-1.3	87	14
Chad	4.5	2.0	227	-1.6	84	9
Comoros	0.4	2.8	322	-1.9	64	5
Democratic Yemen	1.9	2.2	333	..	59	11
Djibouti	0.3	6.8	480	-4.2	..	9
Equatorial Guinea	0.4	2.2	192	-13.4	75	5
Ethiopia	31.5	2.2	140	0.2	79	11
Gambia	0.6	3.0	415	-1.1	78	3
Guinea	5.0	2.5	385	0.6	80	3
Guinea-Bissau	0.8	1.6	194	-0.7	82	2
Haiti	5.0	1.7	283	2.6	67	13
Lao People's Democratic Republic	3.7	2.3	100	..	74	4
Lesotho	1.3	2.4	278	4.5	84	5
<b>Malawi</b>	<b>6.2</b>	<b>3.2</b>	<b>252</b>	<b>3.8</b>	<b>84</b>	<b>15</b>
Maldives	0.2	3.1	260	..	77	..
Mali	6.9	2.6	173	-0.5	87	13
Nepal	14.3	2.3	139	-0.2	93	4
Niger	5.3	2.9	438	1.5	88	5
Rwanda	4.8	3.0	239	3.9	90	12
Samoa	0.2	1.0	770	..	75	4
Sao Tome and Principle	0.1	1.4	511	-2.3	..	5
Sierra Leone	3.5	2.6	399	-0.8	65	7
Somalia	4.6	5.2	296	-1.3	80	7
Sudan	18.4	2.7	503	0.6	77	7
Togo	2.6	2.7	438	0.4	68	6
Uganda	13.2	3.0	280	-3.0	81	5
United Republic of Tanzania	17.9	3.0	280	-3.0	81	8
Upper Volta	6.9	2.5	170	-0.7	81	14
Yemen	5.8	1.9	463	5.8	75	5
<b>All least developed countries</b>	<b>275.9</b>	<b>2.6</b>	<b>222</b>	<b>0.8</b>	<b>81</b>	<b>10</b>
<b>All developing countries</b>	<b>2222.0</b>	<b>2.6</b>	<b>982</b>	<b>3.0</b>	<b>59</b>	<b>21</b>

Source: Anthony Jennings, "Measures to assist the least developed countries—the case of Malawi", in *Malawi, An Alternative Pattern of Development*, (Edinburgh: Centre of African Studies, University of Edinburgh, 1984), p. 475.

While co-operatives did not become a centrepiece of the regime's development strategy, in the wake of the 1964 cabinet crisis the regime continued to call for increased agricultural production. For example, the 1971-1980 *Statement of Development Policies* (DEVPOL) declared that "the emphasis in agricultural policy is on a general rise in agricultural productivity to be achieved quickly and effectively by the most economic means."<sup>7</sup> In defence of its emphasis on raising agrarian productivity, the government declared:

This choice of strategy, which gives top priority to raising agricultural productivity, is dictated not only by the present pattern of economic activities among the population but also by the nature and distribution of Malawi's economic resources. The factors of production with which Malawi is relatively well-endowed are land and labour; the factors which are in short supply are capital and high-level skills. It is therefore no more than common sense to make the maximum use of land and labour and economise on the use of capital and skills.<sup>8</sup>

Following the colonial pattern, the agricultural sector was characterised by two sub-sectors: the smallholder and the estate. Although estate production expanded in the 1970s (as will be discussed later) the smallholder sub-sector continued to be the backbone of the country's economy, with 85 per cent of the population involved in it.<sup>9</sup> The 1965 Land Act defined three types of land: customary land, that is "all land which is held, occupied or used under customary law, but does not include any public land"; private land—"all land, which is owned, held on claim, or which is registered as private land under the Registered Land Act"; and public land—"all land which is occupied, used or acquired by the Government, and any other land not being customary land or private land."<sup>10</sup> Smallholder producers could be found on both customary and public lands, the latter in government-run large-scale agricultural projects.

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<sup>7</sup> Government of Malawi, *Statement of Development Policies 1971-1980* (Zomba: Government Printer, 1971), p. 34.

<sup>8</sup> *Ibid.*, p. 1.

<sup>9</sup> *Ibid.*, p. 7.

<sup>10</sup> *Laws of Malawi*. Cap.57.01, Part I (2), pp. 3-4.

The Agricultural Development and Marketing Board (ADMARC), a public enterprise at the core of the state's capital accumulation machinery, monopolised the production and marketing of agricultural surplus from the smallholder sub-sector. In 1971, ADMARC replaced the Farmers Marketing Board and also played a central role in the commercial and industrial sectors of the economy. In the agrarian sector, smallholder producers were required to sell their produce through ADMARC.<sup>11</sup> A major proportion of ADMARC's profit was obtained by paying smallholder producers prices well below international prices, while the estate sub-sector was allowed to secure the Malawi kwacha equivalent of international prices for its crops.<sup>12</sup> According to one estimate, during the era of estate expansion in the 1970s, smallholder producers received between forty and sixty percent of the "farmgate export value of their crops," with the remaining profits accruing to ADMARC.<sup>13</sup> The exploitation of Malawi peasant producers was a common practice in agrarian-based sub-Saharan African countries, as local states struggled to accumulate capital under an international system of unequal exchange.<sup>14</sup> ADMARC's monopoly of the extraction of agrarian surplus enabled it to generate an estimated K.140 million in profits during the 1970s.<sup>15</sup> As table 6.3 indicates, a large proportion of these profits was channelled into investments in other sectors, including the estate sub-sector.

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<sup>11</sup> J. Kydd, "Malawi in the 1970s: Development Policies and Economic Change," in *Malawi, An Alternative Pattern of Development*, op. cit., p. 333.

<sup>12</sup> R.E. Christiansen, "Financing Malawi's Development Strategy," in *ibid.*, p. 446.

<sup>13</sup> J. Kydd, op. cit., p. 333.

<sup>14</sup> For detailed discussion on this see, Michael Neocosmos, *The Agrarian Question in Southern Africa and "Accumulation from Below"* (Uppsala: The Scandinavian Institute of African Studies, 1993).

A.K. Mwakasungura, *The Rural Economy of Malawi: A Critical Analysis* (Bergen, Norway: Development Research and Action Programme, 1984), Working Papers A. 309; and Mohamed Lamine Gakou, *The Crisis in African Agriculture* (London: The United Nations University/Third World Forum, 1987).

<sup>15</sup> R.E. Christiansen, op. cit., p. 447.

**TABLE 6.3**  
**ADMARC'S INVESTMENT AND LOAN PORTIFOLIO, 1972-1981**  
(Thousands of 1980 MKwacha)

<u>Item</u>	<u>Value As Of:</u>		<u>Net Change</u>
	<u>31/3/72</u>	<u>31/3/81</u>	
1. Equity Shares (at cost)			
a. Estate agriculture	72	2,250	12,178
b. Estate related industries	242	977	735
c. Non-estate agriculture	95	1,252	1,157
d. Non-agricultural	<u>1,475</u>	<u>10,691</u>	<u>9,216</u>
Sub total	1,884	25,170	23,286
2. Debentures and other			
Secured loans	<u>3,819</u>	<u>1,774</u>	<u>-2,045</u>
Sub total	3,819	1,774	-2,045
3. Unsecured Loans			
a. Estate agriculture	508	4,274	3,766
b. Estate related industries	835	--	-835
c. Press Holdings Ltd	1,358	29,288	7,930
d. Non-estate agriculture	378	1,070	692
e. Non-agriculture	<u>          </u>	<u>2,819</u>	<u>2,819</u>
Sub total	3,079	37,451	34,372
4. Miscellaneous	---	2,250	2,250
5. Total Investments (at cost)	8,887	66,755	57,868
6. Less Provisions for Diminution in Value of Investments	<u>2,037</u>	<u>2,000</u>	<u>-37</u>
7. Current Value of Investment	6,850	64,755	57,905

Source: R. E. Christiansen, "Financing Malawi's Development Strategy", in *Malawi, An Alternative Pattern of Development*, Proceedings of a Seminar Held in the Centre of African Studies, University of Edinburgh, p. 468.

As in the colonial period, smallholder agrarian producers participated in the production of cash crops, but in general their produce was not highly lucrative. This was not an accident, but the result of a deliberate policy on the part of the postcolonial state, which barred smallholder producers from growing the more lucrative crops such as flue-cured and burley tobacco—a policy similar to the colonial directives discussed in chapter three.

The legal basis of this policy during the period under review was the 1965 Land Act and the other land acts passed during this period, all of which expanded the state's control of land in the customary land category.

The marginalisation of the peasantry was not restricted to marketing, pricing, and crop type; it also extended to land ownership, use and disposal. Introducing the 1965 Land Act in parliament, Banda claimed:

Land being the most important asset in our economic life, it follows that we have to use it properly. If we have to use the land properly, it means that we have to have regulations and rules governing the use of land in this country. We cannot allow it to be used just anyhow, in any way, by any individual.<sup>16</sup>

He further stated:

When we have a Shire Valley Authority, we have made a dam, irrigated land, made canals; the people who we are going to put on that land have to be people whom we can control as to how they are going to till the land, how they are going to use the land. We can't spend all that 6,000,000 pounds which the World Bank is going to lend us and then let the people use it just anyhow.<sup>17</sup>

Consequently, the 1965 Land Act, like the others that were to follow—the *Customary Land (Development) Act* 1967, the *Registered Land Act* 1967, the *Local Land Boards Act* 1967, and the *Malawi Land (Amendment) Act* 1967—expanded the powers of both the state and future presidents in land matters. The 1967 Malawi Land (Amendment) Act stipulated that customary land could be converted into private land, making it open to acquisition by people with capital, or with enough political power to obtain credit.<sup>18</sup> In expanding the power of the Minister of Agriculture and Natural Resources, the 1965 Land Act stipulated that “the Minister may make and execute grants, leases or other dispositions of public or customary land for any such estates, interests or terms, and for

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<sup>16</sup> *Hansard*, 4 April 1965, pp. 653–61.

<sup>17</sup> *Ibid.*

<sup>18</sup> *Malawi Land (Amendment) Act*, No. 8 of 1967, p. 2.

such purposes and on such terms and conditions, as he may think fit", and that officials appointed by the Minister to administer this Act could not be legally challenged.<sup>19</sup>

The power of the President in the public and customary land categories was expanded with the introduction of these Acts. In calling for more presidential power in matters related to land ownership, Banda declared during a parliamentary debate:

The word or term "Government" is too ambiguous, too vague, too impersonal, too collective. Land is too important in this country. If our country is to develop economically the way it should be developed, there must be no ambiguity or vagueness in the vestment of land. There must be clarity and precision on and about the vestment of land. If it is to be that the Head of the State should be the one in whom all Customary Land in this country is vested, then we pin responsibility somewhere where it cannot be evaded. In other words, the chief trustee, the chief custodian for our people, custodian of land for our people in this country, must not be this Government in general terms, but specifically, the Head of the State.<sup>20</sup>

Consequently, the new legal framework governing land development provided that all public land was vested in perpetuity in the President; and all customary land was "hereby declared to be the lawful and undoubted property of the people of Malawi and . . . vested in perpetuity in the President for the purposes of this Act."<sup>21</sup>

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<sup>19</sup> *Laws of Malawi*, op. cit., Part II, 5(1), p. 5 and Part I, 3, p. 4.

<sup>20</sup> *Hansard*, 7 July 1966, Government Printer, Zomba, p. 411.

<sup>21</sup> *Laws of Malawi*, op. cit., Part III, 8 and Part V, 25 respectively. Before the introduction of these acts, the customary land category formerly referred to as African Trust Land had largely been under the control of traditional chiefs. While allowing that central authority over the allocation and occupation of "customary land" would remain with the traditional chiefs, the 1965 Act expanded the powers of the Minister through section 29(2), which stipulated that "the Minister may give directions to any chief respecting the disposition of customary land or the occupation thereof by any person or class of persons specified in the directions and may restrain any traditional authority from procuring the removal of any such person from customary land" (*ibid.*, p. 11). This act, therefore, gave the state enormous control of customary lands, and while section 28 made provision for people who would lose land through state conversion of land from one category to another, it was not unheard of, during Banda's regime, for people to lose their land if they were thought to be enemies of the state .

These land acts also marked the beginning of changes that would allow for a transition from communal ownership.<sup>22</sup> In 1967, emphasising the importance of private land ownership for economic growth, Banda stated:

Under our present system of land holding and land cultivation no one, either as an institution or an individual, will lend us money for developing our land because our present methods of land holding and land cultivation are uneconomic and wasteful. They put responsibility on no one. . . . We have to put a stop to this, even if only gradually, otherwise there will not be and there will never be any development in this country in the real sense of the word.<sup>23</sup>

The fact that the pattern of postcolonial agrarian accumulation resulted in the exploitation of the peasantry does not mean that this sub-sector was monolithic. For example, the size of land owned by smallholder producers varied considerably, leading to differentiation among members of this emerging class. In its 1971-1980 DEVPOL document, the postcolonial state defined the following categories for the smallholder sub-sector:

The 35 per cent of smallholders with less than 0.7 hectares who cannot, with present technology, satisfy their own subsistence requirements from their holdings, and even with modern technology these will remain dependent on off-farm income; the 40 per cent of smallholders with between 0.7 and 1.5 hectares who, with current technology, normally satisfy their subsistence requirements and have the potential for modest cash

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<sup>22</sup> While the legal framework concerning land encouraged private land ownership, under the *Local Lands Boards Act, 1967* the state still controlled the disposal of land once an individual took possession. According to the President, "The aim of the Bill was to prevent people to whom land had been given from disposing of it irresponsibly, too easily, too freely, too frequently, and too stupidly. . . . without due regard to their own future and the future of their family. In other words the main point in this Bill is . . . to protect the foolish people from themselves" (*Hansard*, April 1967, p. 450). The *Local Lands Boards Act* made provisions for the formation of local land boards. However, while on paper these boards appeared to have the power to dispose of land, the final decision lay with the Minister of Natural Resources, who was empowered "to give general consent in all transactions or any specified class of transaction in a Division or part of a Division; and direct the Board that consent shall not be given to any transactions" (*Local Land Boards, 1967*, 7 (1 a and b), p. 5). This act was a continuation of the paternalistic attitude of the colonial authorities in land matters, which during this period was perpetuated by Mr. S.R. Simpson, adviser to the Malawian government on land issues and drafter of the postcolonial land policy who, with regard to peasants' private ownership of land, claimed that the freedom of disposition must be withheld or at least severely restricted when individual title is first officially recognised among 'unsophisticated people' if they are not to lose their lands: "Often the most certain way of depriving a peasant of his land is to give him a secure title and make it as readily negotiable as a bank-note" (S.R. Simpson, *Land Law and Registration* [Cambridge: Cambridge University Press, 1976], pp. 236-238).

<sup>23</sup> *Hansard*, op. cit., p. 401.

crop sales; and the remaining 25 per cent with over 1.5 hectares who are commonly already involved in cash cropping.<sup>24</sup>

In addition, the state's introduction of the category of "progressive" farmer in 1967, commonly referred to in Malawi as "*Achikumbe*" (equivalent to the colonial concept of "master" farmer), led to further differentiation among peasant producers.<sup>25</sup> Progressive farmers were found primarily in the newly established large-scale agricultural projects which emerged in Malawi starting in 1967. The introduction of these farmers formed part of the postcolonial agrarian production strategy that stressed the establishment of large-scale agricultural projects and estate production. According to the postcolonial state, the aim of the large agricultural development projects was

to encourage the most promising farmers to raise their income levels to a point where they are able to take best advantage of improved inputs and become fully commercial farmers, while spreading the benefits of better techniques and inputs over as wide an area as is feasible, with a view to encouraging the most rapid increase in production for the market. With the incorporation of the *Achikumbe* (progressive farmers) and Young Pioneer Programmes in agricultural development, the extension and development services are being tailored increasingly to provide a more comprehensive service to assist rural development, moving away from the present need to provide service to largely non-commercial communities, even though some potential for increased production from a small extension effort still exists.<sup>26</sup>

The creation of these projects was facilitated by the earlier mentioned *Customary Land (Development) Act 1967*, which gave the Minister of Agriculture and Natural Resources the power to issue Control of Land Orders<sup>27</sup> that allowed for the conversion of customary

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<sup>24</sup> Government of Malawi, *Statement of Development Policies 1987-1996* (Zomba: Government Printer), p. 22.

<sup>25</sup> Simon Thomas, "Economic Developments in Malawi since Independence," in *Journal of Southern African Studies*, 1975, p. 38-39.

<sup>26</sup> *Statement of Development Policies 1971-1980* (Zomba: Government Printer), p. 54.

<sup>27</sup> The official policy was that the local people would be represented when a Minister's order was issued for a given area within the customary land category: "The Committee of elders, that is people, local people, will form the most important part or feature of the scheme because it will keep the traditional land authorities in the area in the picture and will give them the responsibility of distributing the land to any individual or family that has a claim to apply for it. The Committee will hear claims of everyone in the area who claims to have land and will tell the Allocation Office (*Hansard*, April 1967, p. 407). However, local committees were given only symbolic power, while the real power of decision in the allocation of



land to public land.<sup>28</sup> The first such area was 589,000 acres in Lilongwe District to the west of, and adjacent to, the new capital site, where the Lilongwe Land Development Project started in 1967.<sup>29</sup> By 1971, the Lilongwe Land Development Project included 28 units (the original 589,000 acres), a ranch (another 161,000 acres), 'low input' areas (88,000 acres), and private estates (31,000 acres).<sup>30</sup> The Chikwawa Cotton Development Project, established in 1968 in the Lower Shire valley, extended over 530,000 acres. Another large project funded during this period was the Central Region Lakeshore Development Project in Salima.<sup>31</sup> Examples of other such orders over the years are the Bua-Rusa Development Area (over 300,000 acres); the Kasindula Irrigation Area (over 8,000 acres); and the Nchalo Controlled Area (over 7,000 acres). These projects occupied a total area of 23,760 square kilometres.

The policy of supporting "progressive" farmers led to differentiation in the smallholder sub-sector, since the state accorded them special treatment. The government described its "progressive" farmer policy as follows:

Smallholders who persistently achieve certain high standards of husbandry and market orientation receive an *Achikumbe* certificate signed by the President, and other tangible benefits such as priority in marketing of crops through ADMARC and permission to take certain crops such as tobacco straight to the auction floor rather than being compelled to sell to ADMARC from whom they would receive only a quarter or one-third of the auction price. Other privileges include priority in the supply of farm inputs, and advice with farm planning and organisation.<sup>32</sup>

Participating farmers received "extension services, credit, infrastructure, storage and marketing facilities, health, housing and rural water, as well as other benefits through the promotion of irrigation and land improvement."<sup>33</sup> Such farmers were able to obtain easy

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land was left in the hands of state officials. For instance, there were no legal provisions stipulating that the Allocation Officer had to establish a local committee when administering the Minister's control order.

<sup>28</sup> *Customary Land (Development) Act, 1967*, section 3, p. 3.

<sup>29</sup> B. Pachai, *Land and Politics in Malawi, 1875-1955* (Kingston: Ontario, Limestone Press, 1978), p. 193.

<sup>30</sup> *Ibid.*, p. 193.

<sup>31</sup> *Ibid.*, p. 197.

<sup>32</sup> Quoted in Ghai and Radwan, 1983, *op. cit.*, p. 94.

<sup>33</sup> *Ibid.*, p. 94.

access to modern agricultural inputs and marketing opportunities for their produce, and could grow lucrative crops, while production and marketing for ordinary smallholder producers was heavily controlled by ADMARC. Thus, compared to the majority of the peasants, progressive farmers were accorded better opportunities to accumulate capital, which could enable them to engage in other economic activities.

In addition to state policy, other factors played a role in the emergence of a differentiated peasantry. Leading among these were the engagement by various segments of the rural population in work outside their land holdings, in the estate sub-sector, and in neighbouring mineral producing countries; the lack of a national independent peasant organisation outside the orbit of the ruling MCP, affording limited opportunities for peasants to meet as a group to discuss their mutual interests and form solidarity; and the rise of ethnic consciousness generated by the pattern of colonial and postcolonial political economy.

The estate sub-sector was the other component of the agricultural sector. In the immediate postcolonial period this sub-sector continued to be dominated by foreign capital. For instance, the majority of tea and tobacco estates were owned by multinational corporations such as the Lonrho Group, Bookers (Malawi) Ltd., British-American Tobacco, and the Imperial Tobacco Company. Starting in 1968, however, the postcolonial state began to push for the expansion of local capital ownership in the main sectors of the economy. In the agricultural sector, this resulted in increased state ownership of estates through ADMARC. Christiansen and Kydd calculated that between 1972 and 1981, 76 per cent of ADMARC's investments and loans went to the estate

sector.<sup>34</sup> According to one estimate, there were only a few hundred estates in the 1970s, but by 1985 the number had risen to several thousand (see Table 6.4).

**TABLE 6.4**  
**1985 STRUCTURE OF THE ESTATE SUB-SECTOR**

Crop	Number of estates*
Tea	28
Coffee	58
Sugar	2
Flue-cured tobacco	488
Burley tobacco	3036

Source: Data adapted from *SAL IV, Adjustment with Growth and Development, A Proposed Fourth Structural Adjustment Programme, Government of Malawi Special Studies Document 1986/2*, p. 11.

\*According to this study there were also roughly 500 estates that were not involved in the production of the listed crops.

As mentioned earlier, the postcolonial state restricted the production of lucrative crops to the estate sub-sector, which generated high earnings for private estate owners and the state during the period under review. The concentration of lucrative crop production in this relatively small sub-sector accounted for its large contribution to the country's export basket. Table 6.5 shows the growth of the estate sub-sector. In comparison to the contributions of previous years, the table indicates the rapid growth in share of production of this sub-sector, almost doubling from 7 per cent at independence to 13.2 per cent by 1978.<sup>35</sup> This expansion of estate production resulted from the establishment of tobacco estates during a period of favourable regional and international conditions for this crop. ADMARC became heavily involved in the acquisition of tobacco estates through joint ventures with local companies. For example, General Farming (Banda's company) and ADMARC were involved in the production of the lucrative flue-cured

<sup>34</sup> R. Christiansen and J.G. Kydd, "The Political Economy of Agricultural Policy Formulation in Malawi 1960-85." Paper prepared for the Managing Agriculture Development in Africa (MADIA) Study (Washington, D.C.: World Bank, 1986), p. 9.

<sup>35</sup> Ghai and Radwan, *op. cit.*, p.74.

tobacco crop in the central region of Malawi, where in 1971 European and Asian capitalists were banned from estate ownership. According to one estimate, by 1978 General Farming was growing 3,657 hectares of flue cured tobacco, 21% of the national area planted to this crop.<sup>36</sup>

**TABLE 6.5**  
**MALAWI'S ESTATE SUB-SECTOR, 1964-1979**

Year	Average Annual number of hired workers (excludes tenants)	Planted land (hectares)	Gross crop Production (thousands of 1978 MK)	Estate share (percentage)	
				Gross crop	Exports
1964	49,250	25,355	21,538	16.0	25.9
1965	49,700	25,293	23,351	13.7	24.1
1966	50,150	24,726	25,708	13.7	26.8
1967	50,600	25,522	29,086	14.4	23.5
1968	51,044	24,466	29,672	18.4	29.1
1969	55,821	28,612	31,703	17.8	31.3
1970	62,081	31,521	40,720	21.4	39.7
1971	66,341	35,304	43,501	20.0	41.4
1972	73,699	36,369	49,619	21.2	40.9
1973	88,159	38,779	58,998	26.6	46.8
1974	92,934	41,610	59,091	25.9	52.1
1975	107,551	44,649	76,277	32.9	59.0
1976	120,118	50,839	83,728	31.1	61.5
1977	154,696	53,652	98,597	31.9	63.2
1978	169,334	58,356	101,943	32.0	66.2
1979	182,295	63,150	118,807	34.7	66.1

Source: Frederic L. Pryor, *The Political Economy of Poverty, Equity, and Growth* (Oxford: Oxford University Press, published for the World Bank, 1990), p. 86.

While certain aspects of the local capital accumulation framework (such as the Acts discussed earlier) were primarily responsible for the rise of the estate sub-sector, other factors aided this process. First, as stated earlier, ADMARC controlled the prices of

<sup>36</sup> *Ibid.*, p. 321.

smallholder crops and bought them at below international prices. No such control measure existed in the estate sub-sector: for instance, tobacco estate owners sold their produce on the auction floors at international prices. Second, Southern Rhodesia's unilateral declaration of independence in 1965, which led to economic sanctions, contributed to the rise of the estate sub-sector because the sanctions included a ban on tobacco exports from Rhodesia. To put the rise of the tobacco industry in historical perspective, its share of total exports rose from 37 per cent in 1964-1965 to 54 per cent in 1977-1978.<sup>37</sup> The 1970s rise of tobacco production led also to the growth of tobacco processing industries, which also contributed to economic growth.<sup>38</sup>

A third factor was the availability of abundant labour as a result of Banda's 1974 curtailment of labour migration following an airplane crash that killed seventy-five Malawian mine workers on their way home from South Africa.<sup>39</sup> This was a significant policy shift since, as noted in chapter three, Banda had argued continuously in earlier years that his regime needed to co-operate with neighbouring imperial powers, due to the fact that many Malawians worked in these countries. For instance, in 1967 he stated:

It is not in the interests of my people and my country for this Government to boycott or isolate South Africa, Rhodesia, Portugal or Mozambique. Over 80,000 of our people are working in the Republic of South Africa now. Nearly 200,000 of our people are working in Rhodesia, and for our exports and imports, we depend entirely on Mozambique.<sup>40</sup>

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<sup>37</sup> Dharan and Radwan, *op. cit.*, p. 75.

<sup>38</sup> Robert Laslett, "An Account of Malawi's Economy and Economic Policies in the 1970s," in *Malawi, Alternative Patterns of Development*, 1984, *op. cit.*, p. 398.

<sup>39</sup> R. E. Christiansen and Johnathan G. Kydd, "The Return of Malawian Labour from South Africa and Zimbabwe," in *The Journal of Modern African Studies*, Cambridge, 21, 2, June 1983, pp. 311-12.

<sup>40</sup> Dr. Banda, Speech at the Malawi Congress Party annual convention, 10-18 September 1967 (Blantyre: Department of Information, 1967), pp. 29-30.

As table 6.6 indicates, before the 1974 shift in labour migration policy, a large number of Malawians worked in neighbouring mineral-rich countries—particularly South Africa. The labour suspension lasted until 1977, when Malawian workers were allowed to return to South Africa; but this was about the same time that the South African Chamber of Mines limited the number of Malawian recruits to 20,000 per year, significantly reducing the number of allowable Malawian immigrant workers.<sup>41</sup>

**TABLE 6.6**  
**NUMBER OF REGISTERED WORKSEEKERS, VACANCIES NOTIFIED AND FILLED**  
**AT EMPLOYMENT EXCHANGES, AND MALAWIAN MIGRANTS**  
**TO SOUTH AFRICA**

Year	Registered workseekers (per vacancy)		Vacancies Notified	Vacancies filled (% of vacancies filled)		Contracted migrants in South Africa at end of year
1969	15,044	(1.83)	8,201	5,896	(72%)	53,184
1970	22,139	(1.83)	12,101	9,095	(75%)	90,642
1971	17,120	(1.23)	13,875	9,673	(70%)	99,849
1972	23,575	(1.64)	36,863	14,153	(38%)	123,845
1973	22,986	(.59)	38,874	15,381	(40%)	123,251
1974	25,364	(.47)	53,784	19,709	(37%)	63,448
1976	30,266	(.92)	32,894	25,027	(76%)	-
1977	27,796	(.90)	31,004	25,506	(82%)	17,443
1978	27,220	(.64)	42,466	34,679	(82%)	17,981
1979	33,283	(.77)	43,490	38,967	(90%)	17,087

Source: Guy C.Z. Mhone, "Agricultural and Food Policy in Malawi: A Review," in Naceur Bourenane and Thandika Mkandawire, eds., *The State and Agriculture in Africa* (London: CODESRIA Book Series, 1987), p. 71.

Migrant workers' earnings have historically contributed a significant proportion of Malawi's total foreign earnings in the form of remittances (see Table 6.7). Banda's ban on migrant labour therefore seems at first sight difficult to understand from an economic

<sup>41</sup> Christiansen and Kydd, op. cit.

point of view. But in the politico-economic context of the 1970s, it was probably motivated by the immediate need for more labour in the expanding estate sub-sector. A resolution legitimising the President's directive, proposed by a member of the MCP, stated that the delegates noted "with great appreciation the growth and spread of estate farming. . . . Delegates pay tribute to His Excellency the Life President because the development of these farms has created employment opportunities for Malawians who, a few years ago, would have been a cheap migrant labour force outside Malawi, much to the distress of their own families back home."<sup>42</sup>

**TABLE 6.7**  
**MIGRANT WORKERS' REMITTANCES, 1964-1974**  
(in Millions of Mkwacha )

	1964	1966	1968	1970	1971	1972	1973	1974
Total	3.2	4.3	4.3	9.0	11.5	12.8	21.1	30.9
From South Africa	2.3	3.0	3.5	7.8	10.5	12.0	19.4	29.7

Source: T. D. Williams, *Malawi: The Politics of Despair* (Ithaca: Cornell University Press, 1985), p. 296.

While agriculture remained the state's economic mainstay, the industrial and commercial sectors also expanded during the period under review and contributed to Malawi's so-called economic boom. As it had done with the agrarian sector, the postcolonial state created machinery to encourage the expansion of commercial and industrial development. The Malawi Development Corporation (MDC), established in 1964, was the main institution created to carry out this mandate through collaboration with foreign and local capital.

<sup>42</sup> *Malawi Congress Party Annual Conventions, 1965-1985*, op. cit., p. 40.

At independence and in the immediate postcolonial period, the commercial and industrial sectors, like the estate sub-sector, were controlled by leading multinational corporations such as the Lonrho Group, who were major players in several of the main sectors of the economy (see Table 6.8).<sup>43</sup> The state encouraged foreign capital by creating a favourable investment climate. For example, with regard to investment incentives, the regime claimed that it provided “exclusive protection [to prospective firms]: i.e., when such protection is granted, no other enterprise is granted licences to manufacture products deemed to be competitive with those manufactured by the protected firm.”<sup>44</sup> The regime also prided itself on offering a political framework that was not available elsewhere in sub-Saharan Africa, as the following statement indicates:

The twin threats of nationalization and communist activity, which have appeared in other African countries, are non-existent. Where the Government wishes to participate in a commercial venture, it may do so through the Malawi Development Corporation. As for communist activity, the Republic of Malawi maintains diplomatic relations with no communist government, while there is a complete absence of communism both within the Trade Unions and elsewhere in the country.<sup>45</sup>

Beginning in the late 1960s, however, as in other main sectors of the economy, these sectors saw increased local ownership with the introduction of the state’s indigenisation project. As part of the indigenisation process, MDC, ADMARC, and Banda’s own conglomerate, Press Holdings Limited (hereafter referred to as Press), formed joint ventures with foreign capital and became heavily involved in all sectors of the economy.

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<sup>43</sup> Of the multinational corporations in Malawi, Lonrho had the most extensive involvement in Malawi’s economy. Its owner, Roland W. Rowland, was a close associate for President H. Banda, a friendship that had its roots in his support of Dr. Banda’s anti-federation campaign and his willingness to cooperate with neighboring imperial powers where Lonrho had major economic investments (Suzanne Cronje, Margaret Aling and Gillian Cronje, *LONRHO Portrait of a Multinational* (London: Julian Friedmann Books, 1976), pp.25-31.

<sup>44</sup> Government of Malawi, *Industrial Development in Malawi—A guide for Prospective Investors* (Zomba: Government Printer, 1970), p.22.

<sup>45</sup> *Ibid.* . p.23.



**TABLE 6.8**  
**MAJOR FOREIGN CAPITAL INVOLVEMENT IN MALAWI (MID-1960s)**

The Lonrho Group	<ol style="list-style-type: none"> <li>1) Tea: The Central Africa Company Limited</li> <li>2) Sugar: The Sugar Corporation of Malawi Limited</li> <li>3) Sisal: Nyasa Sisal Estates Limited</li> <li>4) Cars: Halls Garage Limited and The Central African Transport Company</li> <li>5) Tractors: Farming and Electrical Services Limited</li> <li>6) Fuels: Leopard Development Limited</li> <li>7) Real Estate: The New Building Society</li> <li>8) Building: Eastern Construction (Malawi) Limited</li> </ol>
Bookers (Malawi) Limited	Tea industry – Chombe Estate Also involved in shipping, marketing, manufacturing, blending and packing.
British-American Tobacco	Cigarette factory, Blantyre, Malawi
David Whitehead Malawi Limited	Textile industry
The Imperial Tobacco Company	Tobacco industry

Source: Horst Dequin, *Agricultural Development in Malawi* (Munich: Institut Fur Wirtschaftsforschung, 1969), p. 96. H. Dequin also indicates that foreign capital was involved in the provision of power through the Electricity Supply Commission of Malawi.

For instance, in 1968 the state entered a joint business venture with Bookers Limited in order to benefit from the latter's already established business outlets in Malawi.<sup>46</sup>

Commenting on this joint venture, Banda stated:

Through this partnership between the Malawi Development Corporation and Bookers we have now in this country three organisations catering to or intended to cater to our people, namely the National Wholesale Company, the National Distributing Company and the National Trading Company. Those of our people who have the necessary capital

<sup>46</sup> Dr. H. Banda, *The President Speaks, Malawi Congress Party Convention, September, 1969* (Blantyre: Department of Information, 1969), p. 19.

or knowledge and inclination to enter business, are now able to enter business or should be able to enter business much more easily than they were two years ago.<sup>47</sup>

The state also encouraged the establishment of local companies. On April 17, 1970, for example, the President announced that he had established the National Insurance Company of Malawi, whose share capital was largely locally owned.<sup>48</sup> He further stated that, henceforth, all ministries, government departments, and statutory bodies were required to direct their insurance needs to this company. Failure to comply with this directive, he declared, would be met with stiff penalties.<sup>49</sup>

The indigenisation of the commercial and industrial sectors thus saw the rise of local private investment, mainly by ADMARC, MDC, and Press. As table 6.9 demonstrates, the ownership of these three enterprises was interlocked, giving them control of a large proportion of Malawi's economic activities through their diverse investments. For instance, by the 1980s ADMARC and MDC had diversified their economic activities to include the equity portfolio outlined in tables 6.10 and 6.11. These corporations played a key role in Malawi's industrial sector, which in 1964 contributed 8 percent of the GDP, a contribution that had risen to 12 per cent by the beginning of the 1980s.<sup>50</sup>

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<sup>47</sup> Ibid, p. 1.

<sup>48</sup> Dr. Banda's address to Parliament, July 1970, p. 2.

<sup>49</sup> Ibid.

<sup>50</sup> Ben Kaluwa, "Malawi Industry: Policies, Performance and Problems," in Guy Mhone, ed., *Malawi at the Crossroads: The Postcolonial Political Economy* (Harare: SAPES, 1992), p. 204.

**TABLE 6.9**  
**MDC-PRESS-ADMARC INTERLOCKING COMPANY OWNERSHIP, 1979**

Company	MDC equity (%)	Press Holdings (%)	ADMARC (%)	Other (% and name)
The Portland Cement Company (1974) Limited	41.6		50.0	8.4 The Development Finance Company of Malawi (Definco)
Commercial Bank of Malawi Limited*	20.0	40.0	10.0	30.0 Bank of America
Malawi Distilleries Limited	40.8	20.0		39.2 International Distilleries and Vintners Limited
Carlsberg Malawi Brewery Limited	27.0	24.0		49.0 United Breweries of Denmark
Agrimal (Malawi) Limited	40.0	40.0		20.0 Massey Ferguson
David Whitehead and Sons (Malawi) Limited	29.0	20.0		51.0 David Whitehead and Sons Technical is a subsidiary of Lonrho
The Import and Export Company of Malawi Limited	51.0	49.0		

Source: Data compiled from *Malawi Development Corporation, Annual Report 1979*, pp. 7-18.

**TABLE 6.10**  
**ADMARC'S COMMERCIAL INVESTMENTS**

Company	Share (percentage)
Bata Shoe Company	49.0
Cory Mann George	50.0
Finance Corporation of Malawi	100.0
Investment and Development Bank of Malawi	25.0
Lever Brothers	25.0
Manica Freight Services	50.0
National Insurance Company	20.0
Portland Cement Company	50.0
The Oil Company of Malawi	10.0
Commercial Bank	10.0
National Bank of Malawi	32.6

Source: Data adapted from Robert E. Christiansen, "Financing Malawi's Development Strategy", in *Malawi: An Alternative Pattern of Development* (Edinburgh: University of Edinburgh, 1984), p. 452.

TABLE 6.11

## MALAWI DEVELOPMENT CORPORATION AND ITS SUBSIDIARY COMPANIES

Shareholdings in Subsidiary Companies, 31 December 1979	Equity (percentage)
<b>Direct sub-group</b>	
Development Finance Company of Malawi Limited	88.0
Freshcold Fisheries Limited	85.0
The Import and Export Company of Malawi Limited	51.0
<b>Indirect sub-group</b>	
Malawi Hotels Limited	54.0
<b>Direct Subsidiaries</b>	
Can makers (MDC) Limited	100.0
Cold Storage Company Limited	100.0
Jacaranda Properties Limited	51.0
Malawi Restaurants Limited	100.0
Merolga Knitwear (MDC) Limited	51.0
Plastic Products Limited	100.0
Brick and Tile Company Limited	67.0
<b>Indirect subsidiaries</b>	
Nzeru Radio Company Limited	69.0
Packaging Industries (Malawi) Limited	85.0
The Portland Cement Company (1974) Limited	50.0
Shareholdings in Associated Companies	
<b>Held by Corporation</b>	
Agrimal (Malawi) Limited	40.0
B & C Metal Products Limited	25.0
Bookers (Malawi) Limited	20.0
Carlsberg Malawi Brewery Limited	27.0
Commercial Bank of Malawi Limited	20.0
David Whitehead & Sons (Malawi) Limited	29.0
Encor Products Limited	23.0
Malawi Distilleries Limited	41.0
The National Insurance Company Limited	20.0
National Oil Industries Limited	30.0
United Touring Company Limited	26.0
<b>Held by subsidiaries</b>	
The Match Company (Malawi) Limited	30.0
Pipe Extruders Limited	30.0
Nzeru Record Company Limited	40.0

Source: Data compiled from *Malawi Development Corporation, Annual Report, 1979*.

In addition to the large industrial and commercial concerns controlled by the MDC-ADMARC-Press matrix, the state sought to encourage the establishment of small-scale

industries during the period under review. In its 1971-1980 DEVPOL document, the state claimed that "no specific provision has so far been made to meet the needs of small-scale Malawi-owned industries and the desirability of the government providing special facilities to encourage this type of development is now being considered."<sup>51</sup> The leading institutions created to encourage this process were: the Small Enterprises Development Organization of Malawi; the Industrial Development Bank (whose Special Development Fund was mainly geared towards small-scale industries); the Malawi Export Promotion Council; the Development of Malawian Traders Trust; the Malawi Entrepreneurial Development Institute; the Vocational Training Institute; and the Malawi Union of Savings and Credit Cooperatives.

Small-scale industries emerged in both the rural and urban areas. According to a 1983 survey, these industries varied from "one-man operations such as crafts and trades (e.g., bicycle repair, carpentry, tailoring), whose practitioners usually worked in the open air or from a verandah, to larger businesses with a regular labour force and fixed premises (e.g., garages, contracting firms)."<sup>52</sup> According to an estimate by the Ministry of Trade, Industry and Tourism, Malawi had 877 small-scale manufacturing firms in 1977-78, but "their contribution . . . to total manufacturing GDP was only 26 per cent."<sup>53</sup>

The creation of public institutions to aid the expansion of small-scale industries did not, however, lead to an expansion of this dimension of the industrial sector, because of competition from large industrial firms. As Ettema notes, "State support for certain large-scale enterprises, such as bakeries, may pre-empt a whole field of profitable production

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<sup>51</sup> Government of Malawi, *State of Development Policy, 1971-1980* op. cit., p. 77.

<sup>52</sup> Wim Ettema, "Small-Scale Industry in Malawi," in *The Journal of Modern African Studies* (Cambridge: Cambridge University Press, 1984), p. 489, Volume 22 Nos. 1, 2, 3 & 4.

<sup>53</sup> Kaluwa, op. cit. p. 227.

by small businesses".<sup>54</sup> Furthermore, compared to the major industrial and commercial enterprises, the small-scale industries faced serious "financial, infrastructural, technological and skill" problems.<sup>55</sup>

Overall, while Malawi saw increased levels of industrial activity, mainly controlled by the ADMARC-MDC-PRESS matrix in conjunction with foreign capital, industrial development during this period was limited and mostly directed to the domestic market, although agro-processing industries such as sugar, tea, and tobacco were export-oriented.<sup>56</sup> Malawi's pattern of industrial development displays features similar to those of other developing countries with a mixture of the import-substitution-industrialization model and export-led development. As James Petras has commented:

The failure of privately induced nationalist-capitalist industrial expansion is a fact that characterizes most of the Third World in the post-World War II period. The lack of capital, competition from imperial firms, "liberal" economic policies promoted by states controlled by agro-export sectors, small internal markets, stiff competition in international markets, the low level of technology and the long maturation period for profits relative to nonindustrial investments have all militated against large-scale, long-term investments in industry by indigenous capitalists. In addition, national capitalists have frequently sought out foreign capital, selling total or part ownership of the firm in exchange for market outlets, technology, access to credit, or immediate access to cash. In general, private national capital has been confined to slow-growth consumer industries (textiles, food processing, shoes, etc.) oriented toward internal markets, the size and growth of which is constricted by the low level of effective consumer demand and vast social inequalities, both products of exploitative social relations.<sup>57</sup>

The limited expansion of industrial production, in addition to the state's political framework, restricted the expansion of an industrial working class. As table 6.12

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<sup>54</sup> Wim Ettema, *op. cit.*, p. 508. While small bakery operations exist, the supply of bread in the country is monopolized by Press Holdings Limited through its country-wide supermarkets, Press Trading Centres (fieldwork observation).

<sup>55</sup> Kaluwa, *op. cit.*, p. 227.

<sup>56</sup> *Ibid.*, p. 218-219.

<sup>57</sup> James Petras, *Critical Perspectives on Imperialism and Social Class in the Third World* (New York: Monthly Review Press, 1978), p. 90.

indicates, the agricultural sector dominated other sectors in terms of employment, resulting in very limited growth of the urban working class. Other factors that hindered the emergence of a strong working class were that some industrial workers had access to other sources of income, such as communal land in their villages or involvement in small-scale trading and industrial activities in the informal sector; this weakened their dependence on organisational solidarity at work and limited the growth of a 'proletarian' consciousness. The state also discouraged the development of an independent labour movement outside the MCP's organisational structure. This containment of the labour movement under Banda also contributed to the stagnation of urban and rural workers' wages. Local trade unions lost their bargaining power with their incorporation into the ruling MCP structure, as the party's constitution stipulated that the "recognised Trade Union Movement" objectives had to be in "harmony" with those of the ruling party.<sup>58</sup> In the context of increasing authoritarianism, this meant adhering to the state's oppressive ideology of "Unity, Loyalty, Obedience and Discipline."

Under state control, labour relations and all activities of urban and rural workers remained calm (at least overtly) in Malawi until the onset of the general crisis of early 1992, when urban industrial workers and rural estate workers became involved in a country-wide protest, demanding higher wages, better working conditions and political change. In sharp contrast, while organised labour activities were restricted by the state, organisations representing the interests of employers, such as the Malawi Chamber of Commerce and Industry, had ample opportunity to lobby the state to advance their interests.

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<sup>58</sup> *The Constitution of the Malawi Congress Party*, Article II, p.7.

TABLE 6.12

**NUMBERS EMPLOYED BY SECTOR, 1968-1988**  
(in Thousands of Persons)

Years	Agriculture			Industrial				Service					Private and public sector employment		
	Agriculture	Mining	Total Agriculture	Manufacturing	Utilities	Construction	Total Industrial	Wholesale & Retail Trade	Transport and Communication	Finance and Business	Communication and Personal Services	Total Services	Private	Government Sector	Total
1968	42.20	0.50	42.70	21.20	1.50	15.30	38.00	9.40	8.20	0.90	37.40	89.60	44.90	134.50	
1969	48.30	0.80	49.10	17.70	1.50	17.40	36.60	11.00	8.40	1.10	40.30	99.90	46.60	146.50	
1970	53.70	0.50	54.20	19.50	1.70	18.50	39.70	12.30	8.50	1.20	43.40	110.10	49.20	159.30	
1971	57.40	0.60	58.00	21.70	2.20	17.70	41.60	13.80	9.20	1.40	48.30	119.40	52.80	172.20	
1972	63.70	0.80	64.50	23.69	2.40	18.20	43.70	15.80	9.80	1.40	54.10	130.50	59.00	189.50	
1973	76.30	0.70	77.00	25.70	2.90	21.10	49.70	18.40	10.40	1.90	57.90	150.10	65.20	215.30	
1974	80.40	0.80	81.20	26.80	2.50	22.80	52.10	20.90	11.40	2.30	59.00	160.50	66.40	226.90	
1975	93.00	0.90	93.90	31.40	2.70	21.10	55.20	19.90	11.90	2.80	61.20	176.20	68.50	244.70	
1976	103.90	1.10	105.00	36.00	3.00	21.10	60.10	20.70	12.90	3.40	61.90	194.00	70.10	264.10	
1977	154.70	0.60	155.30	33.50	2.80	23.30	59.60	25.20	16.60	6.60	45.50	240.20	68.60	308.80	
1978	168.90	0.60	169.50	35.80	2.90	31.60	70.30	27.50	17.80	6.80	47.40	271.30	68.00	339.30	
1979	182.30	0.60	182.90	37.10	3.50	33.40	74.00	28.30	18.40	8.40	48.10	290.40	69.60	360.00	
1980	181.10	0.60	181.70	39.70	4.00	32.70	76.40	26.30	17.20	12.10	53.60	290.90	76.40	367.30	
1981	157.20	0.60	157.80	35.40	4.10	24.70	64.20	23.60	17.00	10.60	54.60	251.50	76.10	327.60	
1982	158.10	0.60	158.70	31.40	4.30	24.70	60.40	21.80	16.70	10.00	55.30	249.30	77.20	326.50	
1983	197.20	0.50	197.70	47.60	5.40	23.40	76.40	24.80	21.80	11.20	55.30	307.50	80.00	387.50	
1984	177.70	0.30	178.00	49.20	4.90	25.90	80.00	31.70	22.00	11.50	57.60	301.70	79.10	380.80	
1985	189.30	0.30	189.60	59.90	4.50	23.10	87.50	38.60	23.90	12.70	57.00	328.60	80.70	409.30	
1986	185.14	0.31	185.45	68.00	4.68	28.80	101.48	38.47	26.31	13.03	63.08	343.55	84.29	427.83	
1987	179.85	0.30	180.14	49.63	5.52	30.71	85.85	34.35	24.61	12.79	69.64	316.36	91.03	407.39	
1988	197.84	0.20	198.13	53.68	5.20	31.47	90.35	35.02	25.18	12.78	66.67	342.22	86.90	429.12	

Source: Adapted from David E. Sahn, Hehan Arulpragasam and Lenema Merid, *Policy Reform & Poverty in Malawi, a Survey of a Decade of Experience*, (Ithaca: Cornell Food and Nutrition Policy Program, 1990), Monograph 7, pp. 152-153.



To sum up this section, agricultural production continued to be the mainstay of Malawi's economic structure (see Table 6.13) and this, as noted earlier, had a major impact on postcolonial class formation. Further, dependency on agricultural exports made the country vulnerable to shifts in world economic and political conditions.

**TABLE 6.13**  
**GROSS DOMESTIC PRODUCTION BY INDUSTRIAL ORIGIN IN 1978**  
**CONSTANT PRICES**  
**(Millions of Kwacha)**

	1973	1974	1975	1976	1977	1978	1979
Agriculture	223.6	228.2	230.3	257.6	286.5	294.9	304.1
Manufacturing	29.6	32.2	38.9	39.4	47.5	48.6	51.3
Construction	61.9	69.1	81.1	78.2	80.5	84.8	88.5
Electricity and water	28.9	29.6	33.9	32.7	36.1	46.2	42.7
Distribution	8.4	8.2	10.8	10.8	11.3	12.5	13.2
Transport and communication	74.1	87.9	91.9	93.7	89.0	104.8	105.1
Finance and commercial services	37.2	40.7	43.9	45.7	40.1	44.7	51.5
Ownership of dwellings	20.4	21.4	22.6	24.9	27.0	29.3	31.5
Government Services	51.1	56.9	58.2	61.2	64.0	67.2	72.3

Source: adapted from *Malawi Growth Through Poverty Reduction*, World Bank Report No. 8140-MAI, Southern African Department, March 22, 1990, p.85.

### **The state and the formation of an indigenous bourgeoisie**

I am not going to tell my Ministers, Members of Parliament, "You must not have a store, you must not have a farm, you must depend only on your salary as a Minister, or as a Member of Parliament. Not here. There is no Arusha Declaration here. My Ministers must have their own farms so that when they tell the people to work hard, they must not tell the people just by lip and tongue, but by doing this themselves. That is what I want."<sup>59</sup>

In Malawi, beginning in the late 1960s, the postcolonial state committed itself to the creation of a propertied class whose members were to be drawn from the ruling MCP

party apparatus and the upper echelons of the bureaucracy. This commitment was part of the process of expanding local ownership of capital in the main sectors of the economy, as discussed earlier. In the agricultural sector, leaders of the ruling party and senior bureaucrats were told by Banda to become engaged in estate farming. Emphasising this point, the President repeated his demand in 1969:

I repeat: no Minister must give an excuse. Every Minister must engage in farming; beginning with Kamuzu himself, right through. Every Member of Parliament and all Parliamentary secretaries. . . . No excuse; I will accept no excuse from any Minister, any Member of Parliament, any Parliamentary Secretary, any member of the Women's League nor from any member of the Youth League; no excuse.<sup>60</sup>

The increased involvement of the local elite in estate production was achieved mainly through the marginalisation of the smallholder agrarian producers and workers. The state machinery that facilitated this process was ADMARC, which provided financial assistance, using the surplus extracted from smallholder producers. The net increase in the value of ADMARC's investment portfolio amounted to K57.9 million, most of which comprised equity shares of various companies and unsecured loans to Press. ADMARC also made provisions for the management of estate production by local elites venturing into the sector.

ADMARC was not alone in providing financing to members of the emerging bourgeoisie as they entered into estate agrarian production; local commercial banks also made loans available to them. By 1980, "over 50% of the total advances of the commercial banks were to agriculture," and the ratio stayed at this level for most of the 1980s.<sup>61</sup> As shown in

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<sup>59</sup> Dr. H. Banda, *Speech at the Chiradzulu Agricultural Show*, July 27, (Blantyre: Department of Information, 1968), p. 7.

<sup>60</sup> Dr. H. Banda, *Speech at the September 1969, Annual Convention* (Blantyre: Department of Information), p. 12.

<sup>61</sup> Kydd, 1984, *op. cit.*, p. 322.

table 6.14, the share of lending to agriculture increased from 10.1% of total loans in 1972 to approximately 50.0% in 1980-82.<sup>62</sup>

**TABLE 6.14**  
**DISTRIBUTION OF COMMERCIAL BANK ADVANCES BY SECTOR**  
(Figures Represent Percentage Values)

Year	Agriculture	Wholesale/ Retail	Finance	Manufacturing	Other	Total
1965	17.6	30.1	-	35.2	17.1	100
1966	13.6	36.4	1.8	34.2	14.0	100
1967	14.9	34.8	8.2	25.5	16.6	100
1968	14.6	29.8	12.3	23.9	19.4	100
1969	11.2	33.9	6.5	25.7	22.7	100
1970	9.7	34.2	8.8	20.8	26.5	100
1971	10.9	38.1	7.1	17.5	26.4	100
1972	10.1	38.4	9.8	17.0	24.7	100
1973	19.5	45.6	17.8	7.9	9.2	100
1974	16.6	56.2	7.9	8.5	10.8	100
1975	24.6	45.3	6.1	11.0	13.0	100
1976	38.8	29.8	6.9	10.6	13.9	100
1977	34.9	34.7	8.6	14.7	7.1	100
1978	44.5	20.8	12.0	11.2	11.5	100
1979	48.0	21.5	14.3	5.7	10.5	100
1980	53.8	9.6	20.6	3.9	12.1	100
1981	49.7	10.8	20.9	3.2	15.4	100
1982*	51.4	10.1	19.5	4.3	14.7	100

Source: Adapted from Robert E. Christiansen, "Financing Malawi's Development Strategy", in *Malawi: An Alternative Pattern of Development* (Edinburgh: University of Edinburgh, 1984), p. 466.

\*March, 1982.

Access to commercial bank loans for members of the emergent bourgeoisie was further facilitated by the indigenisation of the banking sector in the first half of the 1970s. At the time of independence, Malawi had two commercial banks, one owned by Barclays and the other by Standard Bank. In 1970 the Commercial Bank of Malawi was established with local and foreign equity; in 1971 the National Bank of Malawi, a joint venture between Barclays and Standard Bank and local capital, was also established. More changes came in 1974 and 1977 when foreign interests sold off their majority shares in

<sup>62</sup> Christiansen, 1984, op. cit., p. 441.

both the Commercial Bank and the National Bank.<sup>63</sup> As table 6.15 below indicates, by 1983 local capital dominated the ownership of these banks.

**TABLE 6.15**  
**COMMERCIAL BANK OWNERSHIP OF 1983**  
**(Percentage)**

Bank	Local ownership	Foreign ownership	Total
<b>National Bank</b>	Press Holdings 47.4	Standard Bank 20.0	100
	ADMARC 32.6		
<b>Commercial Bank of Malawi</b>	Press Holdings 40.0	Bank of America 30.0	100
	ADMARC 10.0		
	MDC 20.0		

Source: Robert E. Christiansen, "Financing Malawi's Development Strategy", in *Malawi: An Alternative Pattern of Development* (Edinburgh: University of Edinburgh, 1984), p.436.

Aside from the machinery provided by the state through ADMARC and the local banking sector, we noted earlier that the imposition of economic sanctions against Southern Rhodesia following its unilateral declaration of independence in 1965 created economic opportunities for the emergent owners of tobacco estates. In addition, the acquisition of European and Indian tobacco estates by the government starting in 1970 further aided the expansion of local estate ownership.<sup>64</sup> According to N.W. McClellan, the Commissioner for Lands in 1971, "All acquisitions [were] undertaken . . . on directions received from His Excellency the President."<sup>65</sup> Thus in 1971, for example, Banda issued a directive stating that "all the estates in the Central Region would now be taken over by Press Farming Limited," as a result of which his company acquired a number of estates

<sup>63</sup> Robert E. Christiansen, 1984, op. cit., p. 435.

<sup>64</sup> The government was to pay compensation to the owners of these estates over a period of 10 years and interest at the rate of 3 per cent would be paid on any outstanding amounts of compensation.

<sup>65</sup> 19/3/5/Vol.VI/73, Malawi National Archives, Zomba

in this region (see table 6.16).<sup>66</sup> For these estates Press Farming Limited was to pay the government a minimum of K23,773 per annum for each estate over a ten-year period.<sup>67</sup>

**TABLE 6.16**  
**CENTRAL REGION: ESTATES ACQUIRED BY PRESS FARMING LIMITED, 1971**

Name of acquired estate	Acres
Likuni	739
Nsunga	1,065
Namite, Nchesa and Kahoma Estates	4,040
Mperere Estate	2,958
Lisungwe	649
Mgwerisi	409
Chirikanda Estate	1,782
Chikwawa Estate (Freehold)	14,550
Chikwawa (Leasehold)	1,000
Rusa	5,440
Kasu	795
Nsangwa	1,178
Lisoka	640
Chinganga	400
Daminga	520
Katondo	1,019
Chasenga	591
Nkandula	400
Bua	832
Nakondwa	1,134
Modi	4,017
Chipala	3,222
Namitete (1)	192
Namitete (2)	357
Namitete (3)	987

Source: Compiled from field data, 19/3/5/V/117, Malawi National Archives, Zomba

The Land Acts discussed earlier, which expanded the power of the state and the President in land matters, enabled the local elite to acquire many of these estates,

<sup>66</sup> Letter from B.L. Walker, Secretary to the President and Cabinet, addressing the Commissioner of Lands, 24 May 1971 (19/3/5/5/VI/49, Malawi National Archives, Zomba)

<sup>67</sup> H. Kamuzu Banda, *Estates Acquired by Press Farming Ltd.: Method of Payment*, 19/3/5/VOL.VII

especially tobacco ones—table 6.17 shows a steady increase of tobacco hectareage during the period of estate expansion, 1969-1979. These Acts also facilitated capital accumulation for the elite. For instance, the previously discussed *Customary Land Development Act* (1967) which empowered the Minister of Agriculture and Natural Resources to designate how land would be used became the basis for the crop production restriction laws which banned peasants from producing lucrative cash crops. While the state claimed that it was establishing these laws in order to conserve soil and to ensure good crop quality, the following statement by Banda indicates that the driving principle was ensuring that members of the emerging bourgeoisie would be the main beneficiaries of the estate expansion drive:

Talking about tobacco, I have told you that burley and flue-cured tobacco can only be done by those who have money. . . . I have told you that Ministers must grow either flue-cured tobacco or burley. The Minister of Trade and Industry (Mr. J.Z.U. Tembo), stand up. I am not going to tell you how much he has made this year. The Minister has made more than what I pay him. From tobacco he has made more than he gets as a Minister. . . .<sup>68</sup>

**TABLE 6.17**

**TOBACCO: HECTARAGE OF ESATE AND CUSTOMARY LAND, 1969-1979.**

YEAR	PROPORTION OF TOTAL HECTARAGE (%)		
	ESTATE	CUSTOMARY	TOTAL
1969	19.7	80.3	100
1970	23.2	76.8	100
1971	26.1	73.9	100
1972	24.5	75.5	100
1973	28.9	71.1	100
1974	31.7	68.3	100
1975	35.5	64.5	100
1976	35.4	64.6	100
1977	36.0	64.0	100
1978	37.1	62.9	100
1979	40.8	59.2	100

Source: Adapted from A.K. Mwakasungura, *The Rural Economy of Malawi: A Critical Analysis* (Bergen, Norway: Development Research and Action Programme, Working Paper A309, 1984), p. 60.

<sup>68</sup> *The President Speaks, Malawi Congress Party Convention, September 1969* (Blantyre: Department of information), p. 17.

The ready availability of cheap labour also greatly encouraged the involvement of the elite in estate production. The postcolonial state's policy of keeping urban and rural unskilled workers' wages low provided cheap labour for the emerging indigenous estate owners. During the period under review, wage employment expanded, with the estate sub-sector taking the lead. Between 1964 and 1978, domestic wage employment grew annually at a rate of 7.2 per cent; between 1968 and 1978, it grew by nearly 9 per cent annually.<sup>69</sup> Employment in the agrarian sector was concentrated in the estate sub-sector and accounted for 58 per cent of this rise. Employment in this sub-sector was at 9.2 per cent of all employment between 1973 and 1978, up from 5.2 per cent between 1964 and 1972.<sup>70</sup> The expansion in estate wage employment failed to produce any increase in wages for urban and rural low-income workers, however. According to one estimate, average monetary urban and rural wages fell by 3.3 and 2.4 per cent respectively, between 1968 and 1985, while between 1966 and 1977 salaries for high income earners increased.<sup>71</sup>

Given the dominance of agricultural production in Malawi, the material base of the emergent bourgeoisie remained agrarian. Nevertheless, the regime encouraged the involvement of members of this class in the commercial and industrial sectors too. In the late 1960s, its emphasis on the expansion of indigenous ownership of capital created tensions between state and foreign-owned economic enterprises. Those most affected by the state's policy of commercial indigenisation were the Indian capitalists, who controlled rural commerce, transportation, and wholesaling in addition to various other

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<sup>69</sup> Ghai and Samir, *op. cit.*, 1983, p. 76.

<sup>70</sup> *Ibid.*

<sup>71</sup> Pryor, *op. cit.*, pp. 356-357.

urban commercial activities. In 1968 Banda delivered a speech in parliament attacking Indian and European capitalists for their dominance in Malawi's commercial sector:

It is a very very sensitive question, but, Mr. Speaker, if I do not face it now, no one else will face it. I have to face it myself now. I do. As everyone of us in this House knows, in this country, trade and commerce or business is in the hands of people other than our own people, the Africans of this country. The vast majority of businessmen in this country, dealing either in consumer goods or capital goods, is not African. It is either European or Asian. As a result, most of the money, if not all the money, made in trade and commerce in this country, goes not in the pockets of our people, the Africans of this country, but into the pockets . . . of Europeans or Asians and, from the pockets of the Europeans and Asians, most of this money . . . goes out of this country. . . . We must do everything possible to change this situation . . . which has been going on far too long.<sup>72</sup>

In the years following this speech, Indian businesses were forced out of the rural business sector in stages, in a pattern broadly followed by all East African countries, and by 1978 they were legally restricted to four designated urban areas.<sup>73</sup> This paved the way for companies owned by members of the emergent bourgeoisie to become dominant in rural commerce—especially the President himself, through his own country-wide chain of supermarkets known as the Press Trading Centres, a subsidiary of his conglomerate, Press.

The postcolonial state's policy of supporting the emergence of local owners of capital saw the dramatic rise of Press, the large conglomerate of which Banda personally owned 99 per cent (see Tables 6.18 and 6.19). By the late 1970s, Press was Malawi's major producer of flue-cured and burley tobacco, and by 1977 the company's contribution to Malawi's total earnings for burley tobacco alone accounted for 26 per cent.<sup>74</sup> The successful rise of Press was due primarily to its close links with ADMARC; Press was the main beneficiary of its surplus revenue. The two organisations

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<sup>72</sup> *Hansard*, 29 January 1968, pp. 240–41.

<sup>73</sup> Kydd, 1984, *op. cit.*, p. 314.

<sup>74</sup> *Press in the 1990s: Questions and Answers* (Blantyre: Press Corporation Limited, 1995), p. 13.



established joint ventures, with ADMARC providing loans at favourable terms to Press and its group of companies. According to Robert E. Christiansen:

Direct loans to estates amounted to K.3.8 million, while indirect loans were made via Press. Between 1972 and 1981, ADMARC's largest single "investment" was a series of unsecured loans to Press Holdings, which is wholly owned by President Banda. In this way, approximately K27.9 million has been passed to the President. The only two loans going to non-estate firms were for the National Seed Company and ADMARC's Canning Company.<sup>75</sup>

To conclude this section, by 1979 a state-backed indigenous bourgeoisie that straddled the agrarian, commercial, and industrial sectors had emerged in Malawi. The postcolonial state's economic strategy had also ensured the emergence of only a small and weak urban and rural working class, and a large, differentiated rural peasantry. In addition to these classes, a small and politically quiescent 'new petty bourgeoisie' of salaried professionals drawn from both the public and private sectors had emerged.<sup>76</sup> As the next chapter shows, however, during the 1980s the country entered a period of organic crisis and the state implemented neo-liberal economic reforms. These events did not alter the postcolonial class structure, but did produce or exacerbate divisions among members of the nascent bourgeoisie, and led to the formation of new alliances between various class elements that had hitherto been politically inactive.

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<sup>75</sup> Christiansen, 1984, p.454.

<sup>76</sup> Their evolution is beyond the scope of this thesis. For a detailed discussion of the concept of 'the petty bourgeoisie, traditional and new' see Nicos Poulantzas, *Classes in Contemporary Capitalism* (London: NLB, 1975), pp. 191-328.

TABLE 6.18

PRESS CORPORATION LIMITED INVESTMENTS AT OCTOBER 1994<sup>77</sup>

SUBSIDIARIES	HOLDING (%)	NATURE OF OPERATIONS
Bergers Trading Ltd Malawi	51.0	Retailer of ladies and gents wear
Carlsberg Malawi Brewery Ltd	51.0	Brewery
Central Poultry Ltd	100.0	Poultry farmers
Enterprise Containers Ltd	62.5	Manufacturer of plastic products
Grain & Milling Company Ltd	51.0	Milling of grain; production of stock Feeds
Hardware & General Dealers Ltd	100.0	Dealers in hardware; manufacturer of furniture
Malawi Distilleries Ltd	50.0	Distiller and importer of beverages
Malawi Pharmacies Ltd	100.0	Pharmacy chain
Maldeco Fisheries Ltd	100.0	Fishing company
The National Insurance Company Ltd	65.0	Insurer
Number One Stores (Malawi) Ltd	51.0	Clothing retailer
People's Trading Centre Ltd	60.0	Supermarket chain
Press Agriculture Ltd & its Subsidiaries	100.0	Intermediate holding company
General Farming Company Ltd	100.0	Farming company
Press (Farming) Ltd	100.0	Farming company
Kasikidzi Estates Ltd	100.0	Farming company
Buwa Tobacco Estates Ltd	100.0	Farming company
Press Foods Ltd	100.0	Food manufacturer and distributor
Press Group Ltd	100.0	Investment company
Press (Properties) Ltd	100.0	Property investment and development company
Press & Shire Clothing Ltd	100.0	Garment manufacturer
Press Trading (Pty) Ltd	51.0	Procurement agency (registered in the Republic of South Africa)
Press Transport (1975) Ltd	100.0	Transporter
Press (Bakeries) Ltd	100.0	Property holding company
Press (Produce) Ltd.	100.0	Property holding company
Sales Services Ltd	100.0	Property holding company
Tyre Retreaders Ltd	60.0	Tyre retreaders and distributor

<sup>77</sup> *Press in the 90's: Questions and Answers*, op. cit., pp. 15-16.

**TABLE 6.19**  
**PRESS HOLDING (ASSOCIATE COMPANIES)**

<b>Associates</b>	<b>Press Corporation Ltd.'s effective interest</b>	<b>Percentage of shares held by group companies</b>	<b>Activities</b>
Commercial Bank of Malawi Ltd	40.0	40.0	Banker
Ethanol Company Ltd	24.4	35.5	Ethanol Production
Limbe Leaf Tobacco Co.	42.0	42.0	Tobacco
Mandala Ltd	32.1	32.1	Agriculture/trading
National Bank of Malawi	38.4	38.4	Bankers
New Building Society	15.9	24.5	Building society
Press Hall Steel (Holdings) Ltd	50.0	50.0	Steel
Southern Bottlers Ltd	2.4	49.8	Soft drink production

One of the reasons for the lack of class-based political activity was that all classes were weakened by a growing ethnic consciousness, which was actively fostered by state policy.<sup>78</sup> As chapter three has shown, the evolution of the colonial political economy resulted in the division of the country into three unevenly developed regions composed of various ethnic communities. This trend was reproduced in the postcolonial period and also influenced the process of class formation. Uneven development produced increased regional inequalities (see Table 6.20), while some of Banda's political and cultural aims (discussed in chapter four) deliberately fostered distinctive regional

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<sup>78</sup> However, in spite of the tensions between the various factions of the emergent bourgeoisie (as described in chapters seven and eight), the members of this class have shown strong elements of class solidarity. The development of such solidarity is a process that has been facilitated by a number of factors, including ownership of local capital; access to state power; capacity to organise through forums such as the Malawi Chamber of Commerce and Industry and the African Men's Business Association; similar educational background; marriages; and membership in exclusive clubs such as the Zomba Gymkhana Club and Blantyre Sports Club. While data is currently not available on the extent of the emergent bourgeoisie's formal and informal networks, during fieldwork (as a member of the Zomba Gymkhana Club and Blantyre Sports Club) I had the opportunity to make preliminary observations of the various ways in which members of this class form linkages.

**TABLE 6.20**  
**INDICATORS OF REGIONAL INEQUALITIES IN MALAWI**

Regional and agricultural development district	Average family income of smallholders (MK)		Urban population, 1977 (percent)	Literacy rates for adults over 14, 1977 (percent)	
	1968-69	1984-85		Male	Female
<b>Northern Region</b>	<b>89.16</b>	<b>470.9</b>	<b>6.9</b>	<b>61.5</b>	<b>32.2</b>
Karonga	n.a	450.9	n.a	n.a	n.a
Mzuzu	n.a	476.8	n.a	n.a	n.a
<b>Central Region</b>	<b>83.79</b>	<b>472.5</b>	<b>6.4</b>	<b>37.9</b>	<b>16.8</b>
Kasungu	n.a	538.8	n.a	n.a	n.a
Salima	n.a	430.7	n.a	n.a	n.a
Lilongwe	n.a	437.7	n.a	n.a	n.a
<b>Southern Region</b>	<b>87.57</b>	<b>251.6</b>	<b>10.5</b>	<b>38.4</b>	<b>14.3</b>
Liwonde	n.a	215.1	n.a	n.a	n.a
Blantyre	n.a	261.9	n.a	n.a	n.a
Ngabu	n.a	354.3	n.a	n.a	n.a
<b>Malawi</b>	<b>86.42</b>	<b>358.2</b>	<b>8.5</b>	<b>40.8</b>	<b>17.4</b>

Source: Adapted from Frederic L. Pryor, *The Political Economy of Poverty, Equity, and Growth* (Oxford: Oxford University Press, 1990), p. 432.

identities among Malawians: for instance, his efforts to establish Chewan cultural hegemony by making the Chewa language the country's second official language and requiring its inclusion in the national education curriculum. In economic terms, the Central Region—the President's home region—was the main beneficiary of various major new projects, among which the principal ones were: the move of the capital city to Lilongwe; the construction of new hospitals at Kasungu, Lilongwe, and Dedza; the upgrading of the Lakeshore, Mchinji-Lilongwe, and Lilongwe-Salima roads; the establishment of the Lilongwe and Salima Agricultural Development Projects; and the creation of new tobacco estates in the 1970s.<sup>79</sup>

<sup>79</sup> Kaspin, op. cit., pp. 605-607.

The Lilongwe and Salima projects were the first large-scale agricultural projects and received high levels of funding, amounting to approximately US\$40 million.<sup>80</sup> The Lilongwe project reaped most of the benefits geared to 'progressive' farmers; for example, 42 out of the 66 farmer-training centres created as part of the large-scale agricultural development strategy were located in Lilongwe district.<sup>81</sup> The concentration of economic activities in the Central region deepened regional sentiment, since Malawians from other parts of the country felt left out of the development process. As chapters seven and eight will demonstrate, this phenomenon had a major impact on the democratisation process.

### **The economic base of the state and the transnational lending community**

As chapter three showed, at independence in 1964 Malawi's economic development was limited. Even more than most sub-Saharan African countries, Malawi depended on foreign aid in its struggle for peripheral capital accumulation. While other sub-Saharan African countries were dependent on financial flows from the transnational lending community, compared to countries such as Senegal, Tanzania, Kenya and Cameroon, Malawi's aid dependency was acute. Between 1970 and 1986, for instance, Malawi's government dependency on aid for its total expenditure was significantly higher than most other sub-Saharan African countries (see figure 6.1). This high dependency on aid meant that the country was vulnerable to shifts in the development policies favoured by the transnational lending community, as chapter seven and eight will demonstrate in more detail.

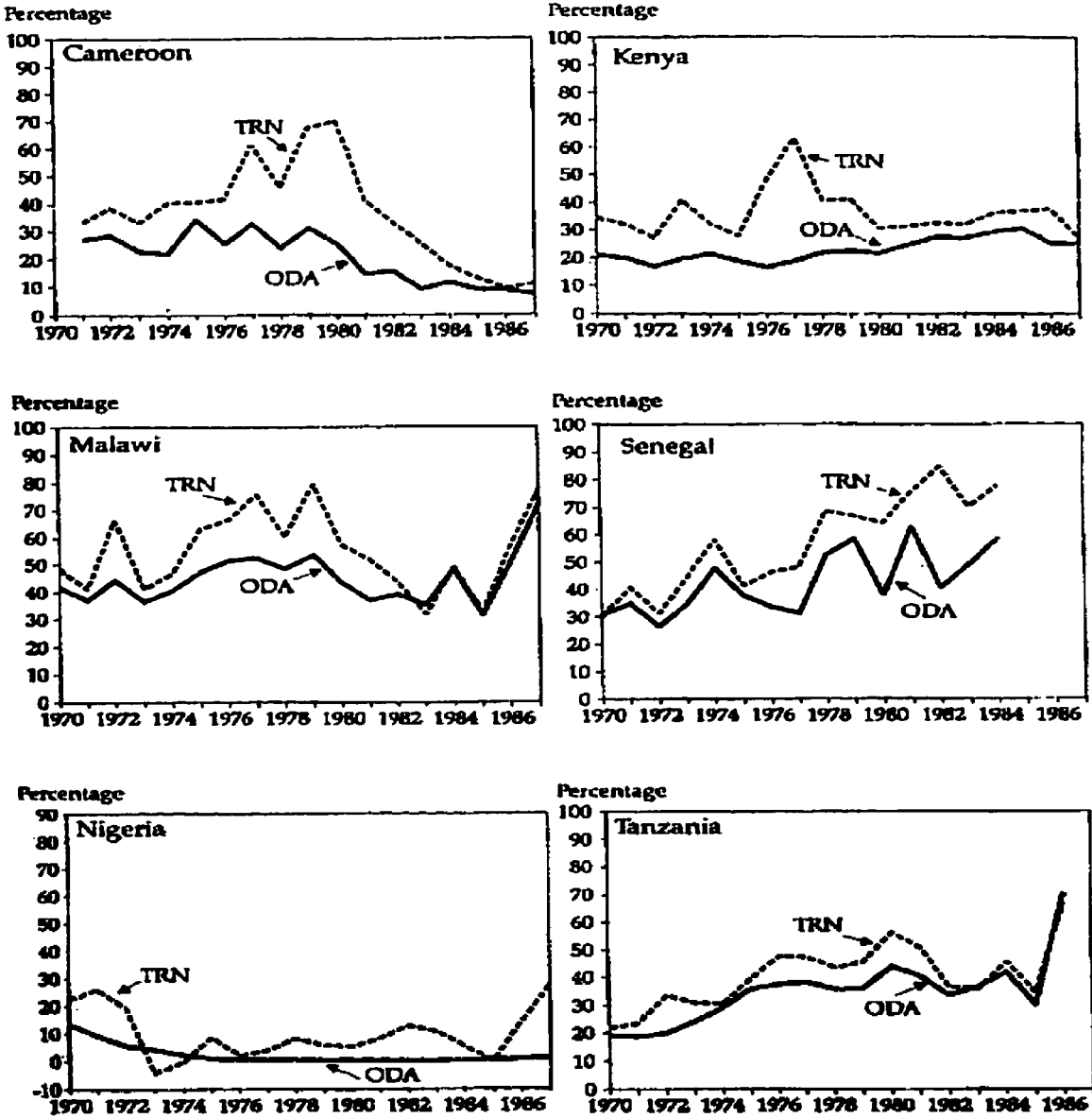
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<sup>80</sup> Ibid., p. 606.

<sup>81</sup> Ibid.

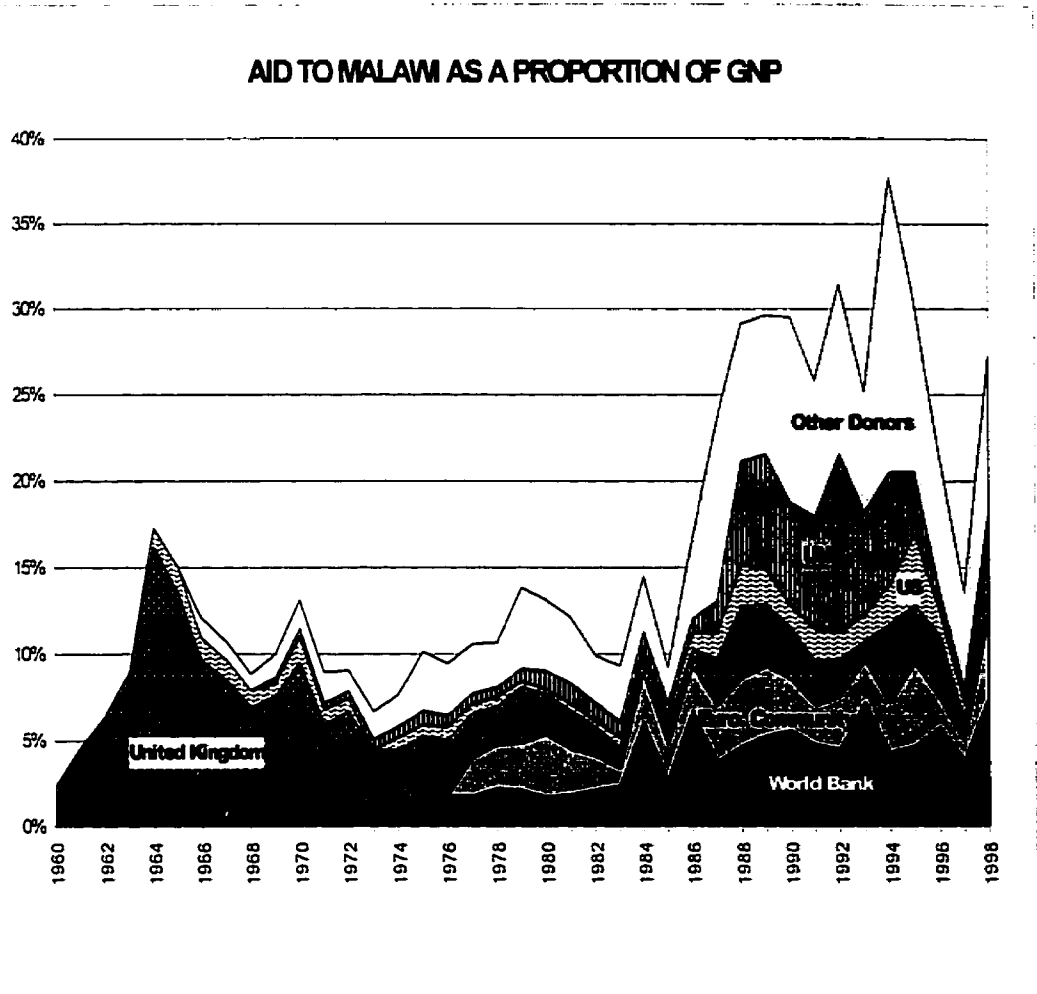
Figure 6.1

Share of Official Development Assistance (ODA) and Total Receipts Net (TRN) in total Government Expenditure, 1970-86.



Source: Uma Lele, *Aid to African Agriculture: Lessons from Two Decades of Donors' Experience* (Baltimore: Published for the World Bank The Johns Hopkins University Press, 1991), p.19.

Figure 6.2



Source: OECD/DAC Development Data Online (OECD), 1999.

Aware of its serious economic needs, the government stated in its 1965-1969 Development Plan that "it is essential for the fulfilment of the plans which are made and the attainment of the prospects that lie ahead for external capital to be made available to assist in the financing of economic development. Fortunately Malawi is not without friends; aid has already been received from Britain, from America, from Germany and from the United Nations."<sup>82</sup> This sentiment coincided with the prevailing development discourse of the transnational lending community discussed in chapter five.

Throughout the postcolonial years, all the members of the transnational lending community provided aid to Malawi (see figure 6.2). In the first decade or so of Malawi's independence, Britain—as the former colonial power, and for political reasons such as Malawi's strategic position as a "buffer state between black and white Africa"—was the leading aid provider.<sup>83</sup> Between 1964 and 1972 Malawi received £80.3 million in foreign aid from Britain, a large proportion of which was explicitly for the current budget; this was unusual even in Africa.<sup>84</sup> The proportion of British aid channelled to the Malawi government's current account stood at 31.4 and 36.8 per cent in 1964 and 1965 respectively, and 1.7 per cent in 1971.<sup>85</sup> This decline was a result of an agreement between the Malawi government and the British government, increased economic growth during this period, and the involvement of other donors in financing the government's expenditure.<sup>86</sup> In addition to budgetary assistance, Britain provided aid in

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<sup>82</sup> Government of Malawi, *Development Plan, 1965-1969* (Zomba: Government Printer, 1965), p. 7.

<sup>83</sup> Kathryn Morton, *Aid and Dependence: British Aid to Malawi* (London: Croom Helm London in association with the Overseas Development Institute, 1975), p.59.

<sup>84</sup> *Ibid.*, p. 62.

<sup>85</sup> *Ibid.*, p. 83.

<sup>86</sup> *Ibid.*, p. 66.



the form of technical assistance as well as investment finance through the Commonwealth Development Corporation (CDC).<sup>87</sup>

The World Bank was also a key player in aid provision to Malawi, especially in the establishment of large-scale agricultural projects. Between 1965 and 1988 the Malawian government, in consultation with the transnational lending community, established twelve large-scale agricultural projects to which the World Bank contributed US\$118 million—two-thirds of its total lending to the country.<sup>88</sup> Britain was also involved in funding the postcolonial state's large-scale agricultural projects and the expansion of the estate sub-sector.

As the main aid provider during the first 15 years of independence, Britain had a strong hand in influencing Malawi's development policies. For example, Britain's refusal to finance the move of the capital city from Zomba to Lilongwe, or the building of the Nacala railway route, was backed by other potential donors, although Japan had at one point indicated an interest in supporting the railway project. As a result of its "friendly dialogue" with neighbouring imperialist countries, however, the Malawian state approached and received financing for the two projects from South Africa.<sup>89</sup>

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<sup>87</sup> Between 1964 and 1971 there were 800-900 individuals working in the area of British technical assistance to Malawi; aid provided under this rubric was in the form of tied aid (*ibid.*, p. 67). The Commonwealth Development Corporation's 'aid' to Malawi was £4.4 million, directed to public sector and commercial investment, loans, and development projects (*ibid.*, p. 76). Through CDC, Britain was involved in establishing Vizara Estates Rubber, Karuzi Tea Company, and the Kawalazi Estate, which produced tea, macadamia nuts, and coffee. Further, it gave the Malawian regime three loans to establish the Dwangwa Sugar Corporation, an irrigated estate covering 5,200 hectares in the central region. It was also involved in the financing of the Kasungu Flue-Cured Tobacco Authority (John Howell, "British Aid to Agriculture, Tanzania, and Kenya," in Uma Lele, ed., *op. cit.*, pp. 443-444).

<sup>88</sup> Uma Lele and Rahul Jain, "The World Bank's Experience in MADIA Countries: Agricultural Development and Foreign Assistance," in Uma Lele, ed., *op. cit.*, p. 130.

<sup>89</sup> According to Carolyn McMaster: "[South Africa] made a loan of R8 million, at four per cent interest, with a five-year grace and twenty-year repayment period, to finance the first part of the Lilongwe move. For the Nacala railway, the Malawi government received a loan of R11 million from the South African Industrial Development Corporation, tied to maximum use of South African material. The 4 million

The terms under which Malawi received financial aid from the transnational lending community varied, but in general they contained both grant and loan components. Between 1964 and 1972, British aid packages had an even higher grant percentage than those of the International Development Association (IDA, part of the World Bank), USAID, or Denmark, whose grant proportions were 88 per cent, 79 per cent and 77 per cent respectively. During the same period, South African financial flows were mainly on commercial terms, with a grant level of only 8.4 per cent, while those from West Germany had grant levels varying between 62 and 73 per cent.<sup>90</sup> While aid flows, especially those from the IDA, were thus on concessionary terms, most of the aid to Malawi was tied aid. For example, American aid was tied to the purchase of American goods, while Denmark's loan provision stipulated that 75 per cent of its aid was to be allocated to the procurement of Danish goods and services.<sup>91</sup> The reality of aid dependency and its terms of delivery would have a great impact on Malawi's political economy by the late 1970s, as chapter seven and eight will show.

While the transnational lending community played a significant role in the evolution of the postcolonial state's economic strategy, there was no outcry from this community on the deepening authoritarianism in postcolonial Malawi. The country's steady economic growth in the 1960s and 1970s resulted in it being considered one of Africa's success stories. Instances of disagreement on the overall role of the aid regime were rare, except for Britain's and other countries' refusal to fund the move of the capital from Zomba to Lilongwe or the building of the Nacala railway. However, that decision was arrived at on

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pounds contract for the construction of the railway was awarded to Roberts Construction Company Ltd., a South African firm" (McMaster, *op. cit.*, 1974), p. 102.

<sup>90</sup> Morton, *op. cit.* p. 70.

<sup>91</sup> *Ibid.*, p. 71.

the basis of economic criteria rather than a desire to challenge the political framework. The transnational lending community's silence on Malawi's authoritarianism reflected its general pre-1980 development discourse, discussed in chapter five, which saw steady economic growth and anti-communism as signs of a peripheral country on the right developmental path, and authoritarianism as potentially 'benevolent'. However, the transnational lending community's view of the Malawian political economy shifted as the community adopted a new development discourse in the 1980s, and Malawi entered a period of crisis.

## **CHAPTER SEVEN: STATE, TRANSNATIONAL LENDING COMMUNITY AND MALAWI'S ORGANIC CRISIS, 1980-1993**

The contradictions of the postcolonial political economy came to a head in a general crisis of the state in 1992, which also saw the beginning of an overt challenge to the postcolonial regime. The crisis of the state was precipitated by an economic crisis which began in 1979, and by the implementation of the market-based reforms stipulated by the transnational lending community. Taken together the economic crisis and the crisis of the state constituted an 'organic crisis' in the Gramscian sense.<sup>1</sup> The chapter first examines the nature of the economic crisis. Second, it provides an overview of the transnational lending community's response to that crisis. Finally, it traces the evolution of the 1992 general crisis of the state, a development that paved the way for the transition process.

### **The economic crisis, 1979-1984**

Malawi's economic crisis, which became evident in 1979, was precipitated by various factors. Some sprang from structural contradictions in the country's peripheral capitalism, while others, such as the 1981 drought and the war in Mozambique, were more accidental or coincidental. The economic crisis manifested itself in declining terms of trade, a serious financial crisis in the main parastatal bodies, and increased external debt.

As we have seen, Malawi's rapid economic growth had relied heavily on agricultural exports, but this narrow economic base left the country extremely vulnerable to shifts in the international

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<sup>1</sup> Introducing the concept of organic crisis, A. Gramsci distinguished between organic changes which are relatively permanent, and those which are conjunctural. He states: "A crisis occurs, sometimes lasting for decades. This exceptional duration means that incurable structural contradictions have revealed themselves (reached maturity) and that, despite this, the political forces which are struggling to conserve and defend the existing structure itself are making every effort to cure them, within certain limits, and to overcome them. These incessant and persistent

economy. Between 1978 and 1980, for instance, Malawi's terms of trade fell by 15.5 per annum due to shifts in international market prices of tobacco and the second oil shock.<sup>2</sup> With the decline, the country's current account deficit rose from an average of K68 million in 1975-77 to an average of K169 million in 1978-81.<sup>3</sup>

The financial crisis of the ADMARC-Press-MDC group of parastatals was another manifestation of the economic crisis. The interlocking ownership of the local financial, commercial, agricultural, and manufacturing interests within this group meant that as the economic crisis deepened, the country's whole economic structure was under serious threat of collapse. According to one observer of Malawi's political economy, "With ADMARC unable to fund its immediate cash needs, Press was technically bankrupt, and with it the commercial banks and indeed the Reserve Bank. There was no longer any question of generating investment . . . it was a matter of financial survival for the firms and, ultimately, the country."<sup>4</sup>

With ADMARC unable to generate surplus revenue due to the decline in Malawi's terms of trade, Press found its financial underpinnings suddenly undone. The company owed K54 million to two local commercial banks in which it was also a major shareholder—the

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efforts . . . form the terrain of the 'conjunctural' and it is upon this terrain that the forces of opposition organise." (Gramsci, op. cit., p. 178).

<sup>2</sup> David E. Sahn and Jehan Arulpragasam, "Adjustment without Structural Change: The Case of Malawi", in David E. Sahn, ed., *Adjusting to Policy Failure in African Economies* (Ithaca: Cornell University Press, 1994), p. 198.

<sup>3</sup> Charles Harvey, "The Case of Malawi," *Bulletin* 14, no.1 (Sussex: Institute of Development Studies, 1983), p. 46.

<sup>4</sup> *Ibid.*, p. 395.

Commercial Bank of Malawi and the National Bank.<sup>5</sup> Further, its debt to ADMARC stood at K54 million, which limited ADMARC's ability to meet its own debt obligation of K30 million to the Reserve Bank of Malawi.<sup>6</sup> Large portions of ADMARC's investments were in the form of unredeemable loans to Press and extensive loans to members of the ruling class who were entering the estate production sub-sector. While it is impossible to obtain statistical data on the conditions of these loans and the rates of repayment for these individuals, it seems clear that ADMARC's politically-informed pattern of lending contributed to the financial problems that it faced in the late 1970s. As Laslett stated in 1984, the extensive lending to members of the ruling class posed major economic risks for the country:

Risks...arose because the new entrepreneurs—often civil servants and politicians—lacked managerial experience, and because the companies they formed were both financially highly geared and wholly reliant on the banking system for their loan funds. The combination of Press . . . and these highly geared new estates meant that by the end of the 1970s large parts of Malawi's private sector were very vulnerable to financial adversity.<sup>7</sup>

As noted in chapter six, a key feature of Malawi's economic growth prior to the 1979 crisis was a heavy reliance on international financial flows from various sources, but primarily from the transnational lending community. This trend was manageable as long as the cost of borrowing from international sources remained relatively low and Malawi's ability to generate surplus locally was not severely constrained. In the late 1970s, however, with the onset of the global recession and the arrival of tight monetary policy following the rise of conservative governments in Britain, the U.S., and Germany, the era of borrowing cheaply ended. Despite these changes, the growing economic crisis led the country to borrow increasingly from international financial

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<sup>5</sup> Ravi Gulhati, *Malawi Promising Reform: Bad Luck* (Washington: The World Bank, 1989), p. 45.

<sup>6</sup> *Ibid.*

<sup>7</sup> Laslett, *op. cit.*, p. 392.

sources. Between 1978 and 1981, Malawi borrowed "an additional K100mn a year which was more than twice the average level of foreign exchange reserves during the period 1974-77."<sup>8</sup> The country continued to borrow throughout the 1980s: in 1980 Malawi's debt stood at US\$639 million and by 1986 this figure had risen to 1,555 million.<sup>9</sup>

This increased borrowing, especially the short-term commercial loans, threatened Malawi's economic future. With declining terms of trade, it became increasingly difficult for the country to meet its debt repayment obligations since local means of generating revenue had essentially dried up with ADMARC's crisis and the decline of the 1970s tobacco industry. As Laslett states, "In 1981 and 82, exports by volume had begun to decline as tobacco farms went out of business (in 1981 tobacco exports by volume fell by one third) and it became obvious that the peak of repayments expected in 1982/4 could not be met."<sup>10</sup>

In addition to structural contradictions, other factors contributed to the economic crisis. Foremost among these was the civil war in neighbouring Mozambique that led to a disruption in international trade routes, forcing Malawi to re-direct its goods to the South African port of Durban. Not only this, but the oil crisis pushed up oil prices, further increasing transportation costs. These increased costs further added to the country's economic burden (Table 7.1). Then a severe drought ravaged the country between 1980-81, resulting in a major shortage of maize, the main staple food of the country. The already financially-strapped state had to import 11,000 metric tonnes of maize in 1980 and 56,000 tonnes in 1981.<sup>11</sup>

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<sup>8</sup> Harvey, *op. cit.*

<sup>9</sup> David E. Sahn, Jehan Arulpragasam, and Lemma Merid, *Policy Reform & Poverty in Malawi: A Survey of a Decade of Experience* (Ithaca: Cornell Food and Nutrition Policy Program, 1990), p. 181.

<sup>10</sup> Laslett, *op. cit.*, p. 397.

**TABLE 7.1**  
**MALAWI INTERNATIONAL TRANSPORT ROUTES AND TRAFFIC**  
 ('000 Tonnes)<sup>12</sup>

	1980	1982	1983	1984	1985	1986	1987	1989	1990
Beira/Nacala	742	471	259	6	2	11	83	36	
Durban (road)	NS*			634	827	636	636	790	780
Dar es Salaam (road)	NS			NS	27	23	40	100	141
Total traffic	742			773	860	660	587	891	956
Freight costs (MK million)	80	113	130	153	197	191	361	532	601

\* NS = not in service

### **The transnational lending community and economic crisis**

As noted in chapter six, international financial flows from the transnational lending community played a central role in the evolution of Malawi's economic structure, and aid dependency meant that it was vulnerable to shifts in the community's policy agenda. The decade of economic crisis saw an increased involvement of the transnational lending community, mainly through its two international financial institutions, the International Monetary Fund and the World Bank. Not only was there an increase in the level of funding (see figure 6.2), but conditions placed on aid by these two institutions meant they now had a greater influence on the formulation of economic development policy. Malawi's first loan under the economic reform

<sup>11</sup> E.A. Chisala and Dr. G. Mthindi, "Structural Adjustment and the Smallholder Agricultural Growth in Malawi," in *The Effects of the Structural Adjustment Programme in Malawi*, Vol. II (Zomba: Centre for Social Research, University of Malawi, 1990), p. 88.

<sup>12</sup> Ben Kaluwa, *The Structural Adjustment Programme in Malawi: A Case of Successful Adjustment?* (Harare: Sapes Books, 1992), p. 4.



programme was a 1979 standby facility loan from the IMF, and between 1979 and 1990 the country received other conditional loans from the IMF and the World Bank.<sup>13</sup>

In line with the transnational lending community's development ideas during this period the key policy market reforms were: privatisation of the state's public enterprises as means of reducing its involvement in the economic arena; liberalising trade and stabilising the currency so as to create an enabling environment for entrepreneurs and other investors; reform in the agrarian sector in order to create market incentives for producers; and removal of subsidies in sectors such as education, health and agriculture. Malawi implemented most of the World Bank and IMF's neo-liberal economic measures. For example, between 1984 and 1997 (see Table 7.2) major assets that were previously controlled by the state through the parastatal sector were sold to 'private investors' under the privatisation programme. From the World Bank's point of view, the privatisation programme was not only a way of reducing state's involvement in the economy, thus reducing opportunities for rent-seeking activities, but was also a means of encouraging the growth of entrepreneurs who were not closely tied to the state.

But while it was impossible to obtain the names of individuals who bought assets from the Privatisation Commission, it was undoubtedly largely members of the state-backed bourgeoisie who were able to do so. Thus, the implementation of the Bank's policy of privatisation in Malawi has led to the reproduction of social power, the rhetoric of the World Bank notwithstanding, and not to the emergence of 'independent' groups of local entrepreneurs. For instance Banda's conglomerate, Press Holdings, as table 7.3 illustrates, was heavily involved in buying up properties sold under the privatisation programme. In pushing for this programme, the Bank

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<sup>13</sup> For a detailed list of the loans and attendant policy reforms see, Sahn and Arulpragasam, *op. cit.*, pp . 201-204.

assumed that the lines between the public and the private spheres in Malawi were clearly drawn, an assumption that stemmed from the Bank's lack of understanding of Malawi's social formation, in which the public and the private sectors have been historically intertwined. Commenting on Malawi's privatisation process, Noel Kulemekka, a senior economist at the World Bank offices in Malawi declared: Look, as far as the Bank is concerned, once a country establishes a Privatisation Commission, we do not take the extra step to check who is buying off the assets formerly owned by the parastatal sector. You have to remember that we take the issue of sovereignty very seriously."<sup>14</sup>

In the agricultural sector, economic reforms ranged from the elimination of fertilizer subsidies for smallholders to raising producer prices—especially in the smallholder sub-sector—to the introduction of private traders in the peasant sub-sector. As discussed in chapter six, ADMARC profits in the first decade or so of independence were mainly achieved through the exploitation of peasant producers; reform measures were therefore geared towards redressing this. In the early 1980s smallholder producers saw an improvement in earnings: for instance, the government increased the price of maize by 68 per cent between 1981 and 1992. However, given the other economic reforms that were taking place, such as the devaluation of the Mkwacha, whatever gains peasant producers made due to the reduction of ADMARC's monopoly in marketing their produce were insignificant.<sup>15</sup> Moreover, only rich smallholders could take advantage of the opportunities offered by the liberalisation of the agrarian sector. For example, the increase of maize prices in 1981 and 1982 mainly benefited well-to-do

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<sup>14</sup> Interview, Noel Kulemekka, World Bank Malawi, Lilongwe, 11 May, 1998.

<sup>15</sup> *Ibid.*, p. 210.

**TABLE 7.2  
RESULTS OF MALAWI'S PRIVATISATION PROGRAMME, 1984-1998**

Sale date	Company	Sector	Equity (%)		Sale Type	Sale Value (MK, else)			Investor Information		
			Sold	Still Held		Local	Foreign	Total	Name	% bought	Status
1984	Nzeru Radio Co.	Manufacturing	60					0.465	Gateway Industries		
1984	Radio & Electrical Services Ltd	Electronics	100	0					Okhai Ltd		Local
1984	Malawi Motors Ltd	Automobile	100						Mandala Ltd		Local
1984	Malital Ltd	Automobile	100						Mandala Ltd		Local
1984	Jacaranda Properties		51								
1984/85	Roadmark Ltd		51								
1984/85	Enterprise Container	Manufacturing	49						Press Corporation		
1984/85	Oilcom Ltd	Petroleum	10						Press Corporation		
1984/85	National Insurance Co. Ltd	Insurance	20						Press Corporation		
1985	Malawi Pharmacies Ltd	Pharmaceuticals	100	0					Press Corporation		Local
1985	Carsberg Malawi Ltd	Brewery	27						Press Corporation		Local
1985	Malawi Distilleries Ltd	Brewery	41						Press Corporation		Local
1987	Guthrie Ltd		20						Press Corporation		
1987/88	Advanx Ltd					0.114m		0.114m	Advanx Ltd		Local
1987/88	Lever Brothers Ltd		20				2.751m		Lever Brothers (UK)		Foreign
1987/88	Buwa Tobacco Estate		100			0.318m		0.318m	Press Corporation		Local
1987/88	Kasikizi Estate	Agriculture	100			0.309m		0.309m	Press Corporation		Local
1987/88	PEW Ltd	Engineering	87			1.96m		1.96m	Maltraco Ltd		Local
1987/88	Kavuzi Tea Estate	Tea	100				3.4m	3.4m	CDC		Foreign
1989/90	Chasato Estate	Agriculture	40								Local
1989/90	Mangani Estate	Agriculture	100								Local
1989/90	Livilizi Estate	Agriculture	100								Local
1989/90	Tikondane Estate	Agriculture	100								Local
1989/90	Cattle Feedlot Ltd	Cattle	50								Local
1989/90	Maldeco Fisheries	Fishing	100	0					Press Corporation		Local
1989/90	Mfumbi Estate	Agriculture	100	0					Press Corporation		Local
1989/90	Mlambe Estate	Agriculture	100	0							Local
1989/90	Rutherford Farm	Agriculture	100	0							Local
1989/90	Chitale Estate	Agriculture	100	0							Local
1989/90	Chilambe Estate	Agriculture	100	0							Local
1989/90	Hombole Estate	Agriculture	100	0							Local

TABLE 7.2 (contd.)

Sale date	Company	Sector	Equity (%)		Sale Type	Sale Value (MK, else)			Investor Information		Status
			Sold	Still held		Local	Foreign	Total	Name	% bought	
1989/90	Kwengwe Farm	Agriculture	100	0		0	0 (free)	CCAM	Local		Foreign
1989/90	Mzenga Estate	Agriculture	100	0					Local		Local
1989/90	Makawale Estate	Agriculture	100	0							
1989/90	Tobacco Estate	Tobacco	35	15							
1991-93	National Seed Co.		50	23							
1991-93	NOIL	Cooking Oil	100	0							
1991-93	ADMARC Canning	Food canning	100	0							
1991-93	Grain & Milling Co.	Milling	75	25							
1991-93	Stagecoach Ltd	Bus Service	15	20		0.458m	0	0.458m	Stagecoach employees		Local
1991-93	Auction Holdings	Agriculture	51	8		0.826	0	0.826	Press, general public		Local
2/96	Encor Products Ltd	Manufacturing	23.3	0	Private Sale	1.9m	0	1.9m	Accord Trust		Local
11/4/96	Packaging Industries	Manufacturing	15.4	40	Private Sale	0	6.78m	6.78m	Nampack Ltd		Foreign
5/6/96	The Portland Cement Co.	Cement	51	36.3	Private Sale	0	85.0m	85.0m	CDC		Foreign
27/9/96	Auction Holdings	Agriculture	11	48	OTC public offer	13m	0	13m	Tobacco farmers, staff		Local
11/11/96	National Insurance Co.	Insurance	15	5	Public offer	29.925m	0.075m	30.0m	General public		Local
27/2/97	Dwangwa Sugar	Sugar	16.3	51	Private sale	114.2	0	114.2m	Lourho Sugar		Foreign
27/2/97	Sugar Corp. of Malawi	Sugar	9	40	Private sale	0	60.2m	60.2m	Lourho Sugar		Foreign
1/7/97	Chintheche Inn	Tourism	0	100	Concession	0	\$0.0144m	0.216m p.a	Central Africa Wilderness Safari		Foreign
1/8/97	Blantyre Rest House	Tourism	100	0	Private sale	8.9m	0	8.9m	I.Y. Mkumba		Local
1/8/97	Limbe Rest House	Tourism	100	0	Private sale	3.1	0	3.1	Lourgal Trust		Local
31/8/97	Kasungu Inn	Tourism	0	100	Concession			0.3m p.a	Karibu Management		Local
1/10/97	Chiphazi Farm	Agriculture	100	0	Private sale	1.3m	0	1.3m	H>D		Local
17/10/97	Auction Holdings Ltd	Tobacco	0.86	47.1	OTC public offer	1.2m		1.2m	Registered tobacco farmers		Local
28/10/97	SUCOMA	Sugar	5.86	38.0	Public offer	83m	0	83m	General public		Local
18/12/97	Ngabu Inn	Tourism	0	100	Concession			0.06m p.m	Ngabu Inn (97) Ltd		Local
2/1/98	Luwawa Lodge	Tourism	0	100	Concession			0.054m p.a	G.H. Wardlow		Local
7/1/98	Blantyre Dairy	Dairy	60	40	Private sale	0	25m	25m	Dairibord		Foreign

Source: Compiled from various reports of the Malawi Privatisation Commission.

peasants who were in a position to produce more for export markets without jeopardising their food security. As Ben Kaluwa has argued,

It should be borne in mind that there are different types of smallholders. . . . The first group are the net sellers who produce more than they need for consumption. These comprise about 25 per cent of the smallholders, who have holdings in excess of 1.5 hectares (ha) and grow cash crops as well as food crops. The intermediate group is that of farmers who produce just enough for subsistence and sometimes have a meagre surplus for sale. These farmers have land holdings of between 0.7 and 1.5 ha. The third group is that of net food buyers who produce less than the required amount for subsistence and must buy food in order to meet their food requirements. These are classed as those with holdings of less than 0.7 ha and account for more than 35 percent of smallholders. Generally, the land-constrained are categorised as those households with less than 1.0 ha. of land and comprise 55 percent of the households. While producer price increases would be expected to induce greater production by the less land-constrained, in the short run, the food-deficient land-constrained who also tend to have lower cash incomes would be forced to buy their requirements at the higher prices.<sup>16</sup>

Other key reforms in the agrarian sector, such as the introduction of private traders—aimed at reducing ADMARC's central role in the marketing and production of peasant agrarian surplus—did not achieve much success. Compared to ADMARC, these traders faced major structural barriers; for instance, they did not have easy access to credit and strong infrastructure support; hence their effectiveness in enhancing the net incomes of the majority of peasants was limited.<sup>17</sup> In general, market reforms in the smallholder sub-sector during the period under review did not address urgent needs of rural producers such as land scarcity or the reorganisation of agricultural production in a manner that would see an end to, or at least a reduction in, the subordination of the peasant sub-sector to the estate sub-sector.

As noted earlier, Malawi faced a major balance of payments crisis in 1979, a factor that contributed to the onset of the economic crisis. To address this problem, the World Bank

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<sup>16</sup> Kaluwa, *op. cit.*, p. 50.

<sup>17</sup> *Ibid.*, p. 52.

and the IMF recommended that the country diversify its agricultural exports. Limited advances were made in the area of non-traditional agricultural exports since in 1989 their share of total exports was still at approximately the 1970s level.<sup>18</sup> However, even if the introduction of new export crops such as macadamia nuts resulted in rising export earnings for the country, diversification and an increase in agricultural exports could only lead to cosmetic improvements. These policies did not address the structural weakness in the country's economic base, especially its vulnerability to shifts in international markets due to its dependency on agricultural production.

Deficit reduction was another policy measure introduced under the neo-liberal economic reform process. This policy was to be achieved through reduction of public sector expenditure. According to one estimate, between 1981 and 1986 state expenditure declined from 36 per cent of the GDP to 29 per cent.<sup>19</sup> This occurred at a time when the rate of inflation had increased due the devaluation of the local currency as part of the IMF's stabilisation programme. While it had been the policy of the government to keep wages low prior to the economic reforms, during this period of reform most Malawians also saw their incomes decrease due to high inflation. According to Ben Kaluwa, "In January 1985 a minimum wage earner in Blantyre could purchase a ninety-pound bag of maize with less than twenty days' wages; by January 1988, the same bag could be purchased only by working in excess of thirty-five days."<sup>20</sup> High inflation made it difficult for the majority of Malawians—rural smallholder producers, estate workers, and the urban poor—to meet their basic needs. The push for deficit reduction also saw Malawians paying more in personal taxes as the government tried to generate revenue

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<sup>18</sup> *Ibid.*, p. 43.

<sup>19</sup> *Ibid.*, p.31.

<sup>20</sup> *Ibid.*, p. 53.

in the 1980s. The decline in personal incomes as a result of price decontrol and the devaluation of the Malawi Kwacha led to increases in the cost of all domestic goods, and as table 7.3 indicates, prices for basic items such as cooking oil were constantly rising.

**TABLE 7.3**  
**ANNUAL PERCENTAGE PRICE CHANGES FOR SELECTED CONSUMER GOODS**  
**(1981-1988)<sup>21</sup>**

Lifeboy Bath Soap	Reward Bath Soap	500ml Kazinga Cooking Oil	500ml Covo Cooking Oil	Surf (Giant)	Kwacha Devaluation	
1981	15.4	12.1	2.9	1.4	8.0	0
1982	53.3	24.3	0.0	0.0	12.6	15
1983	34.8	8.7	66.2	53.9	12.2	12
1984	6.5	4.0	17.8	29.7	4.2	0
1985	48.5	46.2	12.2	22.6	39.2	15
1986	4.1	3.9	0.0	0.0	2.3	10
1987	33.3	40.5	31.4	48.9	55.6	20
1988	14.7	19.8	6.3	0.0	22.0	0

Source: Ben Kaluwa, ed., *The Structural Adjustment Programme in Malawi: A Case of Successful Adjustment?* (Harare: SAPES Books, 1992), p. 55.

These economic hardships generated by the implementation of neo-liberal economic reforms began to alter the relationship between the state and various social forces. In particular, the economic crisis and the conditions of the structural adjustment loans severely limited the state's financial ability to maintain what Yusuf Bangura has termed the "postcolonial social contract."<sup>22</sup> Thus, during this period, policies that had appeased local social forces, such as fertiliser subsidies for smallholder producers and family allowances for civil servants, were reduced, and in most cases eliminated, leading the majority of Malawians to lose faith in the ability of the postcolonial state to meet their needs.

The state's relationship with subordinate classes was not the only one affected by the

<sup>21</sup> Ben Kaluwa, op. cit., p. 55.

<sup>22</sup> Yusuf Bangura, "Authoritarian Rule and Democracy in Africa: A Theoretical Discourse," in Lars Rudebeck, *When Democracy Makes Sense* (Uppsala University, Sweden, 1992).

economic crisis and neo-liberal reforms. These developments also generated tensions between the postcolonial state and leading members of the indigenous bourgeoisie. The economic crisis greatly reduced the state's ability to sustain its patronage machinery. During the height of the economic boom, with ADMARC accruing huge profits and the easy availability of international loans, the state was able to work with members of the emergent bourgeoisie in consolidating social and political power through extensive patronage. State patronage took various forms. For instance, in addition to their ministerial posts, leading members of the emergent bourgeoisie held other important posts in the country's economic and political structures. For example, Aleke Banda, in addition to being a Cabinet Minister, was also the Director General of the Malawi Broadcasting Corporation in the 1960s. John Tembo was at one time not only the Minister of Finance, but also the Governor of the Reserve Bank of Malawi. The current (2001) President, Bakili Muluzi, in addition to being a leading player in the country's commercial sector (see Appendix B) was also a Cabinet Minister in the late 1970s and the Secretary General of the Malawi Congress Party. Although new opportunities for this class did become available with the onset of the economic crisis and the arrival of structural adjustment policies, (under the privatisation programme, for example), the state's capacity to extend loans for new ventures and to disperse patronage was now more limited. Only those who were close to the President's inner court or who had diversified their economic activities during the era of the economic boom (for instance, the current President Bakili Muluzi) could manage to sustain their businesses.<sup>23</sup>

The onset of the economic crisis and the arrival of neo-liberal economic reforms also led some members of the new bourgeoisie to question the enormous power Banda wielded

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<sup>23</sup> As Appendix B illustrates, Bakili Muluzi has an extensive business empire which straddles the commercial, agricultural, and other fractions of local capital.



in the capital accumulation process. Although the state strongly claimed that the detention in 1980 of the President's long-time protégé Aleke Banda was for security reasons, it was widely believed in Malawi that Aleke Banda's imprisonment was due the fact that he had questioned the President's handling of the finances of Press Holdings. As the tensions between the state and factions of the indigenous bourgeoisie deepened, the reins of state power became increasingly controlled by what some Malawian observers have termed the "Banda-Tembo-Kadzamira triumvirate or executive committee."<sup>24</sup> As the 1980s wore on, divisions among members of the indigenous bourgeoisie increased and in some cases resulted in imprisonment, detention without trial, and 'accidentization'—for instance, the 1983 killing of four pro-reform cabinet ministers and leading members of the indigenous bourgeoisie noted in chapter four. Consequently, when popular protest erupted in 1992 the disgruntled members of the postcolonial ruling class made alliances with other social forces calling for political and economic reforms.

To sum up this section, according to the proponents of neo-liberal economic reforms, their implementation should have led the country to a stable and dynamic economic path by eliminating the distortions that had resulted in economic stagnation and crisis. A closer look at the reform decade, however, shows that while Malawi implemented most of the IMF and World Bank's policies, no significant changes occurred in the country's economic performance or in its economic structure. In terms of the economic structure, the country continued to be primarily dependent on agricultural production and international financial flows from the transnational leading community (figures 6.1 and 6.2). In addition, the period of economic crisis, which was marked by increased financial

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<sup>24</sup> Guy Mhone, "The Political Economy of Malawi: An Overview", in Guy Mhone, ed., *Malawi at a Crossroads*, op. cit., p. 6.

flows from abroad, saw a significant increase in the country's debt levels, a factor that would greatly constrain Malawi's future development prospects.

### **The evolution of the 1992-1993 general crisis of the state**

You've chanted yourselves hoarse  
Chilembwe is gone in your dust  
Stop lingering then:  
Who will start another fire?<sup>25</sup>

The term "general crisis of the state" is derived from Gramsci; it represents a historical moment marked by "the crisis of the ruling class's hegemony, which occurs either because the ruling class has failed in some major political undertaking for which it has requested, or forcibly extracted, the consent of the broad masses (war, for example), or because huge masses (especially of peasants and petit-bourgeois intellectuals) have passed suddenly from a state of a political passivity to a certain activity, and put forward demands."<sup>26</sup> In early February 1992, the contradictions of the postcolonial political economy that were deepened by economic crisis and the attendant neo-liberal economic reforms, came to a head in the form of just such a crisis. Its onset began in early 1992 when church leaders, intellectuals, exiles, industrial and estate workers, disgruntled members of the indigenous bourgeoisie, marginalised masses, and civil servants demanded immediate reforms in the country's political and economic spheres.

The state and social forces closely linked to it felt threatened by the emerging opposition movement since it was gaining momentum and demanding changes like pro-reform movements elsewhere in sub-Saharan Africa. In various speeches at the end of 1991, Banda blamed Malawian exiles such as Kanyama Chiume for the rising wave of opposition in the country. And in January 1992, his right-hand man, John Tembo, while

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<sup>25</sup> Jack Mapanje, *Of Chameleons and Gods* (Oxford: Heinemann, 1981), p. 19.

<sup>26</sup> Gramsci, *op. cit.*, p. 210.

touring the country, continually reminded Malawians of the importance of maintaining their loyalty to Banda. During this period, the regime called on Malawians to report "those preachers of multiparty democracy" and warned Mozambican refugees in Malawi not to engage in local politics. As late as December 1991, Banda was arguing that his regime had "delivered the goods" he had promised during the decolonisation struggle and in the postcolonial period, and that therefore there was no need for change. He condemned the emerging pro-democracy movement, saying that its pro-change message was being pushed by dissidents outside the country who intended to disrupt the peace, calm and development that his regime had established in Malawi.<sup>27</sup> But barely two months later a Pastoral Letter issued by local Catholic Bishops on March 8, 1992 finally precipitated the crisis. In their letter the Bishops succinctly highlighted the contradictions of Malawi's postcolonial political economy. While these were evident to most observers of Malawi's affairs, it was only with the issuing of the Pastoral letter in the context of a changed international political climate that a space was created that enabled social forces interested in political change to finally confront the regime.

The concentration of wealth in the hands of the local emergent bourgeoisie, drawn mainly from the state apparatus and the hierarchy of ruling Malawi Congress Party, had created an enormous economic gap between the dominant class and the majority of Malawians. Policy practices during the first three decades of independence, such as the paying of unjustly low prices by the Agricultural Development Marketing Corporation to peasant producers, had marginalised the poor. In the eyes of the Bishops, this was unjust and constrained the ability of most Malawians to contribute to the development of their country. The Bishops pointed out that while commodities were readily available in the market-place in most parts of the country, they were out of reach for most

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<sup>27</sup> See, *Hansard*, December 2-4, 1991, p.20.

Malawians. They called for economic reforms that would ensure “a more just and equal distribution of the nation’s wealth.”<sup>28</sup> The postcolonial wage structure had not kept up with the rising cost of living. For the Bishops, the right to a just wage was a basic human right that the state had to address, as was the “economic and social apartheid” embodied in nepotism and regionalism.

Over the years, Banda’s political absolutism had also become legendary, both domestically and internationally. In their letter, the Bishops stated:

Nobody should ever have to suffer reprisals for honestly expressing and living up to their convictions: intellectual, religious, or political. We can only regret that this is not always the case in our country. . . . Academic freedom is seriously restricted; exposing injustices can be considered a betrayal; revealing some evils of our society is seen as slandering the country; monopoly of mass media and censorship prevents the expression of dissenting views; some people have paid dearly for their political opinions; access to public places like markets, hospitals, bus depots, etc. is frequently denied to those who cannot produce a party card; forced donations have become a way of life.<sup>29</sup>

Interference in the justice system by the executive branch of government and others closely linked to state power was another key issue that the Bishops raised in their letter. The establishment of policies such as those embodied in the earlier noted 1966 *Forfeiture Act* which called for state confiscation of all property belonging to individuals considered to be enemies of the state without any compensation or any judicial process, the control of the traditional courts by the President, and the removal of security of tenure for judges—all meant that the system did not provide justice for Malawians. The Bishops argued that an independent justice system was a cornerstone of “a just society.”<sup>30</sup>

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<sup>28</sup> Lwanda, 1993, op. cit., Appendix, I.

<sup>29</sup> Ibid.

<sup>30</sup> Ibid.

As discussed in chapter four, political activity outside the state and the party apparatus was gradually eliminated in the aftermath of the cabinet crisis and was then entrenched legally in the 1966 Republic Constitution. While calling for those in authority to create an enabling environment for citizens to participate in the country's political process, the Bishops cautioned:

Participation will remain a fiction without the existence of adequate channels of expression and action: an independent press, open forums of discussion, free association of citizens for social and political purposes, and the like.<sup>31</sup>

With the issuing of the Pastoral letter the omnipresent power of the postcolonial regime had finally been challenged by a group of leaders who held widespread legitimacy due to the predominance of Christian beliefs in Malawian society. By finally outlining what was previously "unsayable," the letter provided Malawians with some moral authority with which to challenge the regime.<sup>32</sup> The letter was circulated widely both locally and internationally, and in its aftermath the underlying socio-political tensions in the country erupted.

#### *Responses by various social forces and the transnational lending community*

Marginalised members of the postcolonial dominant class and other pro-democracy elements responded by supporting the Bishops and by engaging in a countrywide social protest as the pro-democracy movement began to gain momentum. For its part, the state attempted to curtail the rising domestic opposition and to appease the transnational lending community. In dealing with the broad coalition of popular forces calling for

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<sup>31</sup> Ibid.

<sup>32</sup> During an interview, Prof. Kenneth Ross of the University of Malawi mentioned how the pastoral letter captured what Malawians had wanted to express for a long time but knew was "unsayable" under the conditions of authoritarianism. Interview with Dr. Kenneth. Ross, University of Malawi, 4 April 1998.

change, the state engaged in a campaign of terror and intimidation and used its traditional strategy of 'divide and conquer' in attempts to create cracks in the pro-democracy movement. To appease international forces and to demonstrate its stability to its local constituencies, the state attempted to perform its daily functions as if nothing unusual was going on. It also sent representatives abroad to plead its case and took every opportunity to refute the pastoral letter and the claims made by the pro-democracy movement. Despite these efforts, leading representatives of the transnational lending community in Malawi expressed their support for the Bishops and later withdrew non-humanitarian aid to Malawi until the regime improved its human rights record and showed signs of moving towards multiparty democracy. As the crisis deepened and the pro-democracy movement grew, the transnational lending community withdrew its support from Banda's regime. The regime responded by initiating some changes in hope of containing its local critics and appeasing the transnational lending community. These efforts culminated in the calling of a national referendum on the establishment of multiparty democracy.

The state responded swiftly to the Bishops' letter by banning its possession (under Malawi's *Censorship Act*) and by engaging in an intensified campaign of terror and intimidation against the Bishops and anyone thought to be sympathetic to them.<sup>33</sup> The Bishops were questioned by the Inspector General of the Police on 8 March 1992 and were thereafter put under house arrest at the Archbishop's residence. The following day John Tembo, Wadson Deleza, Katola Phiri, and other leading members of the Malawi Congress Party convened an emergency MCP executive meeting in which the killing of

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<sup>33</sup> *This is Malawi*, April 1992, p. 6.

the Bishops was discussed, as the following transcript from the tape recording of the meeting indicates:

According to our traditions, once we have killed someone we don't go to the President and say we have done so. We just keep quiet (male voice). We don't want this Catholic Church anymore, and these Bishops should be killed straight away (Hilda Manjamkhosi, after identifying herself). If we were given guns we could have killed them ourselves (female voice).<sup>34</sup>

The state-controlled media used its monopoly of the channels of communication to try to discredit the Bishops.<sup>35</sup> For his part, Banda accused Monsignor Roche, an Irish priest, of being the mastermind behind the Pastoral letter and of bringing "Irish sectarianism" to peaceful Malawi. In addition, he declared that, contrary to the Bishop's message, ordinary Malawians were fully supportive of his regime and "their Kamuzu," since he had done so much for them, starting with the destruction of the "stupid federation."<sup>36</sup> On April 8, the state issued the following press release:

A Papal special envoy, Archbishop Giovanni de Andea called on the Life President, Ngwazi Dr. H. Kamuzu Banda to discuss matters of mutual interest, including the pastoral letter issued by the Malawi bishops on 8 March 1992. Following the cordial and fruitful discussion between His Excellency the Life President and the special envoy sent by His Holiness the Pope, the tension created by the publication of the pastoral letter has been removed and relations between the Malawi Government and the Catholic Church are back to normal.

Archbishop J. Chiona, however, saw the statement from Banda's regime as aimed at discrediting not only the Bishops but also the issues raised in the Pastoral letter, and at showing the international community that the country was back to normal.<sup>37</sup>

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<sup>34</sup> Quoted in Lwanda, 1996 op. cit., p. 106 and *The Nation* 1, Nos. 12-21 (2 Sept.-4 Oct. 1993).

<sup>35</sup> In one incident, one of the state-controlled newspapers declared that Monsignor Roche was to be punished and shown no mercy due to his attack on "Ngwazi", the father of Malawi (*Moni*, May 1994), p. 8.

<sup>36</sup> *Malawi News*, March 1992.

<sup>37</sup> Interview, Archbishop J. Chiona, 6 July 1998, Blantyre.

In an attempt to portray his regime as still in firm control, Banda did not mention the crisis that his regime was facing when he opened Parliament on March 17. Many members of the ruling class, however, did not ignore the emerging wave of opposition and, more importantly, wanted to show their loyalty to Banda. So during this session of parliament they engaged in their ritual of 'praise songs' of Banda and his supposedly legendary achievements and intensified their condemnation of the Bishops and others who were trying to discredit his regime, declaring

that this house express its profound gratitude to His Excellency the Life President, Ngwazi Dr. Kamuzu Banda . . . the house unreservedly condemns the Catholic bishops in Malawi for maliciously attempting to destroy the good relationship of the country and pledges that people will continue to work hard in the fields and further that they will continue to rally solidly behind His Excellency the Life President.<sup>38</sup>

The annual celebration of Kamuzu Day went ahead as planned. Nevertheless, the emerging pro-democracy movement called on Malawians to boycott the occasion and the celebrations were attended by a very limited number of people. The state paramilitary force, the Malawi Young Pioneers, attempted to intimidate people all over the country, and particularly in the rural areas, by telling them that failure to attend the celebrations would lead to major consequences, but this time these tactics did not work.<sup>39</sup>

State intimidation intensified as the crisis deepened. An early example was the burning down by members of the Malawi Young Pioneers of Montfort Printing Press at Balaka, the printing site of the pastoral letter.<sup>40</sup> Another was the arrest and detention of

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<sup>38</sup> *Hansard*, March 1992, p. 5.

<sup>39</sup> *Africa Confidential* 33, no.10 (22 May 1992), p. 1. Approximately 2,000 people turned out for the 1992 Kamuzu day celebration, but according to observers, the participants were mainly children who had been bused in for the event.

<sup>40</sup> The state campaign of intimidation does seem to have tempered the Bishops' approach, since they cancelled an Easter statement that was supposed to be issued to clear matters related to Monsignor Giovanni de Andrea, the Pope's emissary who had come to mediate between the state and the Malawi Catholic Bishops, and whose visit was used by the state to establish that the Bishops had apologized for issuing the Pastoral letter.



Chakufwa Chihana on 6 April 1992 on his return from attending a pro-democracy conference organised by Malawian exiles in Lusaka.<sup>41</sup> He was arrested and detained under the *Seditious Activities Act* for being in possession of the following documents:

Call for all churches to speak out against Human Rights Abuse in Malawi; Malawi: Prospects for Democracy Key-Note Address; and address by Chakufwa Chihana on his return to Malawi April 6, 1992.<sup>42</sup>

These documents expressed anti-government sentiments by referring, for instance, to the postcolonial government as “an island of oppression and corruption” and designating the ruling Malawi Congress Party as the party of “darkness and death.”<sup>43</sup> Chihana was, however, given his day in court due to his international stature and the changes then occurring in local and international conditions.<sup>44</sup>

As the political crisis deepened, the state went on an arrest rampage. At one point it targeted individuals with knowledge of and access to modern communications technology such as computers, faxes and photocopiers, whose introduction into the country had facilitated the dissemination of information outside the state-controlled channels of communication. In May 1992 those detained included about twenty people working in the computer section of the National Bank of Malawi; the whole computer section at the Electricity Supply Commission of Malawi in Blantyre; two individuals working for Business Machines; one person working for Intertec Contracting (Central

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<sup>41</sup>The meeting was organized by Malawian exiles prior to the issuing of the pastoral letter but gained momentum because of it. The meeting was held on March 20, 1992. See *Africa Confidential*, April 1992, p. 4.

<sup>42</sup>Matembo S. Nzunda, “Sedition and the Struggle for the Social Contract”, in Matembo S. Nzunda and Kenneth R. Ross, *Church, Law and Political Transition in Malawi 1992-94*, Mambo Press, Gweru, Zimbabwe, 1995, p.19

<sup>43</sup>*Ibid.*

<sup>44</sup>Chihana had been detained with trial between 1971-1977, and, though he was an Amnesty International prisoner of conscience during this period, his case did not gain wide local and international support due to the prevailing international hegemony of cold war which supported anti-communist states such as Banda’s Malawi.

Africa); and one individual working for Olivetti.<sup>45</sup> In addition, several individuals were arrested on suspicion of supporting the pro-democracy movement: among many others were Gerald Banda, Ms. Knodwani Mtawali, Ignatius Kayengambeta, Jack Chiutise, Simon Pandulre, Mr. O. Mkandawiere, Ismael Khani, Charles Kabuzi Mkandawire, and George Thaka.<sup>46</sup> In addition a few businessmen, priests, and all the staff of the Southern African Trade Union Co-ordination Council (SATUCC) (the organisation that Chihana had headed since his return to Malawi) were arrested.<sup>47</sup> Krishna Achutan, a son-in-law of Aleke Banda, the former powerful Secretary General of the ruling party MCP, was also detained for making comments that under Section 60 of the Penal Code were deemed "harmful to the interests or to the good name of Malawi," when he demanded, during an interview with the British Broadcasting Corporation, that the state release his father-in-law.<sup>48</sup>

Increased state repression did not stop the growing pro-democracy movement, as evidenced by events that occurred in May 1992. With the on-going arrests and detentions and the pending court appearance of Chihana, underlying tensions ignited by the Pastoral letter seemed to suddenly erupt into a countrywide popular protest between May 5 and 7, 1999. During this protest, industrial workers went on strike in Blantyre, and the police killed approximately forty people in their attempts to quell the striking workers.<sup>49</sup> This was followed by strikes by tea and tobacco estate workers all over the country. Students on the three campuses of the University of Malawi went on strike in support of the workers.<sup>50</sup> Civil servants also joined the popular protest even though the

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<sup>45</sup> *Amnesty International*, September, 1992, pp. 2-3.

<sup>46</sup> *Ibid.*

<sup>47</sup> *Ibid.*, pp. 6-9

<sup>48</sup> *Africa Confidential* 33, no.10 9May 22, 1992), p. 1.

<sup>49</sup> *Ibid.*

<sup>50</sup> *Ibid.*

state had raised their salaries in an endeavour to divide and contain the pro-democracy movement.<sup>51</sup>

The Pastoral letter received wide support internationally from organisations such as Amnesty International, Africa Watch, and members of the diplomatic community based in Malawi. The latter group sent a message to Banda expressing their support for the Bishops and warning him that harming the Bishops would lead to serious repercussions.<sup>52</sup> Other Christian churches both locally and internationally also supported the Bishops.

The leading representatives of the transnational lending community responsible for Malawi's aid, the World Bank Consultative Group, responded to the crisis by announcing on 11 May 1992 that they were withholding non-humanitarian aid until the government's record on human rights had improved and the regime showed signs of moving towards the establishment of a multi-party democracy.<sup>53</sup> This was a major blow to Banda's regime, given the country's heavy dependency on foreign aid. The pro-democracy movement was, however, pleased with the Consultative Group's stand and henceforth became more overt in their demands for the release of detainees, the removal of the

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<sup>51</sup> Ibid.

<sup>52</sup> Ibid.

<sup>53</sup> It is important to note that although the international lending agencies called for political reform in Malawi, they were in support of the continuation of the postcolonial historical bloc under the leadership of John Tembo. Local representatives of multinational corporations such as Lonrol also supported a Malawi led by John Tembo (*The Observer*, May 25, 1992, p.5). Being classified as a Least Developed Country, Malawi has received aid on highly concessionary terms from a wide range of Western bilateral and multilateral agencies. The aid effort was initially coordinated by means of a UNDP roundtable, with a meeting in 1984 generating pledges for the government's rolling five-year national development plan. Since then, coordination has passed largely to the World Bank Consultative Group Meetings that have taken place in 1986, 1988. See, UNICEF-MALAWI, *Adapting to Democratisation* (Lilongwe: UNICEF-MALAWI, 1997), p.14.

laws supporting the repressive apparatus of the state, and the establishment of multi-party democracy.<sup>54</sup>

In the midst of these growing socio-political tensions Banda announced that parliamentary elections would be held in June 1992. This move was meant to lend support to the regime's claims that its political system was democratic since everyone was free to vote, and also to show that by winning the elections, it had the support of the public. In its campaign propaganda the government reminded its local and international critics that "Malawi practises a democratic form of government, a government of the people, for the people and by the people" since "virtually all mature Malawians have a say in the running of national affairs through their elected representatives to their local councils and to Parliament in Zomba...This chance comes only once in a while and is unknown in other countries."<sup>55</sup> The process leading to the June 1992 elections followed the postcolonial pattern in which Malawians nominated candidates for parliament but the President had a veto on their nominations. As usual there was no opposition, so all those who were nominated in the June general election were elected. Registration was low due to the changed political climate, and this time the state's efforts to intimidate and force Malawians to register and vote were not successful.<sup>56</sup>

While the regime used detention and intimidation to try to contain the domestic pro-democracy forces, for its international audience it embarked on a vigorous campaign of

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<sup>54</sup> *Amnesty International* AFR 36/37/1992.

<sup>55</sup> *This is Malawi*, April 1992, p. 14.

<sup>56</sup> During the registration process, Malawians had to show their registration papers in order to access state-controlled services (Group interviews, Ndirande, 15 July 1998 and *Africa Confidential* .33, no.10 (22 May 1992), p. 1).

appeasement. Addressing Ambassadors, High Commissioners, and executives of international institutions in Malawi in March 1992, Banda reminded them that democratic states should not be defined solely by the existence of multiparty political systems.<sup>57</sup> He added that a close look at Malawi's history indicated that the country's one-party state was a democratic system since all Malawians had the vote.<sup>58</sup> According to the President, the one-party state provided favourable conditions for economic development since it provided stability and respect for law and order.<sup>59</sup> Commenting on the cultural basis of the one-party state, he declared:

We have political traditions and cultures that we cannot disregard. Much of our present political behaviour and practices have deep roots in traditional beliefs and customs. We must ensure that political change in this country is justified and desired from within the country. We must guard against the imposition of foreign political reforms or ideologies.<sup>60</sup>

In defending his regime's policy on human rights and freedoms, Banda argued that all governments face the tension between safeguarding national security and demands for personal freedom. In his view, wherever there was a clash between national political stability and an individual's "perceived political freedom," the choice was quite clear.<sup>61</sup>

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<sup>57</sup> *This is Malawi*, March 1992, p.5

<sup>58</sup> Ibid. Dr. Banda expressed similar sentiments when addressing wives of the Central Executive Committee of the Party, Cabinet Ministers, and Malawi diplomats and women Deputy Ministers at State House who had paid him a courtesy call to express their thanks for "the development which has taken place in the country and to reject the multiparty system of government." Dr. Banda stated: "Malawi started with multipartyism but other parties were eliminated when the Malawi Congress party won with a majority the seats in Parliament while only a few seats were won by the United Federal party." He further added, "When the Federation of Rhodesia and Nyasaland was broken in December, 1963, the Malawi Congress Party won all the seats. The one-party state was born alone." In addition, he said that "as a Party, the Malawi Congress has fulfilled all its manifestos it promised to do and that Malawi was one of the few countries on the African continent which was doing well economically." He commended the women for coming to visit him and stated, "I am grateful that you do not take things for granted." He further stated that "if he did not break the Federation of Rhodesia and Nyasaland, their husbands would not be ministers or diplomats and that the jobs their husbands were holding would be held by the whites" (*This is Malawi*, April 1992, p. 5.)

<sup>59</sup> Ibid.

<sup>60</sup> *This is Malawi*, August 1992, p.2.

<sup>61</sup> Ibid.

In June 1992, John Tembo was dispatched to the United States to appease the American government and the officials of the World Bank.<sup>62</sup> During his visit to the United States Tembo denied that there were political detainees in Malawi.<sup>63</sup> During the same month, while addressing members of the diplomatic corps inside the country, Banda presented a lengthy response to issues that had been highlighted by his critics. On the matter of local prisons being filled with political detainees, he declared that his critics, especially those in exile, had exaggerated the matter since there were only eleven political prisoners in the whole country.<sup>64</sup> He defended his regime's policy of detention without trial by stating that it was used as a tool for safeguarding not only national security but also national unity, and over the years it had averted "civil war."<sup>65</sup> Addressing the issue of the state's attack on and intimidation of pro-democracy elements, Banda emphasised that, contrary to statements by his critics, the arrests and detentions that had taken place in the country in recent months involved individuals who had broken the laws. Citing the case of Chihana as an example, Banda declared that "there has been much distortion of the facts concerning Chakufwa Chihana's case by the dissidents outside the country." "Chihana was arrested for breaking the laws of this country"; his case was not one of detention without trial and he would be "appropriately tried and charged."<sup>66</sup>

Then, in a move meant to show that his regime was implementing some changes to meet the demands of the lending community, Banda declared that his regime was adjusting its detention policy with the immediate effect of having detainees charged and

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<sup>62</sup> Lwanda, 1996, p. 295.

<sup>63</sup> *Africa Confidential* 33, no. 10 (22 May 1992), p. 1. John Tembo's denials were made during his meeting with Mr. Herman Hank Cohen, the United States Assistant Secretary for African Affairs.

<sup>64</sup> *Amnesty International*, September 1992, op. cit., p. 12

<sup>65</sup> *This is Malawi*, August 1992, p. 2.

<sup>66</sup> *Ibid...*

tried in courts for all to witness.<sup>67</sup> Responding to the well-documented issue of the deplorable conditions in Malawi's prisons, the President stated that this was a misrepresentation since it was lack of resources and not a state policy aimed at ignoring the rights of prisoners that had led to the deterioration of the country's jails. As a first step towards addressing this issue, Banda announced that his government had invited the International Committee of the Red Cross to examine the prisons and work with his government on the improvement of conditions.<sup>68</sup> On the question of the absence of freedom of the press in the country, Banda stated that this was another distortion by his critics since his government did not interfere with individuals involved in the media industry unless they were engaged in activities that undermined national security. While claiming that freedom of the press existed in Malawi, Banda declared that he had "ordered a review of the press code to remove or amend any details that may be responsible for alleged press fears and urged pressmen to speak to the minister to see how the uneasy atmosphere could be improved."<sup>69</sup>

During the 29<sup>th</sup> session of the Malawi parliament, amendments were introduced to remove some of the repressive measures that had been criticised by domestic pro-democracy forces, and whose removal was part of the aid conditionality package placed on the table by international lending agencies. The following Acts were amended in the state's efforts to narrow the scope for criticism and to appease the aid community: the Preservation of Public Security Act, which had enabled detention without trial; the Forfeiture Act, which allowed the confiscation of the property of those considered to be

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<sup>67</sup> Ibid, p. 2.

<sup>68</sup> *This is Malawi*, August 1992, p. 2. The state stipulated that the visit by the delegation of the International Red Cross would only take place after August. This delaying tactic was meant to give Dr. Banda's regime enough time to address some of the basic problems in the prisons in anticipation of the visit.

<sup>69</sup> Ibid., p. 2

opposed to the regime; and the Miscellaneous Amendments Act, which had curtailed freedom of expression.<sup>70</sup> The state's strategy of appeasing the transnational lending community seemed to have made headway in international circles, since the World Bank released a loan of US\$120 million to Malawi during this time, long before the six-month review stipulated by the World Bank Consultative Group in May.

Denials and rebuttals by the regime did not, however, dampen the movement for multi-party democracy. The churches increased the momentum of the pro-democracy movement when they announced in June of 1992 the formation of a Public Affairs Committee (PAC). The PAC was a non-elected broad coalition of individuals and organisations interested in calling for change in Malawi. The formation of the church-based PAC offered an important platform for the pro-reform democracy since existing laws prohibited the formation of political movements outside the orbit of the one-party state.<sup>71</sup> In June 1992 the PAC sent a letter to Banda informing him of its existence and requesting that he appoint a broadly based commission to examine changes that would bring about political and economic reforms in the country.<sup>72</sup> The regime's reply was that it would look into the matter and arrange for a meeting between a ministerial delegation and representatives of the PAC.<sup>73</sup> The promised meeting did not take place until months later, when the general crisis of the state could no longer be contained by continued repression and piecemeal reforms.

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<sup>70</sup> *This is Malawi*, September-December 1992, p. 11.

<sup>71</sup> "Malawi: The Churches Give a Lead," *Africa Confidential*, 28 August 1992, p. 7.

<sup>72</sup> *The Church and State In Malawi* (Church of Scotland Board of World Mission and Unity, April/May 1992) DOC MALAWI I.

<sup>73</sup> According to a letter obtained from the PAC offices and addressed to His Excellency the President, PAC officials took steps to arrange for a meeting with the Ministers by having an audience with the Minister without Portfolio and the Administrative Secretary of the Malawi Congress Party, Hon. W.B. Deleza, at which time he informed the PAC delegates that there was no need for a meeting with the Ministers since the President had addressed the issues that they had raised in their letter of 8 June 1992.



Intimidation and harassment of the reformers continued regardless of the state's promises to start a process of dialogue. The state security apparatus detained several members of the pro-democracy movement, including four priests in Mzuzu who were planning to hold an ecumenical prayer meeting for the country's struggle for the introduction of multi-party democracy, for allegedly participating in an 'unlawful assembly'. The Malawi Congress Party Northern Region headquarters condemned a local priest, the Rev. Aaron Longwe, for being one of the organisers. Father Tom Leahy, an Irish missionary based in Malawi, was deported for allegedly also participating in the organisation of the proposed ecumenical meeting. The MCP northern region office further issued a directive calling on Malawians to boycott the meeting. Due to increased tensions in Northern Malawi and the arrests, the meeting was cancelled.<sup>74</sup>

The Malawi Congress Party annual convention went ahead as planned in September of 1992, the crisis notwithstanding. Opposition to multi-party democracy dominated its agenda, although there were reports that the debates were not as smooth as in previous years since some delegates wanted to have fuller discussion of the popular demand for democracy.<sup>75</sup> At the end of the convention the delegates voted "No" to the establishment of multiparty democracy, arguing that multi-partism would only bring confusion, ethnic conflict, corruption, and economic and developmental stagnation to the country. For his part Banda stated:

Whether our enemies like it or not, the people will need no second party . . . a system of government on its own is not the deciding factor. It is the honesty of the people in that

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<sup>74</sup> *Moni*, May 1994, op. cit., p. 9.

<sup>75</sup> During the Malawi Congress Party annual convention, to the surprise of the party's leadership, delegates questioned the suitability of John Tembo as a potential leader for the party. Further, Mr. Stanford Demba, the Minister of Forestry and Natural Resources and regional MCP chairman for the South wanted the delegates to address the issue of multipartism. Mr. Demba died six weeks after the conference, allegedly after being poisoned by the regime's security agents (*The Economist Intelligence Unit*, Country Report No. 2, 1992, p. 31).

system that matters, not the number of parties . . . what model of democracy a country adopts should be a reflection of its traditions and culture.<sup>76</sup>

As 1992 came to a close with no sign of the crisis abating, the state took some measures aimed at controlling whatever process of change could not be avoided. The announcement in October of the formation of a Presidential Committee on Dialogue (PCD) under the leadership of the Hon. Bester Bisani was one of the steps taken to set boundaries to the democratisation process. The PCD's mandate was to hold meetings with representatives of the churches and other local elements interested in discussing issues pertaining to the country's future.<sup>77</sup> On October 18, the state took a more fateful step when it called for a referendum to decide on whether the country should continue with a one-party state or change to a multiparty democracy.<sup>78</sup>

The referendum came as a surprise to many observers since it was announced only a few weeks after the end of the ruling party's convention where the delegates had voted against the establishment of multiparty democracy. Furthermore, when the Rev. Longwe and others had earlier talked of the need for a referendum to deal with the crisis, they had been harassed and arrested. Several factors seem to have forced Banda's hand. The relentless campaign by the churches had a significant effect, and also the rise of the PAC as a powerful pro-reform organisation with both local and international legitimacy. Further, Banda was dealt a major blow in October when the taped proceedings of the MCP emergency meeting held in the wake of the pastoral letter, at which the plot to kill

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<sup>76</sup> *This is Malawi*, September-December 1992, op. cit., 11.

<sup>77</sup> *Ibid*,

<sup>78</sup> As Banda had done in most of his years in office, he instructed parliament to amend the constitution in order to empower the call for a referendum on the multiparty question. Section 8 (A)(1) was added to the Constitution by the Constitution (Amendment)(No.2) Act, No.23, 1992; it empowers the country's President to call a referendum 'at any time' by which eligible citizens would be asked to cast votes to determine any matter or issue of national interest or concern. Sub-section (2) stipulates that the holding of any such referendum would be in accordance with general or special rules made by the President and published in the Gazette and gave Banda the legal authority to call for the referendum

the Bishops was hatched, began to circulate both locally and internationally. Other factors included the evidence of divisions in the ruling party during its September 1992 annual convention, and, on the other hand, the regime's belief that it had secured the support of rural Malawians by using food as a political weapon in its allocation of food aid to drought-stricken victims.<sup>79</sup> The transnational lending community's support for a referendum, however, was clearly also crucial. Banda did not give a date for the referendum and this generated a sense of uncertainty for those engaged in the pro-democracy movement. To observers of Malawian politics, it was apparent that he wanted to have the advantage of getting onto the campaign trail first. Banda must have calculated that he could call a 'snap' referendum and win before the opposition forces had a chance to organise themselves.

Banda's referendum announcement marked the beginning of an intensified political struggle between the forces closely linked to the pre-existing regime and members of the pro-democracy movement, specifically the factions of the movement which had formed what came to be referred to as "pressure groups", since the formation of other political parties was still banned. The Alliance for Democracy (AFORD) formed on 21 September 1992 was the first so-called pressure group to emerge, with Chakufwa Chihana as the official leader, although he was still in detention. The United Democratic Front (UDF) followed suit under the leadership of Bakili Muluzi. In essence the call for a referendum marked the beginning of the transition process.

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<sup>79</sup> The drought that ravaged rural Malawi contradicted Banda's confident statements made earlier in the year that "the economic development had been remarkable by any standards . . . the country had bumper yields of maize, rice, beans, groundnuts, tobacco, cotton and other crops . . . that people had enough food to

### *The Referendum Process*

During this period, the pressure groups, which were now part of the PAC, concentrated on demanding that the state remove the social and legal mechanisms, established under the authoritarian framework, which would hinder the referendum process. The state, on the other hand, continued with its agenda of trying to set limits within which the democratisation debate would take place. In this regard the state took the following measures: it allowed the meetings between the PAC and the PCD to take place; it established a Referendum Commission; and it continued appeasing representatives of the transnational lending community by slowly implementing their demands.

The long-awaited meetings between representatives of the PAC and the PCD began on October 20, two days after the referendum announcement, and continued throughout the referendum process. The dominating issues of these meetings were attempts to agree on the establishment of enabling conditions for the referendum that would be acceptable to all parties. The PAC saw the implementation of the following measures as essential for ensuring a fair referendum vote: "the presence of international observers; equal rights for all to a free press and radio; [fairness in the funding] of the campaign; voters' age (to be fixed at 18 years); the release of all political prisoners; general amnesty for Malawian exiles; and respect for all people involved in multiparty politics."<sup>80</sup>

During the referendum period, representatives of the PAC took every opportunity to emphasise the need for the establishment of a favourable political climate during the referendum process. When calling for the postponement of their meetings with

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eat and surplus to sell to ADMARC with good prices . . . people in the villages had more money and that the economy of the country was strong." (*This is Malawi*, March 1992, p. 5).

<sup>80</sup> *This is Malawi*, January, 1993.

members of the PCD due to the untimely death of Mr. Orton Chirwa<sup>81</sup> in the Zomba detention prison, the PAC called on the state to free all prisoners of conscience and to halt its campaign of intimidation and harassment of pro-democracy forces. On the latter point the PAC and the PCD issued a joint statement on 13 November 1992, which included the following resolution:

The two sides resolved that due respect should be given to the sovereign Head of State, His Excellency the Life President, Ngwazi Dr. H. Kamuzu Banda; to unreservedly deplore and condemn all forms of political harassment, intimidation and abuse of political opponents and all forms of incitement to violence however caused. The government undertakes to uphold the law and protect the right of everyone to hold political views.<sup>82</sup>

The meetings between members of the PAC and the PCD kept the democratisation debate going and served as a forum where contentious issues could be raised. Nevertheless, the meetings were not open to the public, thus limiting the input of the majority of Malawians to the referendum process. The private meetings and the lack of information, except when the two bodies issued joint statements, did not augur well for the journalists of the emerging independent newspapers and other social forces who wanted the process of change to be more open and participatory. In a country that had witnessed the stifling of alternative voices, the secrecy surrounding these meetings seemed to be yet another example of the existing state and the dominant class controlling and containing the process of change.

The autocratic conditions under which the referendum process was initiated resulted in

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<sup>81</sup> When asked about her feelings on being denied the right to bury her husband, Dr. Vera Chirwa stated that she could forgive whoever made that decision but that did not mean that she would forget what happened (interview with Dr. Vera Chirwa, 15 July 1998). Mrs. Vera Chirwa was released from prison on 24 January 1993 after serving 12 years of her life imprisonment. Banda stated that he had released her on humanitarian grounds (*Daily Times*, 25 January 1993, p. 1).

<sup>82</sup> *Daily Times*, 28 January 1993, p. 1.

the state setting the tone of this process while pressure groups and other pro-democracy elements could only react to the declarations and moves made by the state. On 12 December 1992, Banda announced the establishment of a Referendum Commission under the chairmanship of Professor Brown Chimphamba, the Vice Chancellor of the University of Malawi. This was followed two weeks later by an announcement that the referendum would be held on 15 March 1993, and would be carried out by the use of two ballot boxes, one for and one against the establishment of a multiparty political system.<sup>83</sup>

Pro-democracy elements criticised these announcements and argued that there should have been a consultation process before the establishment of the Referendum Commission and that the composition of the Commission was unfair, since the core of its membership were individuals sympathetic to the regime.<sup>84</sup> In addition, they argued that the proposed voting procedure could not work, given the long history of state repression in the country. In their view it meant that the state would be in a position to know how individuals voted, making a free vote impossible; with the country's long history of repression, Malawians knew that there would be repercussions if they voted for the pro-democracy side. Further, according to the pro-democracy forces, a March referendum date did not give them enough campaign time or allow enough time for setting up the necessary mechanisms for the referendum.

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<sup>83</sup> This move by the state is similar to Daniel T. Arap Moi's tactics in Kenya where he has, since 1992, made snap decisions about the elections, giving the opposition groups limited time to organise themselves. Moi has called this his "secret weapon".

<sup>84</sup> The Commission included Father Tenthani, the only Catholic priest to refuse to read the Pastoral letter and a Censorship Board stalwart; the Rev. Njaidi, the chaplain to the Police; McDonald Banda, the Secretary to the Cabinet; the Chief Justice; Mr. Mbekeani, a prominent businessman and MCP supporter who had renounced his membership in the Chamber of Commerce in protest against some of its members' participation in multiparty politics; and Mr. D.B. Mawindo, a member of the Commercial Bank board which was chaired by John Tembo. Only one member was pro-democracy: the Rev. Silas Nyirenda of the CCAP.

In establishing the Referendum Commission, the state had declared that this newly formed body would be neutral in its role of leading the country to the referendum vote. But on 5 February 1993 the state issued what it termed "Referendum Regulations", a closer examination of which reveals that these were biased in favour of the country's anti-democracy forces. The claim that the Referendum Commission itself was neutral and independent of the state was contradictory since Banda had appointed all the members of the Commission, and, moreover, regulation 3(1) stipulated that "the Commission and every individual member thereof shall be answerable, and shall report, directly to the President at the end of the entire referendum process on the overall fulfilment of the functions of the Commission".<sup>85</sup>

The issuing of restrictive regulations, in addition to the pre-existing repressive Constitutional framework, greatly restricted the pro-democracy referendum campaign. Under the referendum regulations, the pressure groups could now hold public meetings, but only with "the prior written permission of the relevant officer in charge of police who, upon granting such permission" also had to "notify the relevant District Commissioner." And on several occasions the state cancelled pressure groups' meetings without any explanation.<sup>86</sup> The state claimed that the concerns expressed by pressure groups on the issue of freedom of expression were unfounded, since Regulations 35 and 36 of the Referendum Commission stated:

**Every special interest group and every representative, member or supporter thereof shall enjoy complete and unhindered freedom of expression and information in the exercise of the right to campaign under these Regulations and no person shall, during or after the referendum period, be subjected to any criminal prosecution for any statement he made or any opinion he held or any campaign material he produced or possessed while campaigning in the referendum. Subject only to regulation 32 (2), every special interest group and any representative, member or supporter thereof shall, either alone or in**

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<sup>85</sup> *The Malawi Gazette Supplement*, 5 February 1993, Government Printer, Zomba, pp. 40-41

<sup>86</sup> *Article 19*, "Malawi referendum: free expression denied", 27 April 1993.

common with others, enjoy complete and unhindered freedom of peaceful assembly in campaigning in the referendum.<sup>87</sup>

But the state still arrested members of the pressure groups, journalists, and others who were deemed, in one way or another, sympathetic to the pro-democracy movement during the referendum campaign.<sup>88</sup> Whatever guarantees were provided by regulations 35 and 36 were constrained by Regulation 37 which stated:

Notwithstanding guarantees of freedom of expression, information and assembly under regulations 35 and 36, no person shall, in campaigning in the referendum, use language which is inflammatory, defamatory or insulting or which constitutes incitement to public disorder, insurrection, hate, violence or war.<sup>89</sup>

Through a special provision in the referendum regulations the smaller parties that were emerging in the country and the majority of Malawians were excluded. The second schedule of the referendum regulations recognised only the following as legitimate 'special interest groups' negotiating the referendum process: the Malawi Congress Party, the Alliance for the Restoration of Democracy, the United Democratic Front, and the Public Affairs Committee.<sup>90</sup>

On the international front, the United Nations and World Bank criticised the regime's handling of the referendum process. The United Nations Bureau of Political Affairs, after

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<sup>87</sup> *The Malawi Gazette Supplement*, February 5, 1993, op. cit., 45.

<sup>88</sup> Among those arrested were during this period were: Harry Chieme, one of Chakufwa Chihana's Lawyers, for supposedly making comments "harmful to the interests or to the good name of Malawi" during a BBC interview; Felix Mpondo Phiri, a Malawian journalist, for publishing his newspaper, *New Express*, without proper ; Bakili Muluzi, Chairman of the UDF, for allegedly embezzling money from the ruling Malawi Congress Party while he was its secretary general some fifteen years earlier; Alice Longwe, the wife of Rev. Aaron Longwe, who had been in and out state prisons since the onset of the crisis, for sedition; Chakakala Chiziya, UDF's vice-chairman, and three UDF members for their pro-democracy stands; Rev. Peter Kaleso for his comments during an AFORD rally; O. Mkwewe for possession of "seditious publications"; Shyley Kondowe, Robert Khembo, and John Banda, members of the then exile-based Malawi Democratic Party, upon their return to campaign for multiparty politics; and Edmond Jika and Gabriel Nkunika, members of another exiled party, the United Front for Multiparty Democracy, upon their return to Malawi (*Amnesty International*, 18 May 1993, pp. 5-6)

<sup>89</sup> *The Malawi Gazette Supplement*, 1993, p. 46.

<sup>90</sup> *Ibid.*, p. 61.



visiting the country twice, requested that the government implement changes that would create an enabling atmosphere for the referendum process; and also that the date of the referendum be postponed in order to allow for adequate campaign time for all parties.<sup>91</sup> They further criticised the government's two-box voting procedure which, they argued, could lead to fear and harassment during the referendum given Malawi's socio-political context.<sup>92</sup> The World Bank Consultative Group and the key lending countries made the holding of a fair referendum a condition for the resumption of development aid.<sup>93</sup> In response to criticism from international forces, the Publicity Secretary of the ruling MCP, Dr. Hetherwick Ntaba, stated that the regime was doing its best to meet all the demands of the transnational lending community since the resumption of aid was important for the development of the country.<sup>94</sup> He attributed the delay in aid resumption to the pressure groups that were continuously spreading negative propaganda about socio-political conditions in the country.

While Banda's regime could ignore local social forces, the country's heavy dependency on foreign aid for its economic survival meant that the regime did not want to antagonise the transnational lending community unnecessarily and therefore took their opinions seriously. Thus on 5 February 1993 Banda announced that due to a request from Dr. Boutros Boutros Ghali, the Secretary General of the United Nations, he was postponing the referendum to June 14. He stated that Dr. Ghali had suggested the postponement to allow the United Nations and the rest of the international community more time to prepare.<sup>95</sup> Banda also expanded the Referendum Commission to include members of

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<sup>91</sup> *Amnesty International*, 18 May 1993, p. 4.

<sup>92</sup> *Ibid.*

<sup>93</sup> *Daily Times*, February 24, p. 2.

<sup>94</sup> *Ibid.*

<sup>95</sup> *Ibid.*

the pressure groups UDF and AFORD in order to prevent his critics from saying that the referendum process was biased in favour of his regime.<sup>96</sup>

The meetings of and joint statements from PAC and PDC representatives and the establishment of the Referendum Commission could not contain the profound struggle for power underlying the referendum process. This struggle was characterised by accusations and counter-accusations from both camps. The MCP accused the pressure groups of not keeping their promises; for instance, their vicious attacks on Banda were a breach of joint statements and not in the spirit of the continued dialogue between the PAC and the PCD.<sup>97</sup> The ruling MCP insisted that the pressure groups were distorting its campaign and also the country's historical realities. According to the MCP, the pressure groups were telling Malawians and the international community that few people attended MCP rallies and that the majority of Malawians were interested in multi-partism, which was not true. Banda, after campaigning in the northern region, stated:

The dissidents are telling a lie . . . we have been well received here and we have visited all the five districts. Advocates of multiple parties are talking nonsense because people do not want multiparty politics . . . no one wants another party except ambitious people . . . no matter what other people might say, Malawi will continue to be ruled by the MCP because the whole country rejects the idea of a second party.<sup>98</sup>

In the same speech he attacked Bakili Muluzi, the leader of the UDF, saying that Muluzi's explanation of why he left the ruling party was a fabrication since he did not resign but was fired for stealing money from the party and from the president-owned conglomerate, Press Holding.<sup>99</sup> Other MCP functionaries accused the pro-democracy

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<sup>96</sup> *This is Malawi*, April-June 1993, p. 6

<sup>97</sup> *Daily Times*, 28 January 1993, p. 1.

<sup>98</sup> *Daily Times*, 12 February 1993, p. 1

<sup>99</sup> *Ibid.*

movement of not informing the electorate of the nature of politics in a multiparty political system. For example, the Hon. W. Deleza, Minister without Portfolio, declared that the establishment of multiparty democracy would bring about tribal conflicts, violence, and instability.<sup>100</sup> Others, such as the Deputy Minister of Agriculture, Francis Kangaude, said the pressure groups were misguiding Malawians since they did not highlight the changes introduced under Banda's regime. In this regard, he told these leaders to remind people of the "the poverty and oppression that was there in the colonial days and which was removed by the Life President when he broke the federation and brought self-government for his people."<sup>101</sup> Expressing similar sentiments, the Deputy Speaker of Parliament, the Chimutu Nkhoma, stated:

The Ngwazi had developed the country in all sectors during the 28 years of independence, unlike the colonialists who ruled it for about 70 years without any development. Malawians should appreciate this and vote for the continuation of a one-Party system of government. He accused multi-party advocates of misleading people with false promises.<sup>102</sup>

Under intensive local and international pressure, the referendum voting procedure was resolved a few weeks prior to the referendum day. Banda announced in a special broadcast to the nation on 17 May 1993 that his government had agreed to use only one ballot box. The pressure groups had threatened to withdraw from the referendum if this issue was not resolved. Increased tensions resulted in the United Nations Secretary General sending a special envoy, Mr. Adama Dieng, from the International Committee of Jurists in Geneva, to mediate between the state and the pressure groups.<sup>103</sup> Under the one-ballot-box system, a voter would be presented with two ballots in an envelope, one carrying the hurricane lamp of the multi-party supporters and the other the black

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<sup>100</sup> *Daily Times*, 19 January 1993, p. 1

<sup>101</sup> *Ibid.*

<sup>102</sup> *Daily Times*, 26 February 1993, p. 2

<sup>103</sup> *This is Malawi*, April-June 1992, p. 4

cockereel of the MCP. In a secret booth an individual would make a choice, discarding the unused paper before emerging to place their vote in the ballot box.<sup>104</sup> In accepting the one-ballot-box system, Banda stated that he did so to make sure that the issue of two ballot boxes did not ruin the referendum.<sup>105</sup> He further declared:

It is very important that this referendum be considered free and fair by the international community. I do not want to give our international friends the impression that the Malawi Congress Party and its supporters are afraid of the one-ballot-box system".<sup>106</sup>

Days before the holding of the referendum, the PCD and the PAC issued a joint statement outlining what would take place after the referendum if Malawians voted for change; crucially, the government agreed to accept a defeat if one occurred, and then to move quickly to create mechanisms for a transition to multiparty democracy.<sup>107</sup> The statement further declared that the dialogue between the PCD and the PAC would be instrumental in leading the country through such a peaceful transition.<sup>108</sup> In the context of Malawi's socio-political conditions, it was very difficult for people to believe that the ruling party would keep this promise. As one Malawian commented,

We all expected Banda to send his Malawi pioneers to go on a killing rampage and also arrest those who had voted no in the referendum. Kamuzu was never for sharing power with anyone and it was very frightening waiting for the referendum results because we could only think of the worst.<sup>109</sup>

The referendum was finally held on 14 June 1993, and sixty-three percent of the 3.1 million Malawians who voted, on a 67% turnout, voted for the establishment of a multiparty political system. Since regulation 91(1) stipulated that 50% of the national vote

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<sup>104</sup> *Ibid.*

<sup>105</sup> *Ibid.*

<sup>106</sup> *Ibid.*

<sup>107</sup> *The Monitor* 1, no. 20, 11 June 1993, p. 1.

<sup>108</sup> *Ibid.*

<sup>109</sup> Interview with John Kaputo, Executive Director of the Consumer Association of Malawi, 24 June 1998.

was required for either side to win, the pro-democracy movement clearly won.<sup>110</sup> The question presented to the voters was:

Do you wish that Malawi remains with the one-party system of government with the Malawi Congress party (MCP) as the sole political party or do you wish that Malawi changes to the multiparty system of government?<sup>111</sup>

**TABLE 7.4**  
**RESULTS OF THE REFERENDUM**

Total number of voters registered for the referendum	4,699,527
<b>Total number of voters who voted</b>	<b>3, 153, 448</b>
Total number of null and void votes	70,979
Total number of valid votes for one-party system	1,088,473
Total number of valid votes for multi-party system	1,993,996

Source: *The Referendum Commission Report*, 1993, p.16.

The overwhelming support for change represented by the results of the referendum is not what the one-party state expected, given all its efforts to circumscribe the referendum process. For the pro-democracy elements this was the moment they had been waiting for, and after the results were announced the mood in most parts of the country was jubilant:

Malawians have booted out the one-party system of government in favour of political pluralism in a crucial referendum on Monday. Final results released by the National Referendum Commission at a press conference yesterday in Lilongwe show that 63% of those who voted opted for a change from one party state into multiparty politics.<sup>112</sup>

<sup>110</sup> *The Malawi Gazette Supplement*, 5 February 1993, p .57.

<sup>111</sup> *Ibid*, p. 60.

<sup>112</sup> *The Independent I*, no. 19, 16-22 June 1993.

And the *New Express* announced:

There will be no more repression. Total freedom has come to Malawi...The win by multiparty advocates comes against a massive campaign by the MCP spearheaded by the Life President himself who swore several times that "make sure on June 14 you show these people (multiparty advocates) that you do not want anybody else other than your Kamuzu to rule."<sup>113</sup>

The referendum vote was witnessed by about two hundred international observers drawn from the United Nations, the Commonwealth, Europe, and Africa.<sup>114</sup> The observers stated that the referendum result was fair, although they also mentioned that the state had not kept its promise to restrain from intimidation and harassment of pro-democracy advocates.<sup>115</sup> The conditions under which the referendum was held were not conducive to those advocating change, even though the vote went in their favour. The ruling MCP party clearly had advantages over the pressure groups given its extensive countrywide network, control of the security apparatus and the fact that it controlled state resources which it did not hesitate to use, via its patron-client relations, in attempts to buy support. As one businessman put it:

It was an interesting time. Many of us were being called to go and see so-and-so. MCP bosses sent emissaries to come and offer me money to campaign in Mangochi against multiparty. Every day the President was seeing all sorts of leaders in order to get their men to campaign against multiparty. All the heavy businessmen, Muslim leaders, chiefs . . . if I had wanted I would have become rich then.<sup>116</sup>

To the surprise of many observers, Banda accepted the results and stated that he would respect the wishes of his people. In his acceptance speech, he declared that the parliament would meet in a month's time to repeal Section 4 of the Constitution, thus enabling the establishment of other political parties in Malawi.<sup>117</sup> The PAC and members

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<sup>113</sup>*The New Express* 1, no. 21, 18-24 June 1993

<sup>114</sup>*The Monitor* 1, no. 20 (11 June 1993), p. 2.

<sup>115</sup>*Amnesty International*, September 1993, p. 1.

<sup>116</sup>Lwanda, 1996, p. 132.

<sup>117</sup>*The Independent*, 19-25 June 1993, p. 8.

of the pressure groups, however, called for the resignation of the President and the immediate establishment of a government of national unity. For the pro-democracy groups the referendum victory represented a vote of no confidence in Banda and the ruling party, and not just a vote on the question of what kind of political system was to be established in the country. According to the PAC's publicity secretary, Modesai Msisha, Banda was not only being arrogant but also attempting to hang on to power.<sup>118</sup> AFORD's leader Chakufwa Chihana expressed similar sentiments:

We must accept the will of the people. If Section 4 is ripped off, where does he get the mandate to continue ruling. The Life President was Head of State and Government under such a Section, and therefore any continuation of a government which has been outvoted by the majority is unconstitutional and illegal.<sup>119</sup>

The UDF pressure group also called for the resignation of Banda, arguing that Malawians wanted change and the referendum vote was a clear vote of no confidence in the regime. A leading official of the UDF declared that the fact that Banda had not resigned was not surprising and the only way to bring changes to the country faster was to bypass the PCD and engage the President directly.<sup>120</sup>

Responding to the calls for his resignation and the formation of an interim government of national unity, Banda declared that he was not going anywhere since "the referendum was about choice of system of government and not a vote of confidence in his leadership."<sup>121</sup> According to him, the referendum results did not represent the demise of the ruling party or mean that the winners were the newly declared rulers of the country, but just initiated a process allowing the formation of other political parties in addition to

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<sup>118</sup> *Ibid.*

<sup>119</sup> *Ibid.*

<sup>120</sup> *Ibid.*, p. 1.

<sup>121</sup> *The Independent*, 19-25 June 1993, p.8

the ruling MCP. To illustrate that he had accepted the wish of the people he announced that the necessary procedures would be set up without delay so that the country could embark on a peaceful journey to multi-party democracy. In addition, Banda indicated that the road to political pluralism would include a continued dialogue between the PAC and the PCD, and a general review of the constitution and several laws to take into account human rights concerns.<sup>122</sup>

The overwhelming support for the multi-party vote is best understood in the context of socio-political discontent that had been brewing in Malawi for a long time and that finally found an outlet with the onset of the general crisis of the state. This crisis coincided with the changes in the international political conjuncture such that the United States and other leading members of the transnational lending community were no longer willing to support so-called 'developmental dictatorships' such as Malawi. But the fact that the pro-Banda social forces lost the referendum vote should not blind one to the fact that the referendum process actually represented an intra-elite struggle for political power which generally did not include the majority of Malawians. This was to become even clearer in the post-referendum period as the state and the newly-formed political parties engaged in an elite-dominated negotiation process which paved the way for the May 17, 1994 general elections.

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<sup>122</sup> Ibid.



## **CHAPTER EIGHT: THE ROAD TO THE 1994 MULTI-PARTY ELECTIONS**

The new dispensation has the marks of the old political order. We need a new social organism that can challenge the existing political order at its core before apathy sets in people's minds.<sup>1</sup>

The victory of the pro-democracy movement in the referendum vote marked the official beginning of the transition to multi-party democracy. This chapter shows the central role played by the pre-existing state, the dominant class and the transnational lending community in the democratisation process. The chapter has two parts. Part one analyses the politics of the transition and the two processes that marked this period: the making of the constitution by the state's newly formed body, the National Consultative Council; and the struggle for political power by the recently established opposition political parties and the ruling Malawi Congress Party. Part two analyses the results of the 1994 multi-party general elections and also shows the continuing influence of the transnational lending community in Malawi's politics during the elections.

### **The state and the transition process**

To a large extent the state set the parameters within which the transition process occurred by establishing state-dominated structures for the transition, which set the boundaries to the democratisation process. The two main structures were the National

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<sup>1</sup> Interview with Modesai Msisha, a prominent Malawian lawyer, PAC's Publicity Secretary, and one of the drafters of the new Malawi Constitution. 9 July 1998, Blantyre.

Consultative Council and the Electoral Commission.

The National Consultative Council (NCC) emerged from discussions between the PAC and the PCD and was formally established by Act No. 3c of 1993.<sup>2</sup> In its early days, the NCC membership included representation from various churches, civil organisations, and the emerging political parties.<sup>3</sup> The membership structure was later changed to allow for only seven members, representing all the parties registered by 30 November 1993.<sup>4</sup> A nominee from the registered parties chaired the NCC transition negotiations, an arrangement which was rotated on a monthly basis among the political parties. The NCC's functions were as follows:

To participate in the formulation of policies and in the initiation of legislative measures necessary for the transition; to initiate such amendments to the Constitution as are necessary to facilitate the transition to the first multi-party general elections; to prepare the draft of a new electoral law suitable for a multi-party political system, to be enacted by Parliament; to review the law governing the registration of political parties for the attention of Parliament; to prepare the draft of a new Constitution suitable for a multi-party political system to become effective immediately after the first multi-party general elections; and to prepare the draft Bill of Rights either as part of the new Constitution or as a separate Act of Parliament.<sup>5</sup>

The NCC was to be assisted in its mandate by the National Executive Committee, whose membership was made up of two representatives nominated by the NCC members from among the seven members of the NCC, and whose duties were:

To monitor the implementation of policies governing the transition; to receive such information relating to or affecting the transition process as required from the Government; to monitor the activities of all public offices which, in the view of both the Committee and the Cabinet, had a bearing on the management of the transition; to consult with the Cabinet on any measures relating to the transition warranted in the management of the transition; to bring to the attention of the Cabinet for corrective action any abuses of political authority, public finances or property in the Government or in any statutory body for political campaigning or gain; to monitor the implementation by the

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<sup>2</sup> *The Malawi Gazette Supplement*, 31 December 1993, p. 1.

<sup>3</sup> In actual fact the formation of the National Consultative Council signaled the official merging of the Public Affairs Committee and representatives of the so-called Presidential Committee on Dialogue.

<sup>4</sup> This requirement was stipulated in the *Political Parties (Registration and Regulations) Act 1993*.

<sup>5</sup> *The Malawi Gazette Supplement*, 1993 op. cit., p. 3.

Government of legislation relating to the transition; and to monitor the activities of the Malawi Broadcasting Corporation to ensure equal and fair access and coverage of the activities of all political parties generally and, in particular, in relation to the campaign for the first multi-party general elections.<sup>6</sup>

As the preceding paragraphs indicate, the composition of the NCC was restricted to the dominant class. This continued exclusion of popular forces was disheartening to most Malawians whose hopes had been raised when pro-democracy forces won the referendum vote. According to Ollen Mwalubunju, the Executive Director of the Centre for Human Rights and Rehabilitation in Lilongwe,

Many people thought the referendum results represented a turning point in Malawian politics. We had hoped that given all the promises made during the referendum campaigns by the pressure groups, these groups would demand significant changes from the state through their representation in the NCC. But they did not and the NCC itself turned out to be another elite-driven machinery, which did not pay attention to the masses. If you look at the NCC constitution conferences, there was hardly any effort made to engage the masses in this process.<sup>7</sup>

Of all the functions that the NCC was mandated to carry out during the transition period, the one that it concentrated on the most and that would have a great impact on the character of Malawi's democracy, was constitutional reform.<sup>8</sup> To commence the drafting of a new constitution, the NCC held a meeting in Mangochi in November 1993 at which it was resolved that a new constitution was needed since, due to its undemocratic nature, the 1966 Republic Constitution could not easily be amended.<sup>9</sup> Kevin Bampton, a British constitutional lawyer, and Modesai Msisha, a prominent Malawian lawyer, assisted the NCC in drafting the new constitution.<sup>10</sup>

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<sup>6</sup> Ibid,

<sup>7</sup> Interview with Ollen Mwalubunju, Executive Director, Centre for Human Rights and Rehabilitation, Lilongwe, 13 May 1998

<sup>8</sup> In most cases the state rejected NCC proposals; for example, when it recommended elimination of the Presidential Council, as recommended by members of PAC, the state turned down this proposal and stated that the PAC was "an irrelevant body."

<sup>9</sup> The NCC appointed a constitution committee to write a new constitution (the committee was composed of one representative from each party represented on the NCC).

<sup>10</sup> Mutua, 1994. *op. cit.*, p. 23.

The drafting of the constitution was cemented by two conferences held in Blantyre. The first conference was held under the auspices of Dr. Vera Chirwa's Legal Resources Centre between the third and fifth of February, 1994, and was attended by members of professional groups, students, international legal experts, representatives of traditional authorities, religious groups, women's groups, and members of the NCC.<sup>11</sup> During the conference, the content of the proposed bill of rights took centre stage; participants were keen to discuss the subject because of the violations of human rights which had occurred under the one-party state structure. The excitement and hopes about having a say in how the country was to be governed were contagious, as Modesai Msisha recounts:

Malawians had never been given a chance to discuss how they wanted to be governed and the constitution under Banda was amended all the time in order to justify oppression and other exploitative policies. Participants felt this was a chance for them to have their say on the constitutional basis of future governments."<sup>12</sup>

The nature of the presidency and the establishment of a second chamber, whose membership would be drawn from women's groups, traditional authorities, and other groups outside the main political structures, were other crucial issues discussed during this first constitutional conference. Representatives of the political parties favoured a strong Executive Presidency, while human rights activists and others interested in the deepening of democratic space in the country cautioned against the idea of investing too much power in the presidency. During the conference, members of marginalised social groups supported the establishment of a second chamber, which many Malawians saw as their only hope of achieving a meaningful voice in the country's political and economic affairs. But the fact that the majority of the politicians did not see the need for it, yet were the ones who were to vote for its establishment after the next general election, left many

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<sup>11</sup> Participants were nominated by their respective organisations.

<sup>12</sup> Interview with Modesai Msisha, *op. cit.*

wondering whether there would ever be a second chamber.<sup>13</sup> As Wiseman Chirwa saw it,

The existence of a second chamber frightened members of the political class since it would have resulted in a sharing of political power. You have to remember that most of these newly found democrats had seen the privileges and notoriety generated by access to political power when they belonged to the MCP. Members of this class will espouse ideas about sharing power only at the level of rhetoric.<sup>14</sup>

A second constitutional conference organised by the NCC took place at Mount Soche between February 17 and 26. Participants were given a brief abstract of the draft constitution as a guide to the deliberations. Various issues were discussed, especially the need for a clear separation of powers between the three branches of government and the importance of protecting individual rights. As in the earlier constitution conference, there was a heated debate on the form that presidential power would take. Participants representing political parties and social forces linked to the state favoured a strong presidential system, while others wanted a clear distinction between the executive branch of government and the head of state.<sup>15</sup> In the end, the NCC presented a constitution that allowed for a strong presidential system of government, the implications of which would be realised in Malawi in the era of multi-party politics. Lamenting the dangers inherent in a strong presidential system, Dr. Vera Chirwa stated:

One would have thought that after three decades of having a strong presidency who methodically manipulated the constitution for his own ends, our new leaders would be more willing to consider a limited presidential office. During the constitution conference it was very frustrating trying to bring in a serious debate on the importance of reducing the power of the president. One felt that leading politicians were in a hurry to get the constitution business out of the way and were more concerned with ensuring that they won the elections. To a large extent, some of the problems we have faced since the general elections could have been easily dealt with if more thought had been given to the strengths and weaknesses of various power-sharing mechanisms.<sup>16</sup>

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<sup>13</sup> A close examination of the leading opposition party manifestos during this period indicates that it was only AFORD that included the establishment of a second chamber and local government in its manifestos.

<sup>14</sup> Interview with Professor Wiseman Chirwa, 8 July 1998.

<sup>15</sup> Lwanda, 1996, p. 190.

<sup>16</sup> Interview with Dr. Vera Chirwa, op. cit., 1998.

The revelation that Muluzi, the leader of the UDF, had stolen money and served a jail sentence generated a discussion as to whether an individual with a criminal record was fit to run for the presidency. Muluzi's supporters at the conference did not see why this was being brought up at this particular juncture and called for more deliberation on the matter. Those aligned with Muluzi saw the desire to bar him from the presidential race as politically motivated, leading them to declare:

It is clear that the reason for wanting to exclude Muluzi from the presidential race is because both AFORD and MCP know that their candidates cannot stand up to Muluzi. The attempt to exclude Muluzi is a wicked one and we shall not allow it. We prefer Muluzi to Chihana, Chakuamba, Tembo or any other candidate that is currently in the political arena. We hear that the idea to exclude Muluzi emanated from that farce of a constitutional symposium organised by Vera Chirwa at Mount Soche two weeks ago. Who authorised that symposium? Who chose the delegates to the symposium? Who chose the organisers and main speakers? Vera Chirwa (north), Dr. Boyce Wanda (north), Mr. Kamudovi Nyasulu (north), Mrs. Chingota (north), Dr. Nzunda (north), and countless other Northerners. The North, which has about 11% of the total national population had about 55% representation at that symposium. Who are you trying to fool?<sup>17</sup>

But for pro-reform individuals such as Dr. Vera Chirwa, the wider issues needed to be considered before deciding to change or implement a stipulation in the constitution for the protection of one individual. Accordingly, she stated emphatically:

People should put checks and balances in the constitution regardless of what this will do for specific individuals. This is the document for the future . . . if we do things to protect Muluzi then we are doing a disservice to not only ourselves but also our future generations as a whole.<sup>18</sup>

By embarking on its own constitutional reform process, Malawi joined other sub-Saharan African countries which, under pressure from representatives of the transnational lending community and domestic pro-democracy forces, had undertaken this reform as an essential part of the democratisation process. Given the country's history of autocracy, the strong desire to have a new constitution was understandable. But a closer look at

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<sup>17</sup> *The Democrat*, March 1994, p.2.

<sup>18</sup> *The Independent*, 25 February – 3 March, 1994, p. 3.

the process indicates the decisive role of class in the uncritical embrace of a liberal constitutional framework by those closely involved in the making of the constitution. Like the referendum process, the NCC constitution-making process did not make any concerted efforts to include popular forces, even though they were crucial for the pro-democracy movement. In this sense, the NCC constitution-making process reproduced, albeit under different conditions, the top-down neo-colonial approach to politics. No party strove to include the popular masses in the constitution debate in any meaningful manner, except in the token representation extended to traditional chiefs. The masses were not only excluded from the constitution-making process, but their participation in the ensuing political process was also to be severely limited. In a country where the illiteracy rate stands at approximately seventy per cent, and where the second national language, Chichewa, is widely spoken, the new constitution stated that only those who were fluent in English could be elected to parliament.<sup>19</sup> The 'fluency in English' clause represented a blatant continuation of dominant class control of the political power structure with all its overt and implicit benefits. The fact that NCC members did not question this clause illustrates the dominant class character of the constitution-making process.

The role of the transnational lending in community the transition process was at this point notable chiefly in the *absence* of debate about the nature and implications of the liberal constitutional framework that informed the new constitution. There was no debate as to what individual rights meant, or what would be the structure of social and political power under which human rights and the separation of powers were to be implemented. Given the country's history, it is understandable that the makers of the new constitution

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<sup>19</sup> This suggestion does not mean that I do not recognise the internal colonising nature of having Chichewa as a language requirement. What I am suggesting is that an attempt should have made to look at other local

were eager to strongly emphasise the need for a constitution that dealt seriously with issues of power arrangements in the various branches of government and the protection of individual rights. But constitutions do not exist in isolation from structural, historical, and cultural factors or existing power structures. The nature of the social formation had already resulted in the executive branch of government, personified by the President, ignoring the constitution without much hindrance from the citizens. Thus, while the newly drafted constitution contained clauses on how to limit the abuse of executive power, some key sections of these clauses did not stand the test of time, but were forgotten after 17 May 1994, as will be shown later. Given that the transnational lending community had played such a key role in propelling Malawi towards 'multiparty democracy', the fact that it made no apparent effort to ensure that that democracy would be genuinely liberal, let alone 'substantive', is telling. The result was a democracy which translated into a mere reshuffling of members of the dominant class through a multiparty electoral competition.

In addition to the NCC, the state established an Electoral Commission to oversee the multiparty electoral process.<sup>20</sup> Its members were recommended by the NCC, but their appointment was left to the President to whom they were required to report directly. The Commission had eight members: seven were drawn from the NCC members, and the eighth, the chairperson, was nominated by the President.<sup>21</sup> The mandate of the Electoral Commission was as follows:

To determine the number of constituencies for the purposes of the general election in respect of which the Commission is appointed and to undertake or supervise the

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language alternatives.

<sup>20</sup> The establishment of the Electoral Commission was made possible by the passing of the *Parliamentary and Presidential Elections Act, No.31 of 1993*.

<sup>21</sup> The Electoral Commission was chaired by Justice Anastasia S.E. Msosa; the members were Clement Chilingulo, John M.E. Chipeta, Charles S. Joyah, Professor Christopher Kamlongera, Innocent Menyere, Raphael Mhone and Mundu Mwambetania.



demarcation of boundaries of constituencies; to organize and direct the registration of voters; to devise and establish voters' registers and ballot papers; to print, distribute and take charge of ballot papers; to approve and procure ballot boxes; to establish and operate polling stations; to take measures for ensuring that the election is conducted under conditions of complete freedom and fairness; to establish security conditions necessary for the conduct of the election in accordance with this Act; to promote through the media and other appropriate and effective means the civic education of the citizens concerning the election; and to ensure compliance with this Act and generally to adopt measures necessary to guarantee that the election is free and fair.<sup>22</sup>

In comparison to the Referendum Commission, the Electoral Commission managed to achieve some success in intervening on issues that it perceived as threats to the holding of fair multi-party general elections. For instance, it intervened to enable Malawians working in the police force to vote. The Police Commissioner initially generated a controversy surrounding the police vote when he declared that members of the police force were not eligible to vote since their Standing Orders forbade them from participating in any political act. The Electoral Commission criticised the Police Commissioner's views by arguing that voting was a basic right, not a "political act."<sup>23</sup>

The Electoral Commission was also able to document and publicise some irregularities in the campaign process. In its interim Report dated 17 April 1994, the Commission stated:

**MCP functionaries are responsible for a major Electoral law violation seizing or buying voter registration certificates. Seizure and purchase of certificates has occurred in Thyolo . . . Lilongwe, Mulanji, Chradzulu, Machinga, Mangochi, Nkhota-kota, Ntcheu, Mchinji and Mzimba. The main culprits in voter certificate snatching are chiefs, village headmen and MCP functionaries. In some cases, voters have been told to surrender their certificates and then to come to a central location on election day to retrieve them.<sup>24</sup>**

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<sup>22</sup> Parliamentary and Presidential Elections, Act No. 31, op. cit., p. 7.

<sup>23</sup> *The Monitor* 2, no. 22 (20 April 1994), p. 1.

<sup>24</sup> *The Interim Report of the Electoral Commission* (17 April 1994), p. 1

The ruling party was not the only party trying to manipulate the election process. In their report, the Electoral Commissioners noted:

An AFORD functionary in Nkhota-kota was apprehended while attempting to seize registration certificates. One of the commission's registration officers was caught by party monitors passing on illegally completed registration certificates to her husband who is a known UDF supporter.<sup>25</sup>

The monopoly of the media by the state was a constraining factor during the referendum campaign, and there were concerns that this would continue in the post-referendum period. But the Parliamentary and Presidential Elections Act of 1993 authorised the Electoral Commission to create guidelines for media coverage during the campaign period. These guidelines were intended to

ensure that full and fair coverage is given, without censorship, to the campaigns of all registered political parties during the period of campaigning and up to the close of the poll in Parliamentary and presidential elections. . . [and] to ensure that the media provide the public with the necessary programme of civic education and information on every relevant aspect of the electoral process and on each citizen's electoral rights.<sup>26</sup>

Though the Electoral Commission was successful in some areas, the existing regime nevertheless attempted to influence the electoral process as much as it could. In spite of the media guidelines, the state and the MCP tightened their control of the Malawi Broadcasting Corporation to gain an advantage over the other political parties. During the Kamuzu day celebration, for instance, on 14 May 1994, the MBC concentrated on covering the MCP's celebrations instead of those of the UDF and the other opposition parties.<sup>27</sup> Furthermore, the regime's extensive control of daily life through the countrywide branches of its ruling party, its bureaucracy, and its security apparatus, meant that the Electoral Commission could achieve only limited success in monitoring its activities. For instance, although the Commission won the legal battle over the police

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<sup>25</sup> Ibid, p. 2.

<sup>26</sup> *Electoral Commission Guidelines for Media Coverage*, p. 9.

<sup>27</sup> The Parliamentary and Presidential Elections in Malawi, *Commonwealth Secretariat*, 1994, p. 15.

vote, most of those working in the police force felt intimidated by the Police Commissioner as he repeatedly pressured them not to vote by circulating memos telling them that under the police Standing Orders they could not.<sup>28</sup> Whatever success the Electoral Commission managed to attain in bringing some sense of fairness to the elections can be attributed to the fact that with the Referendum the political climate had to some extent changed, giving the Electoral Commission more room to manoeuvre. Most of the repressive legal mechanisms of social and political control had been removed, contributing to a more open political environment. In addition, the state was eager not to be seen by the transnational lending community as interfering too much with the campaign process. As one local observer noted:

Kamuzu had never been a fool when it came to understanding and dealing with holders of international power. He was always pragmatic in his approach in dealing with Western countries since the acceptance of their leaders was important to him. Yes, he was more interested in a limited form of change but he wanted to achieve it in a way that did not antagonise the donors too much after all the troubles of 1992 and 1993.<sup>29</sup>

### **Class and party politics**

Within two weeks of the referendum results, a parliamentary constitutional amendment was passed that eliminated the legal mechanisms that had prohibited the formation of other parties. After the excitement over the referendum vote had subsided, the struggle for state power intensified. Three parties dominated the political scene: The ruling MCP, the United Democratic Front (UDF), and the Alliance for the Restoration of Democracy (AFORD). In addition, there were small parties whose presence influenced the results of the multi-party general election, especially the presidential vote, and these were: the Congress for a Second Republic, headed by Kanyama Chiume; Harry Bwanausi's Malawi Democratic Union (MDU); George Kanyanya's United Front for Multiparty

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<sup>28</sup> *The Independent*, 29 April – 5 May, 1994, p. 1.

<sup>29</sup> Interview with Jockley Mbye, National Programme Officer, UNDP Malawi, 11 May 1998.

Democracy (UFMD); Tim Mangwazu's Malawi National Democratic Party (MNDP); and Kamlepo Kalua's Malawi Democratic Party (MDP).

All the parties issued their manifestos and began to hold mass political rallies across the country. While the existence of other parties was a welcome relief for most Malawians after three decades of MCP rule, a comparison of the three leading parties on the basis of some key issues contained in their manifestos, the social origins of their leaderships, and the character of their political campaigns shows that the differences among them were insignificant in terms of ideological outlook and future policy.

a) AFORD

Like that of the other two leading parties, AFORD's core leadership was composed of notable Malawians, including marginalised members of the ruling party. Among its leading members were its President, the famed Malawian trade unionist Chakufwa Chihana; Justin Malewezi, who at one time had been a secretary to Banda and a member of his Cabinet; Rodwell Munyenembe, a former MCP Secretary-General; individuals drawn from the business community, the commercial farming sector and the trade union movement; and leading intellectuals such as Mapopo Chipeta and Matembo S. Nsunda. From its inception, AFORD drew its membership from the northern part of the country. As we saw in chapters three and six, the evolution of Malawi's political economy resulted in the concentration of educated Malawians in the Northern Region. Therefore a large proportion of intellectuals, civil servants, and in general, the educated elite were from this region. In the transition period, AFORD did not transcend the perception that Malawians from the South and Central Regions have of Northerners—that they are arrogant, among other things. Thus, “there was this feeling among intellectuals and others sympathetic to AFORD in the two other regions that they would

always play an inferior role and would not be included in the upper echelons of this party given their places of origin."<sup>30</sup> As the election campaign progressed, AFORD did not make major inroads in the other two regions in Malawi; thus its success was limited.

AFORD's party manifesto advocated the existence of an open market economy. In its economic strategy statement, AFORD declared that it planned to "reduce the budget deficit to the bare minimum, reduce inflation and achieve a surplus in the balance of payments . . . to foster competition . . . [and] encourage firms to enter sectors that are currently dominated by statutory and private monopolies, and reduce government controls and regulations and encourage and respect private enterprise."<sup>31</sup> With the establishment of multi-party democracy, the party envisioned creating an enabling environment for both local and external investors. The elimination of bottlenecks such as unnecessary bureaucratic processes that acted as obstacles to investors, a reliance on market forces to determine the workings of the economic environment, and the establishment of a coherent development policy were cited as means of achieving a better investment climate.<sup>32</sup> This economic platform was very much in line with the market-oriented reforms advocated by the World Bank and the International Monetary Fund. The party also promised an economic policy driven by a just sharing of the country's wealth and not based on political or other identity considerations.<sup>33</sup>

The concentration of power in the executive branch of government, specifically in the presidency, was a significant issue. AFORD's manifesto outlined a government structure

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<sup>30</sup> Personal communication with a notable Malawian who did not want to be identified given his close links (professionally and personally) with key leaders of Malawi's Second Republic.

<sup>31</sup> Alliance for Democracy, *Manifesto*, p. 16.

<sup>32</sup> *Ibid*, pp. 21-22.

<sup>33</sup> *Ibid*, p. 15.

with an executive president, a legislature composed of a Lower House and a Senate, a traditional Chiefs Council, and an independent judiciary.<sup>34</sup> It also committed itself to the creation of an elected local government and claimed that it would limit its involvement in this jurisdiction.<sup>35</sup>

AFORD called for the establishment of good governance, respect for human rights, and the rule of law as necessary characteristics of a thriving democracy, and stressed accountability, transparency, respect for the constitution, and the establishment of a Human Rights Commission.<sup>36</sup> The party also highlighted the inclusion of women in all aspects of development policy:

For thirty two years Malawian women have been an object of abuse and exploitation by the MCP. They have been mercilessly used for narrow political purposes; denied genuine participation in political decision making; and have been marginally involved in the economic management of the country and yet they constitute the majority of rural producers. A comprehensive approach to redressing the dehumanizing status of Malawian women requires a bold initiative to acknowledge the ills of past policies. In this context AFORD will review all statutes and administrative procedures both in the public and private sector that adversely affect women and take necessary measures to create an environment to enable them to meaningfully participate in all aspects of national life.<sup>37</sup>

#### b) The UDF

The social origins of the UDF leadership were not very different from those of AFORD, although its core leadership included a larger proportion of nascent owners of local capital, and its main support base was the populous Southern Region. At the helm of its leadership was Bakili Muluzi, a leading figure in the Malawi business community, with extensive interests in the retail and wholesale trading sector and the transportation and sugar industries. Mr. Muluzi resigned from the ruling party in 1982, but during his tenure

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<sup>34</sup> Ibid, pp. 11-12.

<sup>35</sup> Ibid, pp. 14-15.

<sup>36</sup> Ibid, pp. 5-6.

<sup>37</sup> Ibid, p. 49.

in Banda's regime he had been Secretary-General of the Malawi Congress Party and director of the Malawi Young Pioneers. Other members of the upper echelons of the UDF's leadership were former cabinet ministers such as Mr. Chakakala Chaziya, a former finance minister; Edward Bwanali; Aleke Banda, a former protege of Dr. Banda; other marginalised members of the postcolonial political elite; and leading members of the local business community such as Harry Thomson (owner of Okhai Industries), a prominent Malawi businessman and a leading officer of the Malawi Chamber of Commerce and Industry.

In its political manifesto, the UDF advocated an economic policy that would expand the role of the private sector. To this end, the party, once in power, would

engage in a continuous dialogue with the private sector to help create an enabling investment environment and provide an opportunity for entrepreneurs to participate actively in improving the policies, regulations and institutions that affect the business community; . . . remove disincentives that stifle business growth, such as the removal of excessive taxes and regulatory constraints; and ensure access to capital through the establishment of financial institutions that primarily cater to the local entrepreneur who currently finds it difficult to obtain credit.<sup>38</sup>

The party's economic policy would be designed with the goal of alleviating poverty. In its view, the economic framework of Banda's regime had not addressed the needs of the poor during its thirty or so years in power. Reducing levels of poverty would be achieved through the modernisation of the rural sector and the enhancement of informal sector economic activities.<sup>39</sup> Indeed, this was to become a much-flaunted policy in the post-election era, as will be shown later.

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<sup>38</sup> Towards a better Malawi , *Manifesto*, United Democratic Front, July 1993, p. 20

<sup>39</sup> *Ibid*, pp. 1-7.

The separation of powers was also outlined in the UDF's manifesto. The centralization of power was seen as being a hindrance to the development of the country; thus the UDF proposed the establishment of a decentralised government structure once they were in power, the beginning of which would be the establishment of local government. The UDF viewed local government "as a government at grass-roots level, and an important and effective link between the people and their elected government in all matters relating to their economic and social welfare. The democratization of local government, including the procedures for electing councillors, mayors and town clerks, will be reorganized to fit the changing conditions."<sup>40</sup>

The party advocated a presidential system with the president as the head of both government and state. In addition, under the UDF's rule there was to be an independent judiciary and respect for human rights, the constitution, and the country's laws. The manifesto was silent, however, on the question of establishing a second chamber, which was crucial issue for those on the margins of political power. Yet, in its manifesto the UDF declared:

We will fully deploy the creative resources of the Malawian people towards their own upliftment and improvement. The UDF will give a voice to the voiceless Malawians who have for too long lived in a situation of hopelessness. The UDF will give power to the people.<sup>41</sup>

The UDF's manifesto, like AFORD's, contained an extended commentary on the previous exclusion of women from the country's development process. This party proposed to encourage meaningful involvement of women in sectors such as agriculture,

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<sup>40</sup> Ibid., p. 10.

<sup>41</sup> Ibid., Foreword, p. i..



education, industry and trade, health, natural resource management, the informal economy, and politics:

The UDF policy will aim at instituting units of gender and development in each sectoral ministry. Each unit shall be headed by a high level officer with the mandate to sit on the policy planning committees. The designated officers will have the task of designing and promoting concrete gender sensitive interventions that will lead to gender responsive planning and upgrading of deserving female human resources. To underscore the importance of the programme, UDF will recruit an officer at the Permanent Secretary level in the Office of the President and Cabinet to coordinate all activities of gender and development.<sup>42</sup>

### c) The MCP

For all its anti-change rhetoric, the ruling MCP party attempted to incorporate some new issues in its manifesto, reflecting the changed local and international political environment. Its economic policy was to continue on the same path but with more inclusion of ordinary Malawians in the country's economic development process. To this end the party promised that it would "intensify the pursuance of liberal economic policies and encourage the creation of a policy environment that is conducive to higher rates of growth, viable balance of payments and relative price stability."<sup>43</sup> The party leaders were mainly drawn from the Central Region where Banda and the MCP had popular support. It was also well supported by members of the Malawi Young Pioneers all over the country and by its long-time allies, the traditional chiefs.

Like its opponents, the ruling party stated that it was committed to good governance and the separation of powers. According to its manifesto, a future MCP state would be

**founded on the rule of law, in which there is separation of powers, freedom of expression, and of the press. There will be effective mechanisms to protect citizens against abuse of power and their basic rights will be guaranteed. . . . The president will have a fixed term of five years and may be re-elected only once. The President will appoint and supervise the functioning of the cabinet, and will be accountable to the National Assembly. . . . The MCP believes that political authority derives from the will of**

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<sup>42</sup> Ibid, p. 22.

<sup>43</sup> Malawi Congress Party, *Manifesto*, 1993, p. 7.

the people. The MCP believes that [through] political participation and peaceful competition, respect for basic human rights and the promotion of open, lawful and accountable governance in Malawi . . . the next MCP Government will set the environment for private interests to have an influence over the formulation of policy.<sup>44</sup>

In its new manifesto, the ruling party, too, highlighted its history of encouraging women to participate in the country's affairs, but it also promised to strengthen their role in the social and political development of the country in the new dispensation.

The next MCP government will provide increased support to organising women's groups to expand their access to technical information and credit in agriculture and small scale enterprise sectors. . . . The MCP advocates the principle of equal rights for women and men in all spheres. The next MCP government will ensure that the Bill of Rights protects women's constitutional rights to physical and moral integrity.<sup>45</sup>

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As the preceding discussion indicates, the three leading political parties converged closely on key policy issues, not least on the theme of an open economy in which market forces would guide economic development. There was no discussion on how 'the market' was to be created or whether there were other ways of organising production and other matters in the economic domain. Further, the appropriateness of the ongoing economic restructuring advocated by the leading institutions of the transnational lending community was not questioned. The three parties also had very similar views on the structure of the government and especially on the idea of a strong presidency. The desire of the ruling MCP party to protect its power base and allow only limited changes is not surprising. But the support for a strong presidency in the other parties' manifestos and during the constitutional conference demonstrates that support for the idea of the head of a state with enormous power had not waned among members of the local ruling class, contrary to the assertions made by disgruntled members of this class at the height of the crisis and during the referendum campaign. While the three parties theoretically

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<sup>44</sup> Ibid.

espoused a commitment to include the marginalised majority in the development process, it was hard to understand where the financial resources needed to redress the historical exclusion of these groups would come from, given the prevailing context of ongoing structural adjustment. While it is impossible to know whether AFORD would have followed through with its commitments if it had come to power, its sudden alliances with different political parties in the post-election period and the nature of state power in Malawi make one sceptical about the possibility of this party sticking to its promises, its apparent principles notwithstanding. Although the MCP did not win the elections either, given its previous history, its cosmetic policy changes in the 1993 manifesto, which did not fundamentally alter its authoritarian tendencies, and its opposition to the pro-democracy movement throughout the transition period show that it was not really committed to democratic politics. As for the UDF, whereas its commitment to the business sector was at least clear in the post-elections period, its commitment to the inclusion of marginalised voices in the socio-political development of the country through, for instance, the holding of local government election was (as will be seen later) all but forgotten once it won power. On the inclusion of more women in the political arena, none of the parties showed a consistent or significant effort in trying to recruit women during their political campaigns. Those women who did join political parties during the multi-party general elections, like Nyandovi-Kerr, an early member of the UDF, found no support mechanisms in their chosen parties.<sup>45</sup> As Dr. Vera Chirwa observed,

**There were so many obstacles to women's involvement in the campaign and in Muluzi's government. For example the parties argued that they did not have enough money to support women candidates since they had to allocate money in places where they had strong chances of winning and women candidates could not be counted on to win since politics is viewed as a male occupation by many Malawians. The statements by the political parties about women's inclusion looked and sounded very good but when it**

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<sup>45</sup> Ibid., p. 15.

<sup>46</sup> Lwanda, 1996, op. cit., p. 206.

came to implementation there always were reasons as to why the presence of women was limited in politics.<sup>47</sup>

The similarities in the manifestos of the three leading parties also characterised their election campaigns. The lack of ideological differences and absence of substantive policy debate reduced the campaign speeches to continuous personal attacks. As well, all three parties concentrated on the country's historical past, although for different reasons. On the eve of the 17 May 1994 election, very little distinguished the political parties from each other except that one represented the old order of the one-party structure and the others were anxious for change.

The MCP's campaign strategy was to emphasise its past record of economic growth and stability and to conduct a vigorous crusade aimed at discrediting and undermining the newly-formed political parties. With the struggle for power at hand, the ruling party attempted to change its image in order to gain the support that it had lost with the rise of the pro-democracy movement. One strategy was to incorporate some of its well-known critics into its camp. The appointment of the Malawi dramatist Du Chisiza Jr., whose father, as indicated earlier, died in 1962, was a shock to many observers. Given that Du Chisiza Jr. had written several plays quite critical of Banda's regime and that he was from the northern part of the country, his joining the MCP, whose autocratic legacy in the north was well documented, instead of the northern-based AFORD, surprised a lot of people. Commenting on the confusion and surprise surrounding his appointment, one observer stated:

No one could understand why he joined the MCP. Elders from the north talked to him on several occasions trying to get him to change his mind but to no avail. That is how the rumours started that Dr. Banda and his associates had bought him off. Buying political

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<sup>47</sup> Interview with Dr. Vera Chirwa, *op. cit.*

support is not something new in Malawi but his behaviour was shocking and still befuddles most of us.<sup>48</sup>

Du Chisiza Jr., however, did not understand what all the confusion was about and wondered why the opposition parties were not embracing his choice. To set to rest the rumours about his being bought off by the ruling party he called on the opposition to produce evidence in support of their allegations.<sup>49</sup> As far as he was concerned, he had made a conscious choice to join the ruling MCP party. He called on the political parties to concentrate on policy issues, not character assassination.<sup>50</sup> The other surprising recruit to the MCP was Donton Mkandawire, another intellectual from the Northern region who had fled the country during the state's anti-north campaign in the 1980s.<sup>51</sup>

The party also tried to resurrect its urban support base by establishing MCP clubs, a move that was followed by other parties. In the rural areas the party appeased the traditional authorities by stressing the importance of their leadership and by using food aid as a political weapon during the continued drought that ravaged rural Malawi throughout most of 1992 and 1993. The MCP continued to highlight the great progress that Banda's presidency had brought to the country since his arrival in 1958. While addressing a political rally in Kasungu, for instance, the MCP Minister of Agriculture called on Malawians to vote for his party and for Banda in order to continue on the path

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<sup>48</sup> Personal communication, Wanagwa Soko, Department of Politics and Administrative Studies, University of Malawi (Research Assistant during fieldwork).

<sup>49</sup> *The Monitor*, vol.1 no.72 November 15, 1993, p. 1. While politicians and other members of the ruling class use the production of evidence as a weapon to silence their critics, the use of patronage to buy off critics is commonly known and almost expected in Malawi. This is a result of the historical process that saw the emergence of the state as the main avenue for local capital accumulation.

<sup>50</sup> *Ibid.*

<sup>51</sup> Mr. Donton Mkandawire headed the Malawi National Examinations during the education crisis of the 1980s. The inclusion of Mkandawire and Du Chisiza Jr. in the MCP was also meant to allow the ruling party entry in the north and also to back their claim that they were more of a national party than the other parties which showed more regional cleavage.

of economic development and peace.<sup>52</sup> Tijejani Gondwe, a leading member of the MCP Central Committee, reminded Malawians of the tremendous progress that the existing regime had brought to the country and cautioned that "the MCP was the only party that could ensure continued tranquillity in the country, . . . voting against the MCP in the May 17 elections will spell doom for the nation."<sup>53</sup>

Bringing back to the fold a former high-ranking MCP official was another strategy that the ruling party utilised. Gwanda Chakuamba Phiri was the first recruit to be wooed back from the UDF by the MCP. Once he rejoined the MCP, shortly after being released from a long prison sentence, he was rewarded with the post of party Secretary- General.

This shocked many people and led one Malawi commentator to wonder:

A man fresh out of prison and still exuberating with prison perfume, Mr. Chakuamba's defection to the MCP belies all decency of the straight-talking politician. The man spends 17 years of a 22 year term for plotting to kill the president; for heading rebels and for failing to refute that he is the messiah of the Lower Shire (instead of the president). Gwanda comes out of prison, has a short stint in UDF parading as "our special guest" at all UDF meetings and one lone Sunday evening defects to the perpetrators of his 17 year suffering.<sup>54</sup>

A few weeks after returning to the ruling party Chakuamba was to emerge as a powerful politician with the sudden illness of Banda. His illness, which led to his having to leave the country for treatment, saw Banda appoint high-ranking officials of the ruling party as members of The Presidential Council as stipulated by Section 13 of the constitution. Gwanda Chakuamba Phiri was appointed as chairman; the other members were John

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<sup>52</sup>*The Monitor*, vol.2 no.22, April 20, 1994, p. 3.

<sup>53</sup>*The Monitor* 1 no. 101 (26 January 1994), p. 2.

<sup>54</sup> Ibid.

Tembo, the Minister of State in the Office of the President, and Robson Watayachanga Chirwa, the MCP Northern Region Chairman.<sup>55</sup>

Chakuamba's move was seen by many in Malawi as another example of the ruling party's strategy of buying off leading individuals who would ensure their victory in the coming elections. Chakuamba denied the speculation that he had been bought off by the MCP, but the political musical chairs continued. Other notable critics who joined the MCP are Godfrey Khofi, whose property had been confiscated by the state under the Forfeiture Act, who spent time in prison in 1970s, and early in 1993 was in the midst of suing the MCP for wrongful imprisonment; Nyemba Mbekeani, ostracized by leaders of the MCP after his dismissal from the Malawi Housing Corporation; and James Chimera, sent to prison for burning down government property.<sup>56</sup>

The ruling party further used traditional chiefs, who over the years had become major allies of the state and had benefited from its extensive patronage networks, to try to force rural Malawians to vote for it. In Nsange, for example, it was reported that "Chief Tengani . . . threatened his village headmen with dethronement if they [did not] comply with the MCP's demand."<sup>57</sup> Other traditional authority figures who terrorised those under their administrative control were Chief Kalolo of Lilongwe, a Chief in Dedza, and Juma a headman from Salima.<sup>58</sup>

AFORD's political campaign concentrated on reminding people of the atrocities committed by Banda's regime and the close links between the Malawi Congress Party

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<sup>55</sup> *The Independent* 1 no. 41 (16-22 October 1993), p. 1.

<sup>56</sup> *The Independent*, 6-12 November 1993, p. 4.

<sup>57</sup> *Ibid.*

<sup>58</sup> *Ibid.*

and leading members of the UDF. The party referred to the UDF as "MCP B", claiming that the two had similar visions since most of the leading members of UDF were former close associates of Kamuzu Banda.<sup>59</sup> But AFORD's electoral appeal declined. Its northern-based membership worked to its disadvantage and reduced its chances of winning state power. On being asked why his party did not get national support in the post-referendum period, AFORD's leader Chakwafwa Chihana stated:

MCP and UDF misrepresented AFORD as a party of arrogant Northerners who were not interested in the other regions of the country. This could not be farther from the truth. Our party had a vision about this country's socio-economic development and we wanted to discuss that more than anything else. Instead of being questioned on our agenda, our opponents concentrated on maligning us. During the campaign Malawians from the other regions were told not to attend our parties since they would not be welcome. Given these tactics and the long anti-northern attitude by Banda's regime we lost the momentum that we gained in 1992 and 1993.<sup>60</sup>

Financial constraints were another reason that AFORD did not manage to establish extended countrywide networks.<sup>61</sup> Lack of international support further hindered the party's ability to raise substantial funds for its campaign, for according to one observer of Malawi's politics,

Chihana's background as a leader of the trade union movement did not augur well with the donor community at large, while the UDF membership, which consisted of an association of businessmen and some women, was able to draw funding from liberal institutions and governments in Europe and elsewhere.<sup>62</sup>

As the campaign intensified, and because of its weak national support, AFORD embarked on a vigorous campaign aimed at discrediting the leadership of its opposition rival, the UDF. In one of its most famous attacks on the UDF, AFORD disclosed that

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<sup>59</sup> Lwanda, 1996, p. 172.

<sup>60</sup> Interview with Chakwafwa Chihana, *op. cit.*

<sup>61</sup> Although the core leadership of this party was drawn from the emerging capitalists, the party could not compete with the UDF whose backing from the leading owners of local capital in the country was enormous, especially in the Malawi commercial centre, the city of Blantyre, and from organisations such as the Malawi Chamber of Commerce and Industry.

<sup>62</sup> Interview with J. Mbeye, *op. cit.*



Muluzi had stolen money when he was a civil servant, which resulted in a prison sentence.<sup>63</sup> This revelation led to an acrimonious debate during the earlier mentioned NCC constitutional conference and increased the animosity between the two parties during the campaign for multi-party general elections. Supporters of Muluzi's presidential candidacy reacted with anger to AFORD's effort to have Muluzi barred from running for the presidency; to them it was uncalled for, since most members of the Malawian political leadership were alleged to have committed one crime or another.

Commenting on this issue, one supporter of Muluzi argued:

We would be inclined to believe that the story about Muluzi's criminal record is true, hence we are going here to proceed on the premise that Muluzi, at age 23, stole an amount of 6 pounds for which he served a prison sentence. We say here that Muluzi is a lesser criminal than Chihana, Kamuzu, Chakuamba, Tembo. etc....In this case, those of you who consider yourself holier than Muluzi, are you not criminals yourselves? What happened in Botswana when Chihana was Secretary-General of SATTUC. Don't we hear that he used air tickets in the name of SATTUC as if officials of SATTUC were travelling when in fact it was members of his family and friends that were travelling? <sup>64</sup>

Aleke Banda, the first Vice President of the UDF, was also disturbed by the efforts of AFORD and other critics of the UDF to have Muluzi eliminated from the presidential race. He was said to have declared that if this was to be included in the constitution, his party and their supporters would "wreck the nation".<sup>65</sup> He attempted to clarify his position on the issue by stating that all he was calling for was that careful consideration be given to this issue before rushing to incorporate a clause relating to it in the constitution. In his mind, given the tense political climate, it was dangerous to incite people in this way since any action taken against an individual of a given party would be taken personally by its supporters.<sup>66</sup> The Muluzi candidacy was resolved in March 1994 with an announcement from the NCC stating that "Muluzi was eligible to contest the May 17 presidential election

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<sup>63</sup> *The Independent*, 12-18 April 1994, p. 1.

<sup>64</sup> *The Mirror* 1, no. 16, 17 February 1994, p. 2.

<sup>65</sup> *The Independent*, 2 no.17, 25 February – 3 March 1994, p. 1.

<sup>66</sup> *Ibid.*

because there is no law at the moment that forbids Muluzi to stand in the general elections. . . . it is only when the constitution becomes effective after May 17 that Muluzi will not be eligible to run for the state presidency.<sup>67</sup>

Compared to AFORD, the UDF seems to have gained momentum in the post-referendum period. As stated earlier, the leading lights of this party were drawn mainly from the owners of local capital, thus giving the UDF a strong financial backbone compared to other newly-formed opposition parties. Although the party obtained financial resources from various sectors of the economy, a large proportion of their campaign funds was generated from the trading sector, especially from the sugar industry in which the UDF leader, Bakili Muluzi was a leading distributor. According to a study carried out by the Consumer Association of Malawi, Muluzi's company, Ntaja Trading, handled 233 metric tonnes of sugar per week for distribution, the highest amount awarded to any local business person, in Lilongwe the capital city.<sup>68</sup> His company was also the main distributor of sugar in Blantyre, with 247 metric tonnes per week.<sup>69</sup> In addition, the party had a strong base in the populous Southern region, which includes Blantyre, the commercial and industrial centre of the country. After it launched its manifesto, the party moved quickly to establish local and regional branch offices all over the country. Although its stronghold was the Southern Region, it managed to make some inroads in the Central Region too. The party's relative success in this region is due to the fact that it could straddle the South-Centre divide more easily than AFORD could straddle the North-South, since South and Centre share some common ethnic communities. The UDF campaign strategy centred around reminding Malawians of the atrocities committed

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<sup>67</sup> *The Monitor*, 6 March 1994, p. 1.

<sup>68</sup> Consumers Association of Malawi, *Study of the Distribution, Pricing and Consumption of Sugar in Malawi* (Blantyre: Consumers Association of Malawi, 1997), pp. 35-41.

<sup>69</sup> *Ibid.*

by the pre-existing state and its lack of development vision in its thirty or so years of rule.<sup>70</sup>

The post-referendum campaign was also marked by various incidents of violence, for which each party blamed their perceived enemies. Personal attacks were the norm, while discussions on issues of policy or ideological stands never emerged. The political climate had changed since the referendum vote, when pro-democracy elements were united against a common enemy. In the period leading to the general elections, each party was striving to win political power and there was mutual mistrust even among former pro-democracy comrades. During a political rally in Blantyre, the president of AFORD stated that UDF functionaries in the Mangochi area had attacked his supporters in revenge for an earlier attack by his supporters when the UDF president was campaigning in Mzimba.<sup>71</sup> While addressing a rally in Chakuamba's home base, the Lower Shire region, UDF's legal adviser Peter Fachi denounced Chihana, claiming that he was a liar and could not be trusted:

Chakuamba was a confusionist and a man who believes in lip service since while in prison he had written him a letter in which he suggested that people should kill Dr. Banda, burn his body, and throw his ashes into the Shire River. . . . I am revealing all this to challenge Chakuamba's claims that some people in Nsanje and Chikwawa were responsible for his imprisonment.<sup>72</sup>

During the UDF's first annual conference its leader, Bakili Muluzi, attacked the ruling party, claiming that it was delaying the democratisation process by its slow response in adopting the transition procedures that were being recommended by the National Consultative Council.<sup>73</sup> Further, Muluzi added, the MCP-led government was squandering the country's economic resources on politically motivated projects, laying

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<sup>70</sup> *The Monitor*, 16 May 1994, p. 1.

<sup>71</sup> *The Monitor* 2, no. 26 2 May 1994, p. 1.

<sup>72</sup> *The Monitor* 2, no. 67, 3 November 1993.

<sup>73</sup> *The Monitor* 1, no. 91, 31 December 1993, p. 1.

the ground for a fiscal crisis for the party that would take the reins of power.<sup>74</sup> Muluzi alleged that the existing regime was buying off its critics and wooing back its former disgraced members. On another occasion, MCP supporters attacked Muluzi and his supporters in Mchinji.<sup>75</sup> The MCP is reported to also have continued to use *Nyau* masked dancers from its stronghold in the Central Region to intimidate and terrorise local residents into voting for the existing regime.<sup>76</sup> The infighting among political parties took precedence over other important issues, as a commentator in *The Monitor* observed:

The goal of change, liberation, democracy seems lost; the unity of the pre-referendum period has given way to disparity, and to a form of dogmatism. . . no distinction is made between issues of party propoganda and profound concerns of liberal government and nationhood going beyond party salesmanship.<sup>77</sup>

This trend of personal attacks and intimidation among members of the various parties, especially among the three leading parties, continued throughout the election campaign. Not even NCC attempts to bring presidential candidates into one forum to debate policy matters had any success, for only two of the presidential candidates showed up, resulting in the cancellation of the event.<sup>78</sup> The absence of serious discussion on various policy issues at the height of the pre-election period indicated that the political parties were only interested in winning power. This intense struggle for power was well captured by David Kerr, who wrote:

My impression is that (whatever their rhetoric) the groups' dominant aim was to seize power. I cannot talk with much confidence about AFORD (apart from the letters which Chihana wrote me from prison), but certainly that was the case with . . . [UDF] . . . I can remember the . . . consternation when . . . [substantive issues were brought up] at a meeting . . . [in the first half of 1992] . . . XY..roaring, only half in jest, "we want to talk about real issues *-mpando* [power]" (Muluzi, Mpinganjira and others had to be

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<sup>74</sup> Ibid.

<sup>75</sup> *The Monitor* 2, no. 22, 22 April 1994, p. 2.

<sup>76</sup> Ibid.

<sup>77</sup> *The Monitor* 1, no. 109, 6 February 1994, p. 3

<sup>78</sup> *The Independent*, 10-16 May 1994, p. 1.

constantly badgered to get a manifesto drafted); and much of the work was done by enthusiasts like Nyandovi and Kanyongolo, who were far more radical than the UDF power brokers. It is not surprising, therefore, that once UDF got into power it showed scant interest in trying to fulfil its manifesto promises.<sup>79</sup>

The intra-party infighting created major concerns that the newly formed opposition parties would split and fragment, thus enabling the ruling party to win the general elections. For most Malawians these continued fights were disappointing. Commenting on this issue, Thengo Chirombo lamented:

Now after the referendum one would have expected the unity and solidarity that enabled them to win battle after battle for their freedom to remain intact but alas, the opposite is the case. The opposition side is so fragmented that the ordinary Malawian is uncertain of the future and this uncertainty is actually bordering on desperation and bewilderment. Why should it happen this way? Is it because our leaders still have the hangover of the malpractices that Malawians fought against? Are they just interested in taking over power and not cleaning up the mess that accumulated due to self-conceit and aggrandisement in the old establishments? One thing should be made clear to all those Malawians who are aspiring for leadership and that is that Malawians are fed up with cheap politics. They are determined not to be hoodwinked again by self-interested politicians who want to amass wealth and perpetrate misery and discomfort on Malawians. Malawians did not vote for change just to have leaders that are only interested in enhancing their fortunes, but to improve the well being of the nation, socially, economically and politically.<sup>80</sup>

The increased fragmentation of the opposition attracted the attention of some of the founding members the UDF, among others. Consequently, the fear of MCP winning the election forced the UDF leadership and some of the small parties to call for unity and also to field one opposition presidential candidate who would compete with Banda. Referring to the Kenyan situation, where the fragmentation of the opposition parties had led to Moi winning power in 1992, the interim chairman of one of the small parties, the United Front for Multi-party Democracy, declared:

The most important point is that if we beat the president, we have broken everything else about MCP. The opposition should not worry about parliamentary general elections,

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<sup>79</sup> Quoted in John L. C. Lwanda, 1996, op. cit., p. 148.

<sup>80</sup> *The Monitor* 1, no. 54, 29 September 1993, p. 3.

because the opposition parties will successfully defeat the MCP at the polls, making the opposition the majority in the general assembly.<sup>81</sup>

The campaign to field one presidential candidate and for unity among the opposition parties resulted in the formation of the Common Electoral Group, which was a coalition led by the UDF in collaboration with some of the smaller parties. This move expanded the political base for the UDF and established the foundation for their strong showing, especially in the presidential race.<sup>82</sup> AFORD and MDP declined to join or merge with another party. AFORD declared that it was not going to join any coalition just for the sake of throwing the ruling party and Banda out of power, and this led to speculation that it was planning to join hands with the ruling MCP.<sup>83</sup> Commenting on his party's refusal to join the Common Electoral Group, the leader of AFORD, Chihana, declared:

The idea of a democratic dispensation is the plurality of political opinions and political practice. Our struggle in Malawi is premised on the moral of confrontation between the forces of 'darkness and death' and those which stand for the noble values of human rights, the rule of law and social justice....The point here is not just to define our short term political objectives where everything boils down to power play, but to look further beyond to the type of political culture we in Malawi would wish to promote.<sup>84</sup>

The disunity among parties and their obsession with state power in the multi-party election campaign, while disheartening to most Malawians, is not surprising when the nature of the political parties and their leaders is viewed in a historical context. As we saw in chapters three and six, the state in Malawi evolved into a force that would act like

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<sup>81</sup> Comments by George Kanyanya, the Interim Chairman of The United Front for Multi-party Democracy, (*The Independent* 1, no. 18, 21-27 July 1993), p. 1.

<sup>82</sup> The following parties joined this coalition: the United Front for Multiparty Democracy, Congress for a Second Republic; the Malawi Democratic Union; and the Malawi National Democratic Party. Although this coalition offered the emerging minor parties a forum it also opened them up to co-optation with the better organized, bigger UDF party, especially in the post-1994 era.

<sup>83</sup> The leader of AFORD, Chakufwa Chihana, vehemently denied the allegations of an impending merger between his party and the ruling party, or as liked to refer to it, "the party of darkness and death". In a speech to his supporters in Blantyre, Chihana declared that "there can be no merger between AFORD and MCP because the two do not flock together. If this rumour came from UDF and MCP I am not amazed because the two are one and the same thing (*The Monitor*, vol.2 no. 26 May 2, 1994, p. 1).

<sup>84</sup> *The Monitor*, Vol.1, No.72, November 15, 1993, p. 1.

a bourgeoisie, since it controlled the means of production. Access to state power meant access to capital accumulation and to protection of the interests of the political elite. In the struggle for power leading up to the multi-party elections, this same notion of state power was at play; hence, the neglect by the political parties of the implementation of fundamental changes in the country's structures of power, especially the character of state power.

### **The representatives of the transnational lending community and the transition process**

The transnational lending community played a major role in events leading to the multi-party general elections both at the international level—The Consultative Group on Malawi—and locally, through the representatives of the community (those of the United Kingdom, the US, Canada, Japan, the World Bank, the IMF, the UN, the European Union and Denmark). The community's involvement in the transition during this period concentrated on pushing Banda's regime to stay on the democratisation path and on working with the leading parties in preparation for the elections.

In December 1993 the donor community resumed their development aid to the country, since they felt that the existing regime had made great progress on the issues of human rights and good governance. During the Consultative Group aid meeting in Paris at the end of 1993, the donors were also impressed with the co-operation between the regime and the newly-formed opposition parties. During this meeting an IMF representative stated that the regime had addressed their concerns and there was no need to withhold development aid. At the end of the meeting the transnational lending community representatives present overwhelmingly responded to the country's aid requests by

pledging US\$ 305 million in development aid, almost the whole sum requested by Malawi.<sup>85</sup>

Locally, the representatives of the transnational lending community contributed to the transition in various ways. Overall, the community worked closely together on issues pertaining to the transition process. For instance, USAID, the United Kingdom, Germany, the European Union, Denmark, Sweden, and the Netherlands cofunded a comprehensive electoral package, which included financial support for the Electoral Commission and the 1994 election. The same group encouraged and funded leadership workshops and conferences that brought together Malawian leaders from the three leading parties. As for the USAID, as part of its governance program it utilised its strategy of "picking the winners" and vigorously supported the emerging elite-dominated political parties through various USAID-sponsored organisations in Malawi. This USAID strategy meant that once there were signs that a country was moving towards the establishment of multiparty politics, USAID moved in and supported parties which they thought had the potential of winning state power. This strategy of supporting emerging elite-dominated parties meant that questions of their substantive policies were never addressed since what mattered was merely formal implementation of multiparty democracy.<sup>86</sup> Through its Democratic and Civic Institution Development (DECIDE), the USAID also become involved in voter education and funded the radio election coverage.<sup>87</sup>

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<sup>85</sup> *The Independent*, vol.2 no. 1, 1-7, p. 1

<sup>86</sup> Lisa Peterson, *Consolidating Democracy: Lessons We Are Learning from the Results of USAID Democratic Governance Programs in Africa*, USAID, 1996) p. 6.

<sup>87</sup> *Ibid.*



One of the organisations that played a major role during this stage of the transition process was the National Democratic Institute for International Affairs (NDIIA)—an organisation closely linked with the USAID office in Malawi. NDIIA organised forums in which issues such as party tolerance, campaign fundraising, civic education, and political advertising were discussed.<sup>88</sup> In January 1994, for instance, the NDIIA organised a two-day conference for selected representatives of the leading Malawi political parties in which the modalities of successful campaigning strategies were explained.<sup>89</sup> The NDIIA, through the hiring of international media experts, also played a key role in guiding the political parties in the production of radio campaign messages for the eight weeks leading up to the general elections. These experts organised media training workshops for the leaders of the political parties and also worked with them in preparing of their attempts to get their campaign messages over to a cross-section of the population.<sup>90</sup> The NDIIA saw its role in the post-referendum period a central one, which including among other things, sensitising Malawians to issues relating to models of politics under multi-party democracy. It also held regional workshops in which local leaders were trained in the basic issues of civic education.

In explaining the genesis and goals of the NDIIA during this period, Adrian M. Muunga, a Programme Officer with the NDIIA office in Malawi, highlighted the education of voters and the need for tolerance:

With the rise of the pro-democracy movement we began thinking of the best way to explain to Malawians what the coming elections were about. One of the things we did was to design programs that the leaders could use in explaining to voters on how to vote in a multi-party election. We also engaged in distributing voter education materials, pamphlets and so forth in most parts of the country. In our national and regional

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<sup>88</sup> Traci D. Cook, *A Final Report on NDI Activities Prior to Malawi's First-Ever Democratic Elections*, National Institute for International Affairs (Washington, D.C: National Democratic Institute for International Affairs, 1994), pp. 2-16.

<sup>89</sup> *Ibid.*, p. 4.

<sup>90</sup> *Ibid.*, p. 8.

leadership conferences we focused on trying to bring all the different parties together in a forum whereby they could air their differences yet be trained on the importance of tolerating different political opinions. This was a crucial endeavour since Malawi had been under one-party rule for over thirty years and if the country was going to usher in multi-party democracy, the leaders had to start understanding that political tolerance was an important foundation for democracy.<sup>91</sup>

The NDIIA worked closely with other representatives of the transnational lending community. For example, in its election monitoring program it collaborated with the Association of Western European Parliamentarians for Africa (AWEPA) and in its voter education campaign with the United Nations Electoral Assistance Secretariat (UNEAS).<sup>92</sup> In efforts to co-ordinate the transitional lending community's democratisation efforts, the NDIIA held meetings with senior officials of USAID and US Embassy, UNDP, and other members of this community.<sup>93</sup> The NDIIA co-ordinating role resulted in what the Director of UNEAS termed as "unprecedented co-ordination among the international community" in Malawi.<sup>94</sup>

### **The results of the 1994 multi-party elections**

The long-awaited multiparty general elections were finally held on 17 May 1994. The events surrounding the voting were considered fair by international observers, although some voters spoke of intimidation by political party activists in the weeks leading up to the elections.<sup>95</sup> As had become widely expected in the days leading up to the poll, the UDF won the single largest number of votes (though not an overall majority), and their

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<sup>91</sup> Interview with Andrian M. Muunga, Programme Officer, The National Democratic Institute for International Affairs, 15 May, 1998.

<sup>92</sup> Cook. op. cit., pp. 14, and 10.

<sup>93</sup> Ibid., p. 10

<sup>94</sup> Ibid., p. 23.

<sup>95</sup> Ibid.

leader, Bakili Muluzi, won the presidential race, defeating the MCP's incumbent, Dr. Banda, AFORD's Chikufwa Chihana, and DMPP's Kamlepo Kalua. Bakili Muluzi was sworn in as the new Malawian President on 21 May 1994. He moved quickly to announce his cabinet, drawn from the top echelons of the UDF party, although it was alleged that given the minority status of his government (see Table 8.2) there were discussions between his party and the AFORD leadership on the formation of an alliance.<sup>96</sup>

As tables 8.1 and 8.2 indicate, Malawians cast their ballots along regional lines in the multiparty elections. The presidential election (see Table 8.3) results show that Chakufwa Chihana, a Tumbuka from the Northern Region, won 85 per cent of the votes in the region, but only 8 and 7 per cent from the Central and Southern Regions respectively. Banda, a Chewa from the Central Region, won 70 per cent of the Presidential votes there but only 16 per cent in the Southern Region and 9 per cent in the Northern Region. Bakili Muluzi, a Yao from the Southern Region, won overwhelmingly in the south with 75 per cent of the votes, and 23 and 7 per cent in the centre and the north respectively. Leaving aside other factors, population demographics greatly contributed to Bakili Muluzi's and UDF's win. According to the 1987 population figures, 50 per cent of Malawi's population resides in the south, 39 per cent in the centre, and only 11 per cent in the north. The fact that the South and the Central regions share ethnic communities and that Malawi's largest and multiethnic cities—Lilongwe and Blantyre—are located in these regions, resulted in both the UDF and the MCP making electoral gains in them.

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<sup>96</sup> According to John Lloyd Chipembere Lwanda, the alliance did not materialise because Muluzi and Chihana could not agree on the terms: "AFORD wanted 43% of all deputy ministers, diplomatic and parastatal staff, six cabinet seats to include justice, works and supplies, and agriculture, the foreign or home affairs portfolio, and an Executive Vice Presidency for Chihana" (Lwanda, 1996, *op. cit.*), p. 212.

Malawians residing in Ndirande and Mbayani townships acknowledged voting on ethnic-regional lines. Mr. D.J. Chilewani, a tailor in Ndirande, viewed ethnicity and regionalism as "a very bad thing because it divided people", but he went to state that "all of us in the Southern Region are for UDF where Muluzi comes from."<sup>97</sup> Another participant, Mr. Saini Mikayeli, claimed that ethnicity and regionalism was part of Malawian politics but that he voted for "UDF during the elections campaign because the manifesto was the best so I voted for them but not because my tribe is from the Southern Region."<sup>98</sup>

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<sup>97</sup> Interview, 13 July 1998, Ndirande township.

<sup>98</sup> *Ibid.*

**TABLE 8.1 : PARLIAMENTARY ELECTIONS RESULTS BY REGION VOTES**

NAME OF PARTY	NOTHERN REGION		CENTRAL REGION		SOUTHERN REGION		NATIONAL	
	VOTES	%	VOTES	%	VOTES	%	VOTES	%
United Democratic Front (UDF)	24039	5.31	315143	27.69	1021278	76.02	1360460	46.36
Malawi Congress Party (MCP)	37291	8.23	7328224	64.40	218057	16.23	988172	33.68
Alliance for Democracy (AFORD)	384618	84.91	82132	7.22	90603	6.74	557353	18.99
Congress for the Second Republic (CSR)	1289	0.06	641	0.06	188	0.01	2118	0.07
Malawi Democratic Party (MDP)	2443	0.54	1284	0.11	3253	0.24	6980	0.24
Malawi Democratic Union (MDU)	0	0.00	0.00	0	323	0.02	323	0.01
Malawi National Democratic Party (MNDP)	174	0.04	2685	0.24	54	0.00	2913	0.10
United Front for Multiparty Democracy (UFMD)	3044	0.67	840	0.07	5975	0.44	9859	0.34
Valid Votes	452950	98.53	1137967	97.58	1343368	97.58	2934285	97.65
Null and Void	6758	1.47	30506	2.61	33286	2.42	70550	2.35
Total Votes Cast	459708	84.32	1168473	79.96	1376654	77.83	3004835	79.59
Total Registered	545195	4.44	1461367	38.71	1768694	46.85	3775256	100.0

Source: The Electoral Commission. *Results of the May 17, 1994 Presidential and Parliamentary Elections.*

**TABLE 8.2: PARLIAMENTARY ELECTIONS RESULTS BY REGION: SEATS WON**

Name of party	Northern Region	Central Region	Southern Region	Total
United Democratic Front (UDF)		12	71	83
Malawi Congress Party (MCP)		51	5	56
Alliance for Restoration of Democracy (AFORD)	36			36
Malawi Democratic Party (MDP)				
Malawi Democratic Union (MDU)				
Malawi National Democratic Party (MNDP)				
United Front for Multiparty Democracy (UFMD)		2		2
Total parliamentary seats:	36	65	76	177

Source: The Electoral Commission. *Results of the May 17, 1994 Presidential and Parliamentary Elections.*

**NOMINATED PRESIDENTIAL CANDIDATES**

CANDIDATE	PARTY
Chakufwa Chihana	Alliance for Democracy (AFORD)
Dr. H. Kamuzu Banda	Malawi Congress Party (MCP)
Kamlepo Kalua	Malawi Democratic Party (MDP)
Bakili Muluzi	United Democratic Front (UDF)
Tim Mangwazu*	Malawi National Democratic Party (MNDP)

\*Tim Mangwazu withdrew before the elections.

**TABLE 8.3: PRESIDENTIAL ELECTIONS RESULTS PER REGION**

NAME OF CANDIDATE	NORTHERN REGION		CENTRAL REGION		SOUTHERN REGION		NATIONAL	
	VOTES	%	VOTES	%	VOTES	%	VOTES	%
DR. H. K. BANDA	33650	7.30	743729	64.31	218964	16.09	996353	33.45
MR. B. MULUZI	20837	4.52	321581	27.81	1062336	78.04	1404754	47.16
MR. C. CHIHANA	404837	87.80	86766	5.23	71259	5.23	562862	18.90
MR. K. KALUA	1754	0.38	5161	0.45	8709	0.64	15624	0.52
VALID VOTES	461078	98.64	1156539	97.56	136126	98.09	2978885	97.97
NULL AND VOID	6341	1.35	28977	2.44	26462	1.91	61780	2.03
TOTAL VOTES CAST	467419	85.73	1185516	81.12	1387730	78.46	3040665	80.54
TOTAL REGISTERED	545195	14.44	1461367	38.71	1768694	46.85	3775256	

Source: The Electoral Commission. *Results of the May 17, 1994 Presidential and Parliamentary Elections.*

In Mbayani township people in general saw it as part of the country's political life, in keeping with the country's administrative boundaries and history. According to one participant, Malawians voted on ethnic/regional lines because "the country has three regions and if you look at the parties, each presidential candidate got the majority of votes in his region. For example, Banda had the majority votes in the Central region where he comes from; and AFORD's candidate, Chihana, did well in the North; and Muluzi did well in the Southern region." Another participant believed that "some people voted based on regional lines and language, thinking that 'homeboys' would help them in the future"; while another one claimed that "people voted on regional lines because they

did not understand that under a democracy we were going to be united as Malawians and there was no need to vote for a person based on their tribe since Kamuzu would be gone."<sup>99</sup>

While acknowledging the centrality of ethnic-regional cleavages, other Malawians offered different views. For Modesai Msisha, for example, ethnicity/regionalism,

...is a critical factor in most Malawian decision-making processes. But I don't want to say that all decisions electoral or administration are always going to be coloured by the ethnic issue. I think that there are now sufficient common interests amongst the various ethnic groups for them to be able to organise across ethnic lines. The fact that people from the south largely control the present administration has not interpreted itself to economic benefits for people from the south any more than it has for people from the other two regions. At the end of the day I think the realisation exists today amongst Malawians that you are basically fighting for personal survival and not the survival of an ethnic group, and that you cannot elect your ethnic brother in the hopes that he is going to deliver you from poverty. You have to vote for someone with integrity and sound plans for the country's future. Yes, the ethnic question can be used, people can be instigated but Malawians will vote across ethnic lines if they think a leader has plans that would bring real economic change. Look, Asians were voted as MPs in 1994 and they don't belong to what is considered Malawi's ethnic groups.<sup>100</sup>

Given Malawi's history, ethnic/regional cleavage will remain a salient feature of local politics. Nevertheless, this cleavage is complex, incorporating many undercurrents, one of which is material or class interests. In the wake of the general elections, for instance, members of the political class who had previously claimed that they would never work together began forming alliances, taking many Malawians by surprise. Barely one month after the 1994 elections, the AFORD and the MCP leaders announced that the two parties had formed an alliance. As discussed earlier, since the early days of the pro-democracy movement Chakufwa Chihana had described the MCP as "the party of death," and since 1962 had been known as one of the strongest critics of the MCP-led government. In the wake of the AFORD-MCP alliance, however, he claimed that it was

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<sup>99</sup> Group interview, 16 July 1998, Mbayani township.

<sup>100</sup> Interview, 9 July 1998, op. cit.

important for his party to work with other parties for the sake of the country.<sup>101</sup> During an interview in his offices in Lilongwe, Chihana reiterated this view, stating that “what matters to me is to work with those interested in the re-direction of this country’s economic and political future. This has always been my commitment and this is what has led me to make the decisions I have made and I will continue trying to be part of what is going in my country whether people are interested in listening to me or not.”<sup>102</sup> To cement their alliance, the two parties signed a Memorandum of Understanding, stating their central imperative as being “the need for a joint and collective effort to check and arrest regional and tribal hostilities” and to safeguard against the abuse of power by the ruling party. During the signing ceremony for the Memorandum of Understanding, MCP leader Gwanda Chakuamba Phiri stated that “in politics, politicians should never consider each other as permanent enemies.”<sup>103</sup>

The AFORD-MCP alliance was short-lived, however, for by September 1994 the ruling UDF party had formed an alliance with AFORD which eventually led to the establishment of a coalition government. However, this alliance too started showing cracks as early as December 1994 when Chakufwa Chihana accused the ruling party of being corrupt and tribalistic. In June 1996 the UDF-AFORD coalition came to an end, an event that led to a protracted parliamentary stalemate when both the MCP and the AFORD boycotted parliament, claiming that the President had no right to continue appointing cabinet ministers from AFORD.<sup>104</sup> To the disappointment of its leadership, six AFORD MPs

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<sup>101</sup> *The Independent*, Vol. 2 No. 45, June 7-June 13, 1994, p. 1

<sup>102</sup> Interview Chakufwa Chihana, *op. cit.*

<sup>103</sup> *Ibid.*

<sup>104</sup> Following the AFORD boycott of parliament and its ‘rebel’ ministers refusal to acquiesce to resignation demands from the party’s leadership, AFORD sued the President claiming that he had “violated the Constitution by retaining and appointing Ministers from AFORD” after the dissolution of the coalition government (Matembo S. Nzunda, “The Quickening of Judicial Control of Administrative Action in Malawi, 1992-1994”, in Phiri and Ross, *op. cit.*, p. 291). AFORD also sued the Speaker for not upholding the Constitution since in its view, the speaker had failed to declare the ‘rebel’ ministers’ parliamentary seats



decided not to participate in the boycott. More importantly, some of the leading lights of AFORD, such as Dr. Mapopa Japhet Obryne Chipeta, became key members of Muluzi's regime, earning the label of 'rebel' ministers.<sup>105</sup> As for the MCP, several of its members also defected to the UDF during the years 1994-98, causing the leadership of both the MCP and AFORD to accuse Malawi's President of doing everything he could to weaken the opposition.<sup>106</sup> These shifting alliances among members of the political elite raised awareness among Malawians that politicians have their own interests as a social group and they will work together when it suits their interests regardless of their ethnic/regional identity. As one participant in a group interview commented, "they are very good liars and tricksters. They say they hate each other, they make promises and break them. Now I know they are the same. For me—Kamuzu, Chihana, Muluzi—there is no difference."<sup>107</sup>

To summarise this section, the multiparty elections saw the demise of the pro-Banda faction of the emergent bourgeoisie and the rise to power of the faction dominated by Malawians from the Southern Region, although by 1996 several MCP and AFORD notables (representing the northern and central factions of this class) had joined the UDF-led government. Thus, multiparty elections saw the advent of multi-party politics, but it did not represent a fundamental break with the past since whatever change took place was incorporated into the pre-existing structures of social and political power.

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vacant once they crossed the floor. In his judgement Justice D. Tambala dismissed AFORD's claims, declaring that according to section 94 of the Constitution "there is clearly no limitation regarding the political party from which Ministers may or may not be appointed" and went on to state that the 'rebel' ministers "are mature and responsible persons. They are men of principle. They are totally free to decline the appointments" (Justice Tambala *Ibid*, pp. 291-292). And as for Speaker of the National Assembly, the Justice stated, "This court cannot make an order that AFORD members of Parliament who are serving in Parliament have crossed the floor. This court has no jurisdiction. The power or duty to make that declaration is granted, by the Constitution, to the Speaker. It is not granted to any court of law" (*Ibid*).

<sup>105</sup> Dr. Mapopa Chipeta is a well-known Malawian intellectual who lived in exile for many years during Dr. Banda's rule and was the founder of AFORD.

<sup>106</sup> Malawi-German Project for Democracy and Decentralisation, *Malawi Press Review*, March, 1997.

<sup>107</sup> Participant, group interview, Ndirande township, 14 July 1998.

## CHAPTER NINE: THE ERA OF 'DEMOCRACY, 1994-1998

This chapter examines the nature of Malawi's democracy with specific reference to the nature of state power in the era of 'democracy'. It demonstrates that Malawi's so-called transition to democracy did not lead to fundamental changes in the character of the state power and argues that the transition process is better understood as a passive revolution, in the Gramscian sense. The chapter concludes with a brief comparative analysis of Malawi's democracy with that of Zambia and Kenya.

### **The state in the era of 'democracy'**

The state that the UDF-regime inherited differed politically from the previous one. For example, with the advent of competitive politics, Malawians regained their long-awaited political right to vote for whomever they liked. In addition there were no political prisoners, and Muluzi's regime did not create its own version of Banda's para-military force, the MYPs, after the dismantling of the latter during the earlier mentioned 'Operation *Bwezani*'.<sup>1</sup> However, other major features of the Malawian state remained. First, as chapter seven illustrates, even with the implementation of market-oriented reforms, the economic structure continued to be a state-led form of peripheral capitalism, which was highly dependent on agrarian production and foreign aid from the transnational lending community, as figure 6.2 shows. Second, the class basis of the state was the nascent bourgeoisie, (see Appendix B a partial list of companies owned by leading members of this class, and their political affiliations) members of which, as

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<sup>1</sup> Lwanda, 1996, p. 185. The phrase 'Operation *Bwezani*' translates to 'return of guns' and refers to the process that led to the dismantling of the MYPs between December 1993 and January 1994. This process began on December 3, 1993 when junior army officials who had over the years felt marginalised in Banda's regime security apparatus attacked members of the MYPs stationed at the Institute for Youth in Lilongwe. Other attacks followed in Zomba and Blantyre leading some 2,000 armed MYPs to flee to Mozambique where they were offered sanctuary by RENAMO (ibid, p. 186). Following these events Banda announced that MYPs would be integrated into the police, civil service and the army. He went on to

shown earlier, had played the main role in the democratisation process and in post-1994 politics.

These structural bases of the state were not challenged during the transition process and thus placed limits on the Malawi state's ability or willingness to reconfigure existing political and economic power arrangements. Moreover the country's economy continued to be vulnerable to the conditions of international markets and other global and local power structures, and to the development policies of the 'donor' community and the dominant class. For instance, after the 1994 general election the transnational lending community still played a central role in Malawi's political process through various mechanisms. One of the principal mechanisms was the push by this community to have the new regime adhere to the core principles of the community's current ideas about development, especially its governance doctrine. Under their governance programs the representatives of this community continued to influence the evolution of Malawi's political economy. For example, USAID pushed for the creation of several parliamentary committees that were mandated to monitor the regime's adherence to various governance principles such as the elimination of corruption.<sup>2</sup> In addition, it supported programs such as police reforms that were aimed at encouraging the rule of law and order. The United Nations Development Program, the World Bank and International Monetary Fund were the leading donor representatives in other public sector reforms.<sup>3</sup> The European Community governance programme concentrated on reform of the legal system and human rights, for which it provided a human rights adviser while all the representatives of the lending community worked together and with the Ministry of

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state that given the MYPs long service to the country the government would establish a "social fund" to assist them as they begun their new lives (ibid, p. 187).

<sup>2</sup> USAID, *Supporting democratic institutions in Malawi*, (Lilongwe: USAID, 1997), p. 3.

<sup>3</sup> Ibid.

Justice, the judiciary, and the Malawi Law Society to form a strategy for overall legal reform. Germany's governance program mainly supported civic education campaigns and the overall donor agenda of decentralization.<sup>4</sup>

After 1994 the transnational lending community's involvement in Malawi became highly co-ordinated. According to Jockley Mbeye, National Programme Officer, UNDP, the heads of foreign missions and leading international donor agencies now met on a weekly basis to discuss issues of democratisation and economic reforms.<sup>5</sup> The outcome of their discussions was regularly forwarded to the government. In addition, another set of weekly meetings specifically for senior officials and others responsible for the day-to-day implementation of the 'aid' community's policies—officially known as the Aid Coordination Group—became institutionalized in the years 1994-1998.<sup>6</sup> The Aid Coordination Group meetings were chaired jointly by the World Bank and the UNDP, who also set the agenda, although other members of the group were free to add items. Further, they offered technical support to various government ministries, the Privatisation Commission, the Human Rights Commission and non-government organisations such as the Centre for Rights and Education. At the international level, in December 1998 the Consultative Group on Malawi held a major meeting in Lilongwe that involved high-level donor representatives from the national capitals and local government officials.

These weekly meetings held in Lilongwe had two main goals. One, to ensure that the new regime was implementing the political and economic reforms stipulated by the donors under the rubric of governance programs and structural adjustment policies.<sup>7</sup>

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<sup>4</sup> Ibid., p. 3

<sup>5</sup> Interview, Jockey Mbeye, op. cit.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

Two, to generate consensus among the representatives of the transnational lending community on the scope and nature of the ongoing political and economic reforms.<sup>8</sup> Representatives of this community and the Malawi government were expected to follow the lending community's overall consensus on Malawi's political and economic development as it emerged from these meetings.

Third, like its predecessor, the 'democratic' state had (for historical reasons discussed in chapters three and four) a fragile political base, which in the democratisation process saw the fragmentation of the vote along ethnic-regional lines. Consequently, while the UDF regime promised to usher in a new political era in which both social and political power would be equitable, like the MCP-led regime in the immediate postcolonial period, in the years 1994-98 it embarked on a power consolidation drive. This was the consistent theme running through the various events (and non-events) that marked the limitation of Malawi's democracy after 1994.

#### (1) The struggle over Press Trust

The struggle over the control of Banda's and MCP's material base, Press Trust, was waged between the ruling party, the United Democratic Front, and the Malawi Congress Party, and it lingered on for three years. As discussed in chapter six, the Press conglomerate was heavily involved in all the main sectors of the economy. The chapter also noted how in 1982 Dr. Banda established the Press Trust, which became the holder

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<sup>8</sup> Ibid.

of Press Holdings Limited's shares. According to the Press Trust Deed, this new trust was to be run by Banda as the founding trustee along with other nominated trustees who became private owners of Press Trust.<sup>9</sup> The 1982 Press Trust Deed also stated that the trustees had the power to use the resources of Press Trust for the benefit of the Malawian people. In late 1995, the battle over the control of Press Trust began in earnest.

Even before the tabling by Collins Chizumila, the Attorney General, of the Press Trust (Reconstruction) Bill on 7 November 1995, the struggle over the control of Press was already under way among various factions of the UDF and MCP. In the immediate post-elections period Banda introduced plans (which were sent to the government) aimed at changing the nature of the Press Trust deed.<sup>10</sup> This move initiated discussions between the representatives of the Trust and the government on, among other things, the relationship between the UDF government and the Trust.

The public struggle over Press Trust emerged on 3 October 1995 when it was reported that Aleke Banda, the Minister of Finance, in the presence of Phillip Hammond—who had been recommended by the representatives of the transnational lending community to represent the Malawian government—informed Harvey Rands, a lawyer for Press Trust, that he had instructed the Inspector General of Police to investigate the “activities

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<sup>9</sup> Justice J. D. Mwangulu, *Judgement Civil Cause Number 2074 of 1995*, p. 12.

<sup>10</sup> *Daily times*, October 5, 1995, p. 1

of Press Trust and Press Holdings due to concerns of misappropriation of funds among other things."<sup>11</sup> Representatives of MCP claimed that the actions of the Finance Minister and the UDF were a smokescreen for their continuing harassment of Dr. Banda and MCP members. According to Dr. Hetherwick Ntaba, the publicity secretary of the MCP, "It is clear to all of us that this is nothing more than what has now become clearly known as the UDF's obsession and dirty scheme of harassing and discrediting the former head of state, the Father and Founder of the nation...Everyone knows that the Press Corporation is a private company and there is no doubt in anyone's mind about the relationship between the Press Trust, whose founding trustee is the former Head of State and owns Press Corporation. It is certainly not a statutory body, neither is it a government department."<sup>12</sup>

The MCP was not the only party calling the government to halt the investigation of Press's activities. Kamlepo Kalua, the president of the Malawi Democratic Party, also expressed dismay at the UDF move. In his view, the government's action was setting "a bad precedent because in the future, whoever comes into power will order investigations into family affairs and companies of all those who were in leadership and confiscate and nationalise their property...This is in contradiction with the spirit of free enterprise which is the foundation of Malawi's economic system."<sup>13</sup>

The introduction of the Press Trust (Reconstruction) Bill marked a major turn in this struggle. According to the government, the purpose of the Bill was to facilitate the passing of a Parliamentary Act to "make provision for the reconstruction of Press Trust;

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<sup>11</sup> Ibid.

<sup>12</sup> *Daily Times*, 11 October, 1995, p. 1

<sup>13</sup> Kamlepo Kalua, President of Malawi Democratic Party (MDP) quoted in *Daily Times*, 13 October, 1995, p. 2.

to clarify the object and status of Press Trust; and to provide for consequential changes relating to asset-forming parts of Press Trust and for matters connected with or including the foregoing."<sup>14</sup> The issue at stake was made clear when, during the parliamentary introduction of the Bill, the government also claimed that " the Press Trust being a charitable trust for the benefit of the Malawi nation, the National Assembly, being composed of duly elected representatives of the people of Malawi, has full constitutional and legal competence and power to reconstruct the Press Trust to ensure that the people of Malawi derive maximum benefit from the Press Trust held in trust for them by the trustees."<sup>15</sup>

As noted earlier, the Bill was introduced in parliament on 7 November 1994. Although Parliamentary Standing Order 114(1) states that "every Public Bill shall be published in the Gazette in at least two issues at intervals of not less than seven days and the first publication shall take place not less than 21 days before the Bill is read a first time," on 8 November 1995 Aleke Banda, the Minister of Finance, introduced a motion calling for the suspension of these provisions, declaring, correctly, that section (4) of the same Standing Order gave him the power as the Minister of Finance to do so on grounds of urgency.

The parliamentary debate over Aleke Banda's motion and the Bill was characterised by strong opposition from the MCP, while members of the UDF supported the position of the Minister of Finance. As for members of AFORD, the earlier formation of an AFORD-UDF alliance resulted in their support for the Bill. On 8 October 1995, the first parliamentary boycott began when MCP MPs, with the exception of Sitsi Nkhoma,

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<sup>14</sup> *Daily Times*, November 7, 1995, p. 1.

<sup>15</sup> *Ibid.*



failed to return to the chamber after the afternoon tea break. During this session, the Press Trust (Reconstruction) Bill was passed, even though MCP MP Sitsi Nkhoma had alerted the Speaker to the fact that there was no quorum.

The Bill became the Press Trust (Reconstruction) Act (PTRA) on 5 November when the President gave his assent. On 17 November 1995 a court battle began. The Plaintiffs—the MCP, L.J. Chimango MP, and H.G. Ntaba—served the Attorney General with a court summons asking the court to make declaration on several issues related to the PTRA, namely:

[that] the conduct of parliamentary business in the National Assembly 7 and/or 8 1995 when there was no quorum for such meeting of the National Assembly was a violation of the Constitution; sections 50(1) & (2) of the Constitution require that there be a quorum in the House for competent business to be commenced and for the continuation of such business; the Standing Orders of the National Assembly were violated during the presentation of the Press Trust (Reconstruction) Act; no quorum in fact existed in the National Assembly when the Press Trust (Reconstruction) Act was debated, read and passed by the Assembly; that the National Assembly had no constitutional competence to pass the said Press Trust (Reconstruction) Act; that the said Press Trust (Reconstruction) Act is unconstitutional and therefore null and void or invalid to the extent that it is inconsistent with the Constitution of Malawi; [that the court issue] an order for the striking down of the said Act as having been irregularly passed; [and] an interim order for the Press Trust (Reconstruction) Act not to be signed into law or if so signed not to be implemented until after the determination of the questions raised in this summons.<sup>16</sup>

While the court battle was going on, the MCP MPs continued their parliamentary boycott, claiming repeatedly that the UDF-AFORD coalition government had breached parliamentary rules and the constitution. On the other hand, Sam Mpasu and W. Chomo, chief parliamentary whips for UDF and AFORD respectively, were confident that their parties had "not breached any standing order of the House or any constitutional provisions and have no intentions of doing so in the future."<sup>17</sup> Commenting on the MCP

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<sup>16</sup> Judgment, *Attorney General v. MCP, Chimango and Ntaba*, MSCA Civil Appeal, No. 22 of 1996 (The Press Trust Case), p. 2.

<sup>17</sup> *Malawi News*, 11-17 November 1995, p. 1

parliamentary boycott, the Minister of Information, Brown Mpinganjira, claimed that this incident had not interrupted parliamentary proceedings and went on to declare that [MCP] leaders have been threatening the peace and stability of this country but I think government will run out of patience."<sup>18</sup> Kampepo Kalua, however, the President of the MDP, questioned the merit of the Minister of Finance's contention that the Malawian people owned Press: "If, as Aleke says, people who were members of the MCP contributed some money towards their party to start Press, how can Press belong to the whole nation when we are members of different parties?"<sup>19</sup> At a ceremony marking the opening of Malawi's Toyota Branch, President Muluzi welcomed the PTRA and declared that his government was acting in good faith in this matter: "It is being claimed by some that the Press Trust Bill is aimed at a certain political party, but only those with negative intentions would believe this. . . . We are not out to destroy any party."<sup>20</sup>

On 28 December 1995 the MCP lost its court application for an injunction to stop the government from implementing the provisions of the PTRA until the courts issued the final decision. In his ruling, Judge Duncan Tambala declared that the MCP's application was "brought under the wrong legal provision." He further stated that "while section 46 of the Constitution prevented the Legislature and the Executive from making any law or taking any action which would violate fundamental rights and freedoms, it did not create the procedure and practice to be followed when an action was brought to seek a remedy for violation of a right or freedom."<sup>21</sup> However, the MCP filed an appeal in the High Court and within six months after that judgement Press ownership reverted to Dr. Banda and

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<sup>18</sup> *Daily Times*, 16 November 1995, p. 1.

<sup>19</sup> *Daily Times*, 16 November 1995, p. 1.

<sup>20</sup> President Bakiliki Muluzi, quoted in *Daily Times*, 23 November 1995, p. 1

<sup>21</sup> Judge Duncan Tambala, quoted in *The Nation*, 28 December, 1995, p. 1.

the other trustees when Judge D. F. Mwangulu issued a judgement in favour of the plaintiffs.<sup>22</sup>

The MCP welcomed this ruling while the government immediately filed an appeal with the Supreme Court. In their appeal the defendants asked the court to determine the following:

Did the Minister of Finance act in breach of Section 96(2) of the Constitution in putting a Motion without Notice to introduce the Press Trust (Reconstruction) Bill 1995? If so, did this affect the validity of the Act? Was the National Assembly quorum, in accordance with Section 50 of the Constitution, properly construed, when it passed the 1995 Act? If not, should the Courts in any event recognise the legislature in accordance with the doctrine of necessity? Did the Speaker act in breach of the Constitution in deciding to debate the issue as to quorum rather than count the members of the National Assembly present and adjourn the Assembly? If so, is his action justifiable by the Courts? Did the 1995 Act arbitrarily deprive the Trustees of the Press Trust of any property in breach of Section 28(2) of the Constitution? Did the 1995 Act discriminate against the Trustees of the Press Trust or the Press Trust itself in breach of Section 12(v) and/or Section 20(1) of the Constitution? Did such breaches of the Constitution, if any, go to the root of the Constitution and/or affect human rights so as to require the Court to declare the 1995 Act invalid? Or would the Court in its discretion refuse the relief sought? Should the Court in any event use its powers under Section 11(3) of the Constitution to give effect to the 1995 Act? Do the Plaintiffs have the appropriate locus to seek the relief sought?<sup>23</sup>

Before the hearing and final judgement by the Supreme Court, other battles were under way in the lower courts, starting with the government's filing of an application requesting that no action be taken based on Judge J.D. Mwangulu's decision until the Supreme Court's ruling on the appeal. The court rejected this and the government filed a claim immediately seeking a court injunction to stop the implementation of Judge Mwangulu's

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<sup>22</sup> For more details on this see judgement, Justice J.D. Mwangulu's ruling, *Civil Cause Number 2074 of 1995*.

<sup>23</sup> *Attorney General v. MCP, Chimango and Ntaba*, op. cit., pp. 9-10.

ruling. On 25 September 1996, the Minister of Finance and other trustees obtained a court injunction preventing the original trustees from taking over management of Press. Claiming that he had been 'misled' by the trustees appointed since the enactment of the Press Trust Reconstruction Act, Judge Eric Kumitsonyo threw out the injunction, thus paving the way for the appointment of new directors and trustees.<sup>24</sup> The appeal to the Supreme Court was heard in late 1996 amid accusations that the government was trying to influence the decision of the court by including judges from the lower court in the proceedings, which was against the law. The Supreme Court issued a judgement in favour of the government on 31 January 1997 and the plaintiffs' immediate further attempt to have an independent review of the case was unsuccessful.<sup>25</sup>

**TABLE 8.3**  
**THE TRUSTEES OF THE PRESS TRUST**  
**(THOSE WHO SAT ON THE BOARD AS OF 2000)**

Dr. Mapopa Japhet Obyrne Chipeta	Chairman of the Press Trust—one of AFORD's 'rebel' Ministers
Mr. Aleke K. Banda	Initial trustee since 1996 and leading UDF cabinet minister
Mr. Christopher Barrow	Owner of several tea estates in Mulanje and appointed by the Attorney General as one of the initial trustees
Professor Walter Joseph Kamba	Appointed by the initial trustees
Mrs. Jane M. Dzanjalimodzi	Dr. Banda's distant relative—appointed by the Attorney General to represent the founding trustee, Dr. Banda
Bishop Joseph Paul Bvumbwe	Appointed by the initial trustees

Source: D.D. Phiri, "Light on Shadows," in *Air Malawi Reflections, Magazine*, no.25, 2000, pp. 17-23.

While President Muluzi and others within the corridors of state power claimed that party politics had nothing to do with the introduction of the PTR, in light of the country's

<sup>24</sup> *Daily times*, 2 October 1996, p. 1.

<sup>25</sup> For detailed information on the ruling see, *Attorney General v. MCP, Chimango and Ntaba*, op.cit.

history and economic structure this claim rings hollow. As Justice J. D. Mwangulu stated during an interview, "There were all kinds of politics regarding the Press case. This is all I am going to say."<sup>26</sup> To Modecai Msisha, the government's take-over of Press Trust through a parliamentary Act, based on the claim that it belonged to the Malawian people, was dubious at best, since according to him,

Nothing has changed with regards to Press Trust except the controlling personnel. Under Dr. Banda he turned Press Holdings into a Trust and the trustees had enormous discretionary powers as owners of the Trust in deciding who bought what and received what out of the dividends of the Press group of companies. That continues to be the case. What the new government's Act did was to remove one set of persons as trustees and replace it with a new set belonging to what was considered the right political side. If you stopped an ordinary Malawian and asked them whether they felt that they were owners of Press Trust today they would wonder what you were talking about.<sup>27</sup>

To conclude, the existence of Press Holdings/Trust under the control of Dr. Banda and the MCP presented a powerful threat to the UDF led-government. The destruction of the MCP's material base would effectively eliminate this threat. The UDF's successful struggle to gain control of Press Trust expanded its social and political power at the expense of the MCP, its main political opponent.

## (2) Local government elections

In the immediate post-election period the new government dissolved the pre-existing local government structures, arguing that they were undemocratic since their members were elected under the MCP's authoritarian government. A promise of new elections accompanied this directive, but as time went on the derailment of this process became the norm. For Malawians, the UDF-led regime's lack of interest in holding local government elections was a clear breach of the democratic constitution and the promises made during the pro-democracy campaign.

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<sup>26</sup> Interview with Justice J. D. Mwangulu, 10 June 1998, Blantyre.

<sup>27</sup> Interview with Modecai, op. cit.

In his study on democratisation in Guinea-Bissau, Lars Rudebeck differentiates between constitutionalism and popular sovereignty. According to him, democratic constitutionalism is "rule based on universal suffrage, legal guarantees for free discussion and opposition for everybody, the legally recognised right to associate and organise freely, and institutional safeguards against the arbitrary exercise of power"; whereas popular sovereignty is "shared power defined in terms of social contents, with regard to actual and effective participation in the rule of resources held in common. This concerns the larger political system as well as daily social life, economic production, places of living and work, and local decision-making."<sup>28</sup>

In the case of Malawi, elected local governments represented a measure of popular sovereignty, especially with the introduction of an amendment to the constitution stipulating that the Senate would not be established until 1999. Malawians saw the government's reluctance to hold local government elections as yet another breach of the constitution, since the constitution states:

There shall be local government authorities which shall have such powers as are vested in them by this Constitution and an Act of Parliament. Local government authorities shall be responsible for the representation of the people over whom they have jurisdiction, for their welfare, and shall have responsibility for the promotion of infrastructural and economic development, through the formulation and execution of local development plans and the encouragement of business enterprise; the presentation to central government authorities of local development plans and the promotion of the awareness of local issues to national government; the consolidation and promotion of local democratic participation; and such other functions, including the registration of births and deaths and participation in the delivery of essential and local services, as may be described by any Act of Parliament. . . . Local government authorities shall consist of

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<sup>28</sup> Lars Rudebeck, "Popular Sovereignty and Constitutionalism. An Historical and Comparative Perspective," in Lars Rudebeck and Olle Tornquist with Virgilio Rojas, *Democratisation in the Third World* (Uppsala University, 1996), p. 220.

local government officers who shall be elected by free, secret and equal suffrage under the supervision of the Electoral Commission by the registered voters in the area over which that local government authority is to have jurisdiction.<sup>29</sup>

The UDF-led government, while not throwing out this provision from the constitution, was not in a hurry to enact the necessary legislation that would have led to the holding of elections. This delay was puzzling, and the government's claim that it was faced with financial constraints was unconvincing since the Minister of Local Government had not mentioned this when he had dissolved the existing local government in 1995. During an interview, Justice J.D. Mwangulu wondered whether the Minister was constitutionally empowered to dismantle the existing local governments in the first place. In his view, the local government issue should have been resolved by the government's adherence to Section 206 of the constitution:

Subject to the provisions of this Constitution, any person holding office under any law in force on the date of the commencement of this constitution shall continue to hold such office until such time as that person (a) is confirmed in that post; (b) is replaced by another person appointed or elected to that post in accordance with the Constitution; (c) or resigns or retires or is removed in accordance with the Constitution.<sup>30</sup>

According to Justice Mwangulu, the wording of (b) above applied to the pre-existing councillors, mayors, and other officers of local government.<sup>31</sup>

Underlying the new ruling group's derailment of the constitutionally mandated local governments were major political considerations, well described by Justice Mwangulu:

The legal solution to the local government question has political implications, which I will demonstrate. Prior to the 1994 elections, local government officials were elected under the MCP ticket. In the thinking of the new government, and in my view this is where the problem lies, at the local level, then the central government would have had to deal with an MCP-dominated government. Personally and on an analytical level this fear is unfounded because most of the local government officials who would have gone on an MCP ticket before 1994 had already changed faces and joined UDF or AFORD. So at the end of the day, you would still have the same officials but drawn from different

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<sup>29</sup> *Constitution of the Republic of Malawi*, Sections 146(1-2) and 147 (1), p. 62..

<sup>30</sup> Interview with Justice J.D. Mwangulu, op.cit., and *Constitution of the Republic of Malawi*, p. 86.

<sup>31</sup> Ibid.

political parties until the next local government elections. To me, the political dilemma for the new central government was that if they allowed local government elections the MCP would have won in the Centre, AFORD in the North, while the South would have remained a UDF stronghold. The ruling party then would have had great difficulties making inroads in these two other regions and if the respective local governments succeeded in meeting their constituents' needs, they would have posed a serious political challenge to the central government: this is a price that the central government is not prepared to pay.<sup>32</sup>

Many people saw the new regime's failure to hold local government elections as an obstacle to the deepening of Malawi's democracy. During a meeting of the Local Government and Decentralization Task Force in Lilongwe, attended by representatives of various groups and NGOs along with government officials, Shenard Mazengera, a legal Officer with the Centre for Advice, Research and Education on Rights (CARER), stated that the excuse that the government did not have the money to facilitate the holding of local government elections was "lame, only aimed at delaying the elections."<sup>33</sup> At the same meeting Ollen Mwalubunju, the Executive Director of the Centre for Human Rights and Rehabilitation, declared that the local elections were being delayed because "certain circles within the Cabinet are not for it" since they were only interested in holding on to political power. Shyley Kondowe, the Executive Director for the Institute for Democratic and Economic Affairs (MIDEA), noted that the holding of local government elections was stipulated in the constitution and needed to occur quickly so that Malawians could participate in "the development process." Commenting along similar lines, Kamlepo Kalua claimed that "the holding of local government elections will at least open an important door for ordinary Malawians to engage in political and economic development of their country."<sup>34</sup> For women's groups struggling for gender equity, these

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<sup>32</sup> Ibid.

<sup>33</sup> Malawi-German Project for Democracy and Decentralisation, *Malawi Press Review*, March 1997.

<sup>34</sup> Interview Kamlepo Kalua, President, Malawi Democratic Party, June 10, 1998.



elections were an opportunity to expand their involvement in the political process and an important step towards overcoming their historical exclusion.<sup>35</sup>

Members of the Public Affairs Committee (PAC)—an organisation actively involved in the process that led to the multiparty general elections—called on the government to pave the way for the holding of these elections. Following a conference organised by the PAC and other NGOs on the question of local government, the PAC's chairman, Rev. Constatin Kaswaya, declared:

We believe that the issue of local government elections is a test of government's commitment to democracy in this country. Democracy means power to the people, and government needs to share power with people at the local level so that government is truly accountable to the people. . . . it is at the local level that the people are most able to express their views and to participate actively in social, economic and political life and decision making. . . . The failure of the government to hold these elections has greatly impeded democratic development in the country.<sup>36</sup>

According to Modesai Msisha, the desire to see the devolution of both political and economic power was the central issue that led Malawians to challenge Banda in 1992.

During the pro-democracy struggle, Msisha recounted,

We [pro-democracy movement] thought we all believed in the idea of devolution of power both at the economic and political level. But once the new political order acquired power, I think they [the UDF-led ruling class] looked back and thought, given the MCP's extensive political machinery, if local government elections were held in 1995, MCP would win. So the UDF government opted to sit back and in the process created a big problem for itself. As time goes by they are beginning to subscribe to Dr. Banda's view that the President appoints mayors, councillors, and chairmen of the various councils. It is not the question of money because I think it can be done with minimum resources. The issue is who is going to win. In terms of resources we created in the constitution a stipulation for a national institution that would ensure that local governments received funds from the national treasury based on their needs and their population. I think again the new government looked at that and said, oh my goodness we are going to lose economic control over the districts because the constitution says make the resources

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<sup>35</sup> Malawi-German Project for Democracy and Decentralisation, *Malawi Press Review*, June 1997.

<sup>36</sup> Malawi-Germany Project For Democracy and Decentralisation, *Malawi Press Review*, February 1997. During the PAC's General Assembly in January, 1997, the organisation which for a long time was viewed as being a supporter of the UDF government tore up the Malawian constitution claiming that the latter was the source of "the problems besetting the country because it was written in a hurry" (Malawi-Germany Project For Democracy and Decentralisation, *Malawi Press Review*, January 1997).

available to the institution that dispenses funds to the local governments. This would remove the President and his party from the centre of things. So rather than have credit go elsewhere and in the process lose political and economic control to the various districts, it was better for the new political order to say local government elections cannot be held because there is no money. In the meantime, the UDF government has simply carried on at the local government level with its appointed civil servants who cannot challenge them since they are supposed to work for the government of the day.<sup>37</sup>

The government's continued stalling on local government elections led some Malawians to turn to the courts for resolution. They sued the President of Malawi and the Speaker of the Assembly for, among other things, the "failure to call for local government elections."<sup>38</sup> They won their case, and in his judgement Justice Mkandawire declared:

The Constitution is supreme and all arms or agencies of the Government, including the Executive and the Legislature, must act within the Constitution. It is therefore the fundamental right of every person guaranteed by the Constitution that the Legislative branch therefore shall conduct their affairs within the Constitution; it is the fundamental right of every person to live in a Constitutional Order. Breaking that Constitutional order guaranteed by the Constitution constitutes an infringement of a fundamental right guaranteed to every citizen.<sup>39</sup>

Their triumph was short-lived however, for the defendants' appeal to the Supreme Court was successful.<sup>40</sup> In his judgement, Justice of Appeal Mtegha stated that the plaintiffs

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<sup>37</sup> Interview with Modesai, *op. cit.* The constitutional stipulations he is referring to are Sections 149-150.

<sup>38</sup> Nzunda, *op. cit.*, p. 303.

<sup>39</sup> *Ibid.*, p. 303). The American case is *Fairchild v. Hughes, as Secretary of the U.S.*, 258 U.S. 126 (1922).

<sup>40</sup> During the period under review the government and various of its officials were sued on several occasions for perceived breaches of the constitution, and in all cases the government won (for more details on this see Nzunda, *op. cit.*, pp. 283-315). Responding to this issue, Modesai Msisha stated that the situation was not going to change since there were no institutions or mechanisms that policed the judicial branch of government. In his view the executive and the legislative branches could to some extent be policed through the electoral process, but given the manner in which judges were appointed one could not really speak of an independent judiciary in Malawi (interview, Modesai Msisha, *op. cit.*). Sections 111 and 117 of the constitution provide that: "The Chief Justice shall be appointed by the President and confirmed by the National assembly by a majority of two thirds of the members present and voting. All other judges shall be appointed by the President on the recommendation of the Judicial Service Commission. . . . The Judicial Service Commission shall consist of: the Chief Justice who shall be the Chairman; the Chairman of the Civil Service Commission, or such other member as may for the time being be designated in that behalf by the Chairman of the Civil Service Commission; such Justice of Appeal or Judge as may for the time being be designated in that behalf by the President acting after consultation with the Chief Justice; and such legal practitioner and such magistrate as may for the time being be designated in that behalf by the President acting after consultation with the Chief Justice" (*Constitution of the Republic of Malawi, op. cit.*, pp. 50, 52).

did not have *locus standi*<sup>41</sup> since the rights they were claiming were public rights and not the fundamental freedoms and rights that fell under section 46(2), which states:

Any person who claims that a fundamental right or freedom guaranteed by this Constitution has been infringed or threatened shall be entitled to: make application to a competent court to enforce or protect such a right or freedom; and, make application to the Ombudsman or the Human Rights Commissioner in order to secure such assistance or advice as he or she may reasonably require.<sup>42</sup>

Basing his judgement on the decision made in an American case, the Justice declared:

The plaintiff has only the right possessed by every citizen to require that government be administered according to law. . . . Obviously this general right does entitle a private citizen to institute in the federal courts a suit to secure by indirection a determination whether a statute if passed or a constitutional amendment about to be adopted will be valid.<sup>43</sup>

The government's claim of financial constraint nonetheless appeared inconsistent. To begin with, while the local government debate was going on the government somehow found the necessary financial resources to increase the salaries and allowances of Members of Parliament and the Cabinet, as well as renovate the President's state house in Lilongwe.<sup>44</sup> In addition, the Minister of Local Government issued conflicting messages on the status of the re-establishment of local government. One that stands out is his March 1997 directive to the Malawi Electoral Commission that it should go ahead and prepare for the holding of local government elections using the old laws. This contradicts his original position that pre-existing local government structures had to be dissolved since they reflected the previous era of one-party autocracy. And, rejecting the Minister's proposal, the Electoral Commission stated that the elections could not be held

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<sup>41</sup> This is "a jurisdictional issue. It is a rule of equity that a person cannot maintain a suit or action unless he has an interest in the subject of it, that is to say, unless he stands in a sufficiently close relation to it so as to give him a right which requires protection or on infringement of which he brings the action" (quoted in Nzunda, p. 307).

<sup>42</sup> *Constitution of the Republic of Malawi*, p. 24.

<sup>43</sup> Matembo S. Nzunda, *op. cit.*, p. 307.

<sup>44</sup> MPs allowances for the 1994 budget year stood at MK 1,674,069 in 1994 but by 1996/7 this figure had risen to MK. 3 million (Lwanda, 1996, *op. cit.*, p. 221).

under the old laws and that the government needed to pass a local government enabling act before the process began.<sup>45</sup>

To sum up, the UDF government's delay in creating the necessary mechanisms for the establishment of new local government structures was part of its effort to consolidate its power. For Malawians this was another blow to their hopes of seeing the introduction of some form of popular sovereignty. The government's tactics for delaying the holding of local government elections show that the old model of 'politics from above' survived into the new dispensation.<sup>46</sup>

### III: Other developments

In addition to the struggle for control of Press Trust and the delay of the local government elections there were of course innumerable other developments that demonstrated the *passive revolution* (discussed later) character of Malawi's so-called democracy. While an extended review of the years after 1994 is beyond the scope of this study, a brief review of just three other key issues — the media, the Senate, and poverty alleviation — will serve to indicate that the developments already discussed were far from unrepresentative.<sup>47</sup>

As previously noted, the lack of freedom of expression during the Banda era was one of the issues outlined by the Catholic Bishops in their pastoral letter. Prior to 1992 only the two MCP controlled newspapers existed: the *Daily Times* and *Malawi News*. During the transition period, the country saw the emergence of a vibrant press outside the orbit of

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<sup>45</sup> Malawi-Germany Project For Democracy and Decentralisation, *Malawi Press Review*, March 1997.

<sup>46</sup> Under pressure from groups in civil society and others, Muluzi's regime (following UDF's victory in the 1999 general elections) passed the necessary registration, a move that saw the holding of local governments elections in 2000.

<sup>47</sup> The post-1994 period has been examined by other scholars; see, e.g., Jane Harrigan, *From Dictatorship to Democracy, Economic Policy in Malawi 1964-2000* (Aldershot: Ashgate, 2001).

the MCP.<sup>48</sup> This press provided a forum for the discussion of Malawi's historical, political and economic developments and played an important role in the transition process. For example, its numerous political cartoons and other satirical writings contributed greatly to the transition process by demystifying the power of Banda and the MCP, and arguing for political change.<sup>49</sup> Following the referendum vote, for example, *The Monitor* had the following announcement in its classified section:

BIRTH ANNOUNCEMENT: Born to Malawians, after a long struggle, a long awaited baby. Lovingly named Freedom Change Hope, on June 14, 1993. OBITUARY: Malawi Congress Party (nee Nyasaland African Congress) Born 1944, changed name 30.9.59. Died 14/6/93. Laid to rest 16/6/93. Died after a long illness and was cremated in polling stations waste receptacles country-wide. Leaves children named Ballion, John, Louis, Hilda, Tijejani and others too numerous to name. We thank the various active religious groups, the Catholic Bishops, the international community, PAC, Aford, UDF, MDP's Channel Africa crew, observers, monitors, the independent press,...'crooks', 'dissidents', 'confusionists', and indeed all the people of Malawi.<sup>50</sup>

While Muluzi, like other political leaders had promised not to interfere with the freedom of the press his promises did not stand the test of time once he was in power. For example, in the first week of February 1998, the UDF-led regime instructed all government ministries and statutory bodies to immediately stop advertising with the *Malawi News* and *Daily Times*, claiming that the two newspapers were distorting its 'good image'. The regime's directive was aimed at undermining the financial capacity of the two newspapers and ultimately the MCP. Lamenting the government's directive, Raphael Tenthani, Publicity Secretary, for the Media Institute of Southern Africa (MISA), stated "it will certainly work against our democracy" and further added that "if what the *Daily Times* and *Malawi Times* write is not true it is up to the public to judge. The public

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<sup>48</sup> The following papers emerged during this period: *The Monitor*, *The Michiru Sun*, *The News Express*, *The Financial Observer*, *The Nation*, *The Financial Post* and *The Democrat*.

<sup>49</sup> See Reuben M. Chirambo, "Politics in the Carton in Malawi: The Democrat Cartoons, in Phiri and Ross, op., cit., for a detailed examination of the role of the political cartoons in the democratization process.

<sup>50</sup> *The Monitor*, 18 June, 1993, p.4.

is mature enough to do so."<sup>51</sup> In addition to this development in mid-February, the army attacked the *Daily Times* offices in Blantyre following the paper's publication of Aids statistics in the Malawi army.

The new regime also continued to control the broadcasting media. In its granting a licence for the establishment of a small private radio station, for example, it stipulated that the station programming was to be strictly religious and it was banned from broadcasting news.<sup>52</sup> Like the Banda regime, the UDF regime dominated the airwaves mainly through its control of the Malawi Broadcasting Corporation. Commenting on this issue a 1997 report on human rights conditions in Malawi stated:

Malawi Broadcasting Corporation (MBC), which broadcasts on two channels, is the most important medium for reaching the public. MBC programming was dominated by reporting on the activities of senior government figures and official government positions. Parties and groups opposed to the Government largely were denied access to the broadcast media. MBC refused to air paid public announcements of labor union events. The Government effectively blocked consideration of legislation to make MBC a more independent public broadcasting entity and continued to deny applications to establish any more new private radio stations.<sup>53</sup>

The expansion of citizen participation in the political process was another issue that was at the core of the pro-democracy movement. As discussed earlier, during the constitution conferences the establishment of a second chamber in parliament in the form of a Senate was proposed as one way of addressing the historical exclusion of most Malawians from the political arena and also as a means of taming state power.

Membership to the proposed Senate was to reflect different societal groups: women and religious organisations, traditional authorities, labour, and civil society organisations such

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<sup>51</sup> *Daily Times*, February 9, 1998.

<sup>52</sup> *Ibid.*, p. 3.

<sup>53</sup> *Malawi Country Report on Human Rights Practices for 1997* (Washington: U.S. Department of State, 1998), p. 6.

as the Law Society of Malawi. While representatives of marginalized forces lost their struggle to have a Senate established immediately following the general elections they still hoped that the new regime would uphold Sections 68-72 of the new constitution, which provided for the creation of the Senate in 1999. After 1994 various groups in civil society continued to push for the creation of the Senate, but members of the Malawian ruling class (with the exception of the AFORD party, before its leader Chakufwa Chihana accepted the post of Second Vice Presidency in the Muluzi government) were not interested in the Senate debate.<sup>54</sup> In 1999 the Muluzi regime voted to remove the constitutional clauses that required the creation of the Senate.

As chapter eight indicated, the deep economic disparities and the high levels of poverty that characterise Malawian society were a central concern of the 1992 Catholic Bishops' Pastoral letter and were also major themes for members of the reform movement during the transition period. Malawi's widespread poverty is well documented. For example, the 1994 World Bank's World Development Report, ranked the country in the bottom ten countries in terms of per capita income and the 2000 UNDP's Human Development Report ranked Malawi as 163<sup>rd</sup> out of 174 countries.<sup>55</sup> Rural and urban poverty were estimated at 60 per cent and 65 per cent respectively, infant mortality was estimated at 135 per 1000 live births, the under-five mortality rate at 234 per 1000 live births, the maternal mortality rate at 620 per 100,000 births, and life expectancy at birth at just 48 years. Malawi also has one of the highest rates of HIV/AIDS in the world, with an estimated 15 per cent of the adult population infected: the majority of those infected are

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<sup>54</sup> Jande Banda, "The Constitutional Change Debate of 1993-1995," in Phiri and Ross, *op. cit.*, pp.326-327.

<sup>55</sup> *World Development Report 1994*, World Bank, London, Oxford University Press, 1994, and *Human Development Report 2000*, Oxford, Oxford University Press, p. 149.

in the most productive age bracket of 15-45 years of age.<sup>56</sup> During the political campaign Muluzi, like other politicians, promised to address the economic hardships facing the majority of Malawians. During the general elections campaign and in the early days of his presidency he declared, to popular acclaim, that his government's national development policy was the eradication of the country's rampant poverty: and on 25 August 1994 he launched his new government's Poverty Alleviation Programme.<sup>57</sup>

In the post-1994 era, however, it became evident to Malawians, especially those living at the margins of social and political power, that the poverty alleviation programme was not geared to addressing the roots of their poverty. For instance, Mbayani and Ndirande townships fell within the government's definition of "groups in poverty," given that the majority of the residents had low levels of income and limited social amenities. Commenting on these loans, participants in a group interview in Ndirande said that they had heard that the program was aimed at reducing poverty. However, those who had registered for loans claimed they had received nothing and had given up, because whenever they inquired about the status of their loans they were asked to pay more money.<sup>58</sup> The majority of participants in Mbayani claimed that while the government's idea was good, they had not benefited from the programme since its inception three years earlier. One participant stated that "there is segregation when it comes to issuing the loans from the programme. It seems those people who are already rich are the ones who benefit a lot. When I went to apply for the loan I was asked for Mkwacha 50.00 in order to apply for the loan. How and where can someone like me who is already poor get the Mkwacha 50.00?" While the poor continued to live under conditions of extreme

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<sup>56</sup>Government of Malawi, *Policy Framework For Poverty Alleviation Programme*, Lilongwe, Government of Malawi, 1995, p. 5.

<sup>57</sup> Ibid., Foreword, and *The Monitor*, Vol.2 no.34, 23 May 1994, p. 3.

<sup>58</sup> Group interview, Ndirande township, 14 July 1998.



poverty, the ruling class was not interested in instituting changes geared to addressing the fundamental roots of the country's poverty: its main preoccupation was wealth accumulation especially through clientelism, a phenomenon which Jane Harrigan<sup>59</sup> has stated is the hallmark of the political economy of Malawi's so-called democratic regime.

### **A passive revolution in Malawi**

Now I can dress the way I want. But you cannot eat democracy.<sup>60</sup>

Gramsci introduced the concept of passive revolution in his analysis of the process that led to the formation of the modern Italian state and of European revolutions in the period between 1780 and 1870—although he also used it to explain the rise of fascism in Italy in the 1920s and the New Deal policies in post-depression US. For Gramsci, a passive revolution represents a form of political change that does not result in fundamental reconfiguration of political and economic power structures. It is a political strategy often utilised by the state and a dominant class as a means of containing the implementation of radical changes in a social formation.

For Gramsci, a successful passive revolution occurs when the ruling class is able to absorb demands from the subordinate classes in a reformist manner, thus ensuring no radical departure from the existing political and economic arrangements. Commenting on the aforementioned European revolutions, Gramsci referred to them as passive revolutions characterised by reformist politics, describing the "passive" aspect of the great revolution which started in France in 1789 and which spilled over into the rest of Europe with the republican and Napoleonic armies—giving the old régimes a powerful

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<sup>59</sup> Harrigan, *op. cit.*, p. 322.

<sup>60</sup> Group interview, Ndirande township, 14 July 1998.

shove, and resulting not in their immediate collapse as in France but in the 'reformist' corrosion of them which lasted up to 1870.<sup>61</sup>

In the specific case of the creation of the Italian state, Gramsci<sup>62</sup> examined the role of various class elements—specifically the Moderates (mainly industrialists from North Italy) who controlled the Piedmont state, and the Action Party (a radical party)—in shaping the form of the state that emerged. The bare bones of his thesis are that the moderates led by Cavour managed to win hegemony over a segment of the bourgeoisie, mainly Southern landlords, and formed an alliance that prevented a radical break in Italian power structures after the unification. Gramsci argues that the success of the conservative forces stemmed from their understanding of the configuration of social forces during the unification struggle. According to him, Cavour understood the compromises that he needed to make with the peasantry, compromises that ensured the dominant interests were not threatened. On the other hand, Mazzini and the forces around him did not understand the 'concrete' situation and therefore did not make inroads among the subordinate classes. Gramsci concludes that this process represents a passive revolution, a major result of which is the emergence of the politics of 'transformism', whereby various social forces were incorporated in the new Italian power structures without a fundamental reconfiguration of social and political power, their radical demands being 'transformed' in the process. He describes the Italian passive revolution in the following manner:

One may apply to the concept of passive revolution (documenting it from the Italian Risorgimento) the interpretative criterion of molecular changes, which in fact progressively modify the pre-existing composition of forces, and hence become the matrix of new changes. Thus, in the Italian Risorgimento, it has been seen how the composition of the moderate forces was progressively modified by the passing over to

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<sup>61</sup> Gramsci, *op. cit.*, p. 119.

<sup>62</sup> This paragraph summarizes Gramsci's detailed examination of the emergence of the modern Italian state found in *ibid.*, pp. 90-118.

Cavourism (after 1848) of ever new elements of the Action Party, so that on the one hand neo-Guelphism was liquidated, and on the other the Mazzinian movement was impoverished. . . . This element is therefore the initial phase of the phenomenon which is later called "transformism. . . ." <sup>63</sup>

It is contended here that Malawi's transition from authoritarianism to multi-party democracy can be interpreted as a passive revolution in the Gramscian sense on two grounds.<sup>64</sup> First, from the onset of the general crisis of the state to the holding of the multi-party general election, the pre-existing state moved quickly to contain the implementation of radical reforms. The state achieved this goal primarily by "preventing the development of a revolutionary adversary by 'decapitating' its revolutionary potential"<sup>65</sup> through mechanisms such as co-optation and intimidation. While the state mainly set the boundaries within which the transition process occurred, it was nevertheless aided in this process by members of the dominant class, who joined forces with it to negotiate the terms of the transition through forums such as the National Consultative Council.

Second, as the analysis of the transition process and the aftermath of the 1994 multi-party elections have shown, Malawi's so-called transition to democracy did not represent a fundamental break with the past. In the post-Banda era, economic and political power continued to be concentrated in the hands of a small group composed of the nascent bourgeoisie whose members were not interested in the implementation of changes that would lead to a new political and economic order. In essence then, Malawian politics in

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<sup>63</sup> Ibid., p. 109.

<sup>64</sup> The following scholars have used the concept of passive revolution to analyze political change: Kees Van Der Pijl, "State Socialism and Passive Revolution," in Stephen Gill (ed.), *Gramsci, Historical Materialism and International Relations* (Cambridge: Cambridge University Press, 1993) and Rita Abrahamsen, "The Victory of Popular Forces or Passive Revolution? A Neo-Gramscian Perspective on Democratization," in *The Journal of Modern African Studies*, 35, 1 (1997).

<sup>65</sup> Anne Showstack Sassoon, "Passive Revolution and the Politics of Reform," in Anne Showstack Sassoon, ed., *Approaches to Gramsci* (London: Writers and Readers, 1982), p. 133.

the post-referendum era, and after 1994, epitomise the Gramscian notion of 'transformism'. For example, during the period under review, the UDF regime introduced policies aimed at appeasing popular forces, the key one being the earlier-mentioned poverty alleviation programme, under which the poor could access loans to start new business.

The subordinate classes were not the only ones subjected to the UDF regime's politics of "transformism." After 17 May 1994, Muluzi's regime sought ways to incorporate oppositional forces into the UDF fold and in the process strengthened his political base. The integration of leading members of the other parties, for instance, Dr. Mapopo Chipeta, was one such move, as were the incorporation of the earlier mentioned small parties and the extension or withdrawal of state patronage.<sup>66</sup>

### **Malawi's democracy: a comparative perspective**

Malawi's transition process was part of a political trend that occurred in many African countries in the 1990s. This phenomenon saw twenty-nine of these countries holding what "can be considered as founding elections in the sense that they paved a route away from the monopoly politics of authoritarian regimes."<sup>67</sup> In a continent that had been characterised for decades by military coups and one-party dictatorships, the establishment, and in some cases the return of multiparty democracy generated high hopes. Rather than try to cover a very diverse set of experiences, this section sets the Malawian experience in context by very briefly reviewing two neighbouring cases whose

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<sup>66</sup> For example, C. Chihana's sugar distribution quota was significantly reduced upon his withdrawal from AFORD's alliance with the UDF-led regime (interview, op. cit.).

<sup>67</sup> Bratton and Walle, 1997, op. cit., p. 7.

similarities to and differences from the case of Malawi help to underline what is typical and what is particular about the story recounted above.

### *Zambia*

In the late 1980s, Zambia, like Malawi, faced a serious economic and political crisis. From independence in 1964 to the late 1980s, when Zambia's movement for democratic reform gained momentum, a one-party system had evolved under the leadership of Kenneth Kaunda's United National Independence Party (UNIP), whose authoritarian tendencies had established a climate of fear in Zambia.

The crisis of the postcolonial regime, which led to calls for democratic reform, was precipitated by contradictions generated by the evolution of Zambia's political economy. The country's narrow economic base contributed greatly to this crisis, as Fentu Cheru explained: "After twenty-five years of independence, Zambia's economic fortunes are still tied to copper, which accounts for 90% of foreign exchange earnings. This dependence on copper has been the main cause of Zambia's vulnerable position in the world economy."<sup>68</sup> The decline of the copper industry had a major impact on the whole economy, especially the manufacturing sector, which saw the closure of most industrial firms and the reduction of production by those that survived. According to Cheru:

In 1982, 21 of the 46 manufacturing companies under the Industrial Development Corporation (INDECO) parastatal were operating with capacity utilization of less than 50%....Some, like Consolidated Tyres, Livingstone Motor Assembly and Mansa Batteries were working at 15-20% capacity in 1983. Some firms had to be closed completely.<sup>69</sup>

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<sup>68</sup> Fantu Cheru, *The Silent Revolution in Africa: Debt, Development and Democracy* (London: Zed Books, 1992), p. 126.

<sup>69</sup> *Ibid.*, p. 129.

Even with the implementation of the World Bank's and IMF's structural adjustment policies and the government's own economic recovery program—the Interim National Development Plan (INDP)—the economy continued to decline sharply in the 1980s:<sup>70</sup>

GNP per capita fell from \$560 in 1980 to \$250 in 1987. Income dwindled due to a reduction in employment. Formal sector employment, which represents around 15 percent of the total labour force, had declined significantly by 1986 largely due to retrenchment in the public enterprises and civil service. The real incomes of the workers were eroded by the rapid increase in prices after January 1983. Real incomes of low and middle income earners declined by an average of 55 percent between 1980 and 1988.<sup>71</sup>

As the 1980s ended, the Kaunda regime was faced with a growing legitimacy crisis due to its failure to address the economic crisis. During this period Zambians— comprising both bourgeois and non-bourgeois social forces—also increasingly questioned the authoritarianism which, over the years, had come to include a continuation of the colonial policy of a state of emergency<sup>72</sup>, detention without trial, exile, and in some cases, the death of opponents of the one-party regime.<sup>73</sup> Popular protest intensified after a failed coup attempt in June 1990 led by Lt. Mwamba Luchembe of the Zambia Corps of Signals.<sup>74</sup> While the coup was unsuccessful, the widespread celebration that marked it

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<sup>70</sup> After several years of implementing the IMF's and World Bank's structuring adjustment policies, the Zambian government ended its relationship with these two institutions in May 1987 and introduced its own economic recovery—the Interim National Development Plan (INDP). The IMF and the World Bank responded to this by suspending their financial payments to Zambia. According to Neo. R. Simutanyi, the government's policy move was mainly due to "the widespread riots which took place in December, 1986 and growing domestic opposition to the programme [structural adjustment policies] from within the bureaucracy. The food riots threatened the political survival of Kenneth Kaunda and his government" (Neo R. Simutanyi, "Organised Labour, Economic Crisis and Structural Adjustment in Africa: The Case of Zambia," in Owen Sichone and Bornwell Chikulo, eds., *Democracy in Zambia: Challenges for The Third Republic* [Harare: SAPES Books, 1996], p. 158). Given the country's structural dependency on the transnational lending community for financial 'aid,' its boycott of the IMF and World Bank austerity measures could not be sustained. Thus by 1989 Zambia was back into the IMF/World Bank financial orbit.

<sup>71</sup> Simutanyi, op. cit., p. 157.

<sup>72</sup> UNIP declared Zambia a one-party state on 13 December 1972.

<sup>73</sup> Julius O. Ihonvbere, *Economic Crisis, Civil Society, and Democratization: The Case of Zambia* (Trenton and Asmara: African World Press, 1996), p. 55

<sup>74</sup> Bornwell C. Chikulo & Owen B. Sichone, "Introduction: Creation of the Third Republic," in Sichone and Chikulo, op. cit., p. 1.

demonstrated the depth of the Kaunda regime's unpopularity and paved the way for opposition forces to organise and agitate for the dismantling of the one-party regime.<sup>75</sup>

The pro-democracy movement gained momentum in July 1990 with the formation of the Movement for Multi-Party Democracy (MMD), an opposition movement which received support from churches, students, and mine workers in its call for the transition to multi-party democracy.<sup>76</sup> The UNIP regime responded to the MMD by strongly opposing its demand for the demise of the one-party system and claiming that the MMD and other pro-reform elements were nothing more than stooges of foreign interests aimed solely at destabilising the country's progress and stability.<sup>77</sup> The state, however, while continuing to attack the pro-democracy movement, recognised the growing popularity of the MMD and established a transition framework aimed at setting the parameters within which the transition to multi-party democracy was to occur. In September 1990, for instance, Kaunda's regime agreed to the MMD's demand to call off a referendum on the question of the establishment of a multiparty system and move ahead with constitutional reforms to clear the way for the holding of multiparty elections. In accepting this demand, the regime hoped to appease both its local and international critics. This was followed in October 1990 by a bill, which became law in December of the same year, allowing the existence of multiparty politics in the country.<sup>78</sup> The framework for the transition process was provided by a state-controlled Constitutional Commission, whose mandate was "to inquire, determine and recommend a system of political pluralism that would ensure the separation of the powers of the legislature, the executive and the judiciary so as to

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<sup>75</sup> Ibid.

<sup>76</sup> Emeka Nwokedi, *Politics of Democratization: Changing Authoritarian Regimes in sub-Saharan Africa* (Hamburg: LIT, 1995), p. 119

<sup>77</sup> Ibid.

<sup>78</sup> Ibid.

enhance the role of these organs and to look into the composition and functions of the various organs of the state and recommend their modality of operation."<sup>79</sup>

During the transition period, 1990-1991, although a number of new parties were formed, the MMD emerged as the dominant opposition party. Its leaders were Arthur Wina, an ex-finance minister in Kaunda's government, and Frederick Chiluba, the Chairman of the Zambian Congress of Trade Unions (ZCTU), the main trade union in the country. According to Munyonzwe Hamalengwa, while the labour movement was a key player in the MMD, the core leadership of the movement was dominated by an "impressive collection of individuals who had at one time or another served UNIP very well."<sup>80</sup> In its campaign the MMD—with its slogan "The Hour has Come," epitomising the mood of the time—presented itself as the party that would end UNIP dominance of Zambia's political and economic landscape.

In its campaign *Manifesto*, the MMD declared its commitment to economic and political reforms, outlining its economic blueprint as follows:

MMD believes that economic prosperity for all can best be created by free men and women through free enterprise; by economic and social justice involving all the productive resources—human, material and financial—and by liberalising industry, trade and commerce, with the government only creating an enabling environment whereby economic growth must follow as it has done in all the world's successful countries....The MMD is committed to creating an enabling environment for economic development in Zambia by implementing a balanced structural adjustment programme specifically suited to Zambian conditions. In order to bring about a suitable climate in which both the private sector and public sector will flourish, the MMD will formulate and implement suitable monetary and fiscal policies; create a positive system of administering

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<sup>79</sup> Melvin L.M. Mbao, "The Third Republic and its 1991 Constitution," in Owen Sichone and Bornwell C. Chikulo, op. cit., p. 9. The MMD was opposed to the constitutional changes proposed by the Constitutional Commission since, according to Frederick Chiluba, "the proposals . . . gave the presidency too much power to act outside the law and to forget the mandate of the people" (quoted in Nwokedi, op. cit., p. 120). In the end the MMD reached a compromise with the UNIP regime on constitutional amendments that paved the way for holding multiparty elections.

<sup>80</sup> Munyonzwe Hamalengwa, *Class Struggles in Zambia 1889-1989 & The Fall of Kenneth Kaunda 1990-1991* (Lanham: University Press of America, 1992), p. 149.



investment incentive schemes; abolish monopolies and provide a free market system; ensure free collective bargaining; institute market-determined allocation policies; stimulate positive growth-oriented international trade policies; mobilize domestic savings and develop a capital market; and rationalize government regulatory measures.<sup>81</sup>

In the context of decades of UNIP's deepening autocratic tendencies, the MMD stressed its commitment to democratic rights. In this respect its *Manifesto* stated that a MMD-led regime would be "determined and committed to ensuring that basic and universally recognized human rights are enshrined in the Constitution—the right to life; privacy of property; freedom under the law; the right of movement in and out of the country; freedom of conscience and freedoms of expression, association and worship."<sup>82</sup> It further stated that an MMD regime would uphold a democracy "based on a multiparty system with effective checks and balances."<sup>83</sup>

For its part, the UNIP emphasised the importance of safeguarding the peace and stability the country had supposedly enjoyed under Kaunda's leadership. Accordingly its campaign posters stated:

UNIP The Voice of Reason and Love speaks. UNIP IS FOR PEACEFUL CHANGE. For continued peace and stability in the country, UNIP has accepted peaceful change to plural politics. This is to say clean politics: No politics of hatred; No intimidation; No false promises; No insults; No lies."<sup>84</sup>

With respect to its future economic policies, the UNIP *Manifesto* declared commitment to economic reforms, promising that, if elected, the UNIP regime would endeavour "to control the galloping inflation; create more jobs; ensure provisions of food at realistic prices; and [institute] greater liberalisation and reform of both the party and the

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<sup>81</sup> MMD's *Manifesto*, quoted in Ihonvbere, op. cit., pp. 109-111.

<sup>82</sup> Ibid., p. 109.

<sup>83</sup> Ibid., p. 110.

<sup>84</sup> *Times of Zambia*, 1991c, quoted in Bornwell C.Chikulo, "Presidential and Parliamentary Elections in the Third Republic: 1991-1994," in Owen Sichone and Bornwell Chikulo op. cit., p. 27.

economy, so as to stimulate a new dynamism in the on-going efforts to uplift the standard of living of the people."<sup>85</sup>

With UNIP's acceptance of the change to a multiparty political system, Zambia's leading political parties did not differ significantly in their promises. The main difference was that the UNIP represented Kaunda's regime, which was perceived as having led the country into a political and economic quagmire, while the MMD represented forces of change pregnant with hopes of economic and political renewal. As a local newspaper stated on 30 October 1991: "The MMD concentrated all its fire on Dr. Kaunda to such an extent that an impression has been created among ordinary people that Dr. Kaunda is the only problem; remove him and you have removed your problem."<sup>86</sup>

The demands for political and economic reform coincided with the entrenchment of the transnational lending community's (previously discussed) 1980-2000 development discourse. The community aided the transition process in Zambia in several ways. For example, in June 1991, Denmark, Finland, Norway and Sweden declared their willingness to facilitate the establishment of multiparty democracy in that country.<sup>87</sup> In August 1991 the Canadian government awarded \$50 million to the Independent Zambian Poll Monitoring Team, while the earlier discussed NDIIA assisted in training volunteers involved in the transition process. Other members of the transnational

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<sup>85</sup> UNIP's *Manifesto*, quoted in *ibid.*

<sup>86</sup> Chikulo, *op. cit.*, p. 29.

<sup>87</sup> Ihonvbere, *op. cit.*, p. 130.

lending community—the United Kingdom and the USA—also contributed to the transition process.<sup>88</sup>

The long-awaited multiparty elections were held on 31 October 1991. Massive support for the pro-reform forces was evident in the overwhelming majority that the MMD party achieved in the elections: the MMD and UNIP won 83.4 and 16.6 per cent of the votes respectively, with the MMD winning 125 parliamentary seats against the former ruling UNIP's 25 seats.<sup>89</sup> Following his victory in the MMD leadership nomination, Frederick Chiluba won the presidential race, receiving 75.5 per cent of the votes cast, against Kenneth Kaunda's 24 per cent.<sup>90</sup>

Like the people in most other sub-Saharan African countries that saw the demise of one-party states and military dictatorships in the 1990s, Zambians, especially those at the margins of social and political power, hoped, and indeed were promised by the emerging leaders of the opposition and the transnational lending community, that the establishment of multiparty democracy would usher in a new era marked by economic and political progress. However, within a short period after the inauguration of Chilumba's regime Zambians became increasingly disappointed with the inability of the so-called democratic government to institute significant changes in the local structures of economic and political power. In the economic arena, for instance, the Chilumba regime continued with the mandated structural adjustment policies of the IMF and World Bank. This, along with the regime's economic mismanagement, saw "the deterioration of the economic conditions....which.....pushed about 85 percent of the Zambian population to

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<sup>88</sup> For a detailed commentary on the transnational lending community's role in Zambia's transition process see, *ibid.*, pp. 129-140.

<sup>89</sup> Chikulo, *op. cit.*, p. 30.

<sup>90</sup> *Ibid*

live below the poverty datum line.”<sup>91</sup> The MMD’s adherence to the structural adjustment policies in the wake of its defeat of the UNIP is not surprising given its commitment to the free market ideology, its strong involvement with the labour movement notwithstanding. As Julius Ihonvbere has argued, “Contrary to some claims as to the ideological disposition of Zambia’s labor movement and of Frederic Chiluba, which both are seen as leftist in persuasion, the reality is that, just like the ZCTU, Chiluba is a conservative liberal or, at most, a social democrat who believes very firmly in the procedural elements of liberal democracy and of the so-called free market.”<sup>92</sup>

Not only did the economic crisis continue, but also the class base of the state remained unchanged during the transition process. According to Bornwell C. Chikulo, the leading lights of Chiluba’s regime were mainly drawn from the postcolonial dominant class, which was comprised of “businessmen . . . [and] professional elements such as lawyers, lecturers and teachers.”<sup>93</sup> Chikulo further argues that cabinet positions were mainly dominated by “businessmen, most of them beneficiaries of the Zambianisation policies of Kaunda’s economic reforms. Thus, business interests have been able to dominate the Zambian government polity as well as the policy arena.” Further, with President Chiluba’s ethnic group, the Bemba, dominating the upper echelons, the new regime had clearly failed to maintain a proper balance in “tribal” and “regional” political representation.<sup>94</sup> In addition, there was more continuity than change in the nature of presidential power in the era of ‘democracy’. Jan Kees van Donge described the new regime in the following manner:

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<sup>91</sup> *The Weekly Post*, 1993a and *The Post*, 1994, quoted in *ibid.*, p. 35.

<sup>92</sup> Ihonvbere, *op. cit.*, p. 115.

<sup>93</sup> *Ibid.*, p. 32. For detailed data on the class bases of the state in the era of ‘democracy’ see Table 3.4, *ibid.*, p.46.

<sup>94</sup> *Ibid.*, pp. 32-33.

Chiluba maintained the presidential system, despite the fact that MMD had campaigned for a return to parliamentary government on the Westminster model. The constitution which brought MMD to power was a presidential one which had been only marginally amended. Chiluba had previously called it 'a recipe for dictatorship'. . . . Chiluba appoints and dismisses, at will, heads of parastatals and surrounds himself more and more with special advisers. The Army's budget is still the prerogative of the President and Minister of Defence. He has maintained the security apparatus of Kaunda and even resorted to declaring a state of emergency for some time, an act which he considered an inexcusable arrogation of power by Kaunda when the situation was reversed.<sup>95</sup>

### *Kenya*

After over twenty-years of Moi's one-party rule, Kenya too embarked on a struggle for democratic reform in the early 1990s. While this period saw an upsurge in popular protests demanding economic, political and democratic reforms, Kenya's democratic struggle—like others in neo-colonial Africa—dates back to the immediate postcolonial period represented in its earlier phase by the radical aspirations of leaders such as Oginga Odinga, Bildad Kaggia, and Pio Pinto. While Kenyatta's regime managed, to a large extent, to contain democratic forces, the *Nyayo*<sup>96</sup> state could not withstand the political developments that were occurring elsewhere in sub-Saharan Africa.

While Kenya was considered an 'economic miracle' in the 1960s and early 1970s, the period of Moi's rule was characterised by economic and political crisis which brought into focus the contradictions created by the evolution of the country's political economy. Like Malawi, Kenya experienced steady economic growth in the first decade or so of independence, with an estimated annual average growth rate of 7.5 per cent.<sup>97</sup> By the late 1970s, however, the weakness of the country's economic structure, heavily dependent on primary commodity production for the international market, and the onset

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<sup>95</sup> Jan Kees van Donge, "Kaunda and Chiluba: Enduring Patterns of Political Culture," in John A. Wiseman, *Democracy and Political Change in Sub-Saharan Africa* (London: Routledge, 1995), p. 209.

<sup>96</sup> The phrase, "*Nyayo*" means footsteps in Swahili and was popularised by President Moi when he proclaimed that his regime would follow in Kenyatta's footsteps.

<sup>97</sup> Cheru, *op. cit.*, p. 74.

of a global recession led to serious economic problems. In 1979, for example, the annual growth rate of GDP dropped to 4.2 per cent and by 1980 had slowed to 2.4 per cent (implying a falling GDP per capita).<sup>98</sup> Between 1978 and 1980 the country's balance of payments deteriorated significantly, resulting in a current account deficit [sic?] of approximately \$900 million.<sup>99</sup> Aside from these structural realities, the political realignment instituted by Moi's regime from 1979 onwards, in its attempt to marginalise the Kikuyu element of Kenya's bourgeoisie, and the 1982 attempted coup, contributed to the crisis by generating a climate of economic uncertainty.

With the economy showing no sign of improvement, the Kenyan state turned to the transnational lending community for financial support. As the core financial institutions of that community, the World Bank and the IMF played a key role, signing seven credit agreements with Kenya between 1978 and 1989. As in Malawi and Zambia, the implementation of neo-liberal reforms in Kenya did not deliver the economic miracle promised by the advocates of austerity measures, and the country's economic fortunes continued to decline. In 1982, for instance, instead of increasing as anticipated, exports actually declined by 38 per cent, and the budget deficit rose 50 percent more than expected.<sup>100</sup>

By the end of the 1980s the persistent economic problems, which increased the country's already deep class inequalities, had sharply exacerbated the political crisis. After two decades of autocratic politics, the *Nyayo* regime -- whose hallmarks (like

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<sup>98</sup> Ibid., p. 76.

<sup>99</sup> Ibid.

<sup>100</sup> Ibid., p. 94.

Banda's in Malawi) were mysterious car accidents, detention without trial, political killings (such as that of Robert Ouko, Kenya's Foreign Minister, in 1990), and daily harassment of those considered to be 'enemies of the state' by the regime's extensive security apparatus – finally faced a serious challenge from a pro-democracy movement which arose between 1990 and 1991. In class terms, the rapid rise of this movement, especially in the urban areas where it had tremendous support, was fuelled by the frustrations of the marginalised elements of the propertied class and the declining living standards of the urban middle class. As Holmquist et al have succinctly argued, "Unlike the political agenda of many of the poor, middle class aspirations did not necessarily conflict with propertied interests, and therefore their demands could be cast in universal terms (e.g. meritocracy, competence, efficiency, fairness, education, honest government, and so on), appealing strongly to international constituencies."<sup>101</sup>

As in other countries the regime responded to the rise of the pro-democracy movement with brutality but at the same time established mechanisms that would guarantee its control of the transition process. For example, the regime utilised its control of the judiciary to intimidate and harass individuals, detaining pro-democracy activists without trial and denying them licences to hold meetings under the Public Order Act.<sup>102</sup> In addition, on July 7 1990 the regime's security forces (in what came to be known as the 'Saba Saba' massacre) killed an estimated twenty-eight pro-democracy activists as they demonstrated against the regime for refusing to allow the holding of an opposition-led political rally and called for the release from detention of leading members of the pro-

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<sup>101</sup> Frank W. Holquist, Frederic S. Weaver, and Michael D. Ford, "The Structural Development of Kenya's Political Economy", in *African Studies Review*, vol. 37, no.1, April, 1994, p. 34.

<sup>102</sup> Githu Muigai, "Kenya's Opposition and the Crisis of Governance," in *Issue: A Journal of Opinion*, vol. XXI, nos. 1 & 2, 1993, p. 27. Kenneth Matiba, Charles Rubia, and Raila Odinga were arrested in 1990 and placed in detention without trial for one year (Michael Chege, "The Return of Multiparty Politics," in Joel

democracy movement.<sup>103</sup> But the reform movement expanded and reconstituted itself as a broad-based organization called the Forum for the Restoration of Democracy (FORD), which cut across ethnic and class lines and whose central aim was the removal of Moi's regime.<sup>104</sup> For the various social forces comprising this movement, "Moi and KANU had become synonymous with authoritarianism and their removal had become necessary if the task of resuscitating a project of democratisation in Kenya was to be realised."<sup>105</sup>

While the pressure for democratic change continued to rise, Moi's regime showed no inclination to implement the reforms demanded by local pro-democracy social forces. In late 1991, however, the Consultative Group (CG) for Kenya, representing the leading members of the transnational lending community, after meeting with representatives of the Kenyan government, announced the suspension of financial aid for six months until the government improved its political and economic record.<sup>106</sup> Shortly after this development, the KANU regime ended the ban on opposition parties and declared that multiparty elections would be held in December 1992.

As in Malawi and Zambia, several opposition parties emerged in Kenya. Leading among these were the Forum for the Restoration of Democracy (FORD); the Democratic Party (DP) led by a former finance minister and a prominent member of Kenya's bourgeoisie, Mwai Kibaki; and the ruling KANU party. In the period leading up to the general elections, the first pro-democracy movement, FORD, was fractured into two

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D. Barkan, ed., *Beyond Capitalism vs. Socialism in Kenya & Tanzania* [Boulder: Lynne Rienner, 1994], p. 52.

<sup>103</sup> Michael Chege, *op. cit.*

<sup>104</sup> Karuti Kanyinga, "Contestation over Political Space: The State and Demobilisation of Opposition Politics in Kenya," in Adebayo O. Olukoshi, ed., *The Politics of Opposition in Contemporary Africa* (Uppsala: Nordiska Afrikainstitutet, 1998), p. 57.

<sup>105</sup> *Ibid.*

<sup>106</sup> Norman Miller and Rodger Yeager, *Kenya: The Quest for Prosperity* (Boulder: Westview Press, 1994), p. 108.



camps: FORD-Kenya, whose leadership included Oginga Odinga and Martin Shikuku, among others; and FORD-Asiri (Kiswahi for "original") led by another leading businessman, Kenneth Matiba.<sup>107</sup> While the opposition continued to disintegrate, the incumbent regime embarked on a 'divide and conquer' tactic which resulted in serious ethnic clashes in the Rift Valley and the Kilifi District in the Coastal province. In both locations the Moi regime generated animosity among the different ethnic communities who had lived there for several decades by encouraging the so-called indigenous communities to be wary of "foreigners". In Kilifi district, 'foreigners' consisted of the so-called "up-country people" mainly members of the Kikuyu community who had bought land in the area during the Kenyatta era through land settlement schemes.<sup>108</sup> In the Rift Valley, Moi's political stronghold, 'foreigners' consisted of members of the various non-Kalenjin communities who, as M. Chege recounts, were systematically attacked in the period preceding the multiparty elections:

The earliest victims were Luo farmers neighbouring or just within Nandi District. In the second half of 1992, Kikuyu farmers in the Rift Valley's Olenguruone area, scene of anticolonial resistance in the late 1940s, suffered the worst fate. Groups of "Kalenjin warriors" descended on their homes, burning, killing, and looting. In seemingly orchestrated attacks, Luhya farmers in Trans-Nzoia District were evicted from their lands by force. Kikuyus were attacked again in December 1992 prior to the elections, this time in the Burnt Forest south of Eldoret.<sup>109</sup>

With the opposition divided, Moi's success in exacerbating ethnic differences—a process whose foundations were laid during the colonial regime and consolidated under Kenyatta's rule—enabled KANU to easily win the 1992 multiparty elections. The failure of the opposition to form a unified front was fatal, as Julius Nyang'oro notes: "Simple

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<sup>107</sup> For a detailed analysis of factors leading to the factionalism of the opposition parties and its impact on Kenya's democratisation process see, Kanyinga, *op. cit.*, pp. 55-79

<sup>108</sup> Kanyinga, *op. cit.*, pp. 55-79.

<sup>109</sup> Chege, *op. cit.*, p. 69.

arithmetic tells us that the total number of votes for President Moi was 1,962,866, while the combined opposition received 3,437,458.”<sup>110</sup>

For those whose hopes for fundamental reforms had risen with the growth of the pro-democracy movement, this was a major blow. In the new era of ‘democracy’ Moi showed a complete lack of interest – which was not surprising, given KANU's history – in the implementation of fundamental changes – helped by the transnational lending community's acceptance of a purely procedural concept of democracy, interpreted in the narrowest possible terms. In the wake of its 1992 return to power, for instance, the KANU-led regime completely ignored the opposition parties in the National Assembly, even though the latter held 88 of the 188 elected parliamentary seats.<sup>111</sup> In the economic sphere the country continued to decline as the ongoing neo-liberal economic reforms failed to address the structural weakness of the country's economic base. In addition, the class forces closely tied to the state, which were mainly comprised of Kenyan Asian capitalists and the state-backed Kalenjin bourgeoisie, were not willing to institute fundamental changes to the country's political and economic arrangements for fear of compromising their own class interests.<sup>112</sup> Thus, as in Malawi and Zambia, democratisation in Kenya also resulted in a situation where the regime persisted substantially unchanged, in terms of economic and social programmes, and in Kenya no significant change in the degree of authoritarianism either.

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<sup>110</sup> Julius E. Nyang'oro, “Civil Society, Democratization, and State Building in Kenya and Tanzania,” in Kidane Mengisteab and Cyril Daddieh, *State Building and Democratization in Africa: Faith, Hope, and Realities* (Westport: Praeger, 1999), p. 196.

<sup>111</sup> Joel D. Barkan & Njuguna Ng'ethe, “Kenya Tries Again,” in Larry Diamond and Marc F. Plattner, *Democratization in Africa* (Baltimore: The Johns Hopkins University Press, 1999), pp. 185-186

<sup>112</sup> See Kanyinga, *op. cit.*, for a discussion of the incorporation of the Kenyan Asian capitalists to the Kenya's state apparatus under Moi's regime and the rise of the Kalenjin bourgeoisie.

To conclude this section, although the preceding discussion provides only a limited comparative study of the 1990s democratisation processes, one can nevertheless make some general comments regarding them. First, the study indicates that local conditions shape the role of the transnational lending community's role in the transition processes. The Malawian case study clearly demonstrates the extensive role played by this community due to the country's high 'aid dependency'; detailed information is lacking on the other two countries, but the lending communities' role there, while clearly significant, does not appear to have been so decisive, or at least not so explicit. Second, the analysis shows that interpreted narrowly enough—as the transnational lending community and elites in the developing world have done—democratisation is compatible with no significant change in local economic and political power structures. Third, the level of authoritarianism that precedes democratisation does not seem to have any simple correlation with the degree of change that results from democratisation. In Kenya, for example, in the period following the 1982 attempted coup, Moi inaugurated a regime of repression that was not unlike Banda's autocratic regime in Malawi. But due to historical reasons such as the deep ethnic divisions between the Luo and the Kikuyu community, and the nature of Kenya's propertied class, Moi and his allies managed to remain in power when elections were finally held in 1992. Fourth, the domination of the pro-democracy movement, and the eventual acquisition of state power, by politicians linked to social forces that have historically been considered progressive, such as the

To return, finally, to the central argument of this chapter: the case for understanding democratisation in Malawi as a passive revolution seems strong. On the other hand, as with most Gramscian concepts the notion of passive revolution is dialectical. Thus even though passive revolution is a sort of revolution without revolution, it still signifies change in the political sphere. Malawi has indeed undergone a significant change, even if a

much less significant change than most people had wanted and been led to expect. The new political system showed a strong continuity with the past, but it was also different in the respects we have noted. Whether and how the differences will prove significant in the longer run remains to be seen. The political system might evolve towards a deeper, more authentic kind of democracy, or it might succumb to corruption, economic decline, and the collapse of representative government, as has happened in so many other African countries. This further analysis, however, is a topic for another research project.

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## **APPENDIX A: METHODOLOGY**

The research for this study consisted of two visits to Malawi: an initial five weeks visit in late 1996 and a fifteen-month one between 1997 and 1998. The first visit was aimed at familiarising myself with the country and investigating the possibility of carrying out extended fieldwork in political science in a country that had for a long time not welcomed scholars from this discipline. During this visit I consulted with several individuals working at the University of Malawi, Zomba campus although my primary contact was Dr. Wiseman Chirwa the head of the history department. I also did a preliminary library search through which I discovered that the core literature on the evolution of Malawi's political economy was held in a special section of the library called Malawi Collection, which I could not access without a research permit. This discovery was disappointing since I was eager to know what studies had been done on my potential research interest—the transition to democracy. Having this knowledge early, however, facilitated the later phase of my fieldwork.

Within the first two months of my return it became clear that the postcolonial state's control of access to information, and its thirty or so years of acute and brutal suppression of criticism and independent thought, had left a legacy that made it extremely difficult to carry out social research. Because my research question was seen as having political undertones most Malawians were reluctant to be interviewed. Further, on the institutional level I had to wait for about six months before receiving a state-endorsed permit authorising access to the section of the archives that holds an extensive collection of official and non-official documents. These constraints notwithstanding, I managed to collect data for the thesis using the sources outlined below.

Archives, secondary and primary documents, and interviews were the main sources of information during my second visit. Archival research was primarily carried out at the Malawi National Archives in Zomba. While the archives contained informative material relevant to the formation of the colonial state and the events marking the nationalist struggle, they were of limited use in researching the evolution of the postcolonial state since whatever documents were available either contained blanked out information or lacked at least several pages. According to an archivist working in the section that is open to the researcher (with a state-endorsed research permit), a few weeks before the holding of the multiparty elections the government ordered the closure of the archives and during this period many documents and records were destroyed.<sup>1</sup>

Primary and secondary documents were obtained from several institutions in Malawi. The University of Malawi library in Zomba, especially its Malawi Collection wing, contained various government reports, primary documents published by the World Bank and other international organisations, and the Malawi Hansard. The Malawi Collection also held an extensive accumulation of theses, books, monographs and a collection of the leading Malawi newspapers dating from the colonial period to the present. Further primary and secondary data were obtained from libraries and offices of the World Bank, the National Democratic Institute, the United National Development Programme, the United States Agency for International Development, the High Court, the Centre for Social Research, the Malawi Chamber of Commerce and Industry, the Privatisation Commission, and the Consumer Association of Malawi.

Interviews in the field were also used (see Appendix C for a list of interviews). In addition to structured individual interviews, data was collected through in-depth group

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<sup>1</sup> Personal communication.

discussions on Malawi's transition process in two townships populated by the urban poor in the country's commercial centre, Blantyre. Random individual interviews were also carried out in these townships. In these interviews, two Malawians working with organisations involved in civic education, democratisation and community development in general assisted the researcher. The individuals were well respected in these two communities, a factor that facilitated the group discussions.<sup>2</sup>

I also attended parliamentary deliberations, public workshops on issues relating to democracy, and public political rallies. I listened to conversations about Malawi politics in arenas such as the Blantyre Sports Club and social gatherings in private homes. A field diary was kept to record relevant social, political and cultural events, impressions, conversations, etc.

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<sup>2</sup> Given the long history of authoritarianism during which period the state controlled the means of communication and freedom of expression was non-existent, I found Malawians in general did not want to be interviewed.

**APPENDIX: B**

**Leading members of Malawi's emergent bourgeoisie and their party affiliation as of 1998**

Table I

Ltd Co. No.	Registration Date	Company Name	Subscribers and/or Directors	Comment
161	15-05-1960	Blantyre Printing & publishing Company (major publishing firm, and owns two leading newspapers, -Daily Times and Malawi News)	Dr. H. Kamuzu Banda, Mama C.T. Kadzamira	1 <sup>st</sup> President of Malawi and his long-time companion, who is John Tembo's sister.
1385	14-07-70	RIPCO Agencies Ltd (formerly ** Enterprises	<u>Elias Zakevo Kaphwiti Banda</u> Richard P. Chisola	UDF Executive
1498	31-10-72	Cotton Ginners Ltd	B. Stewart, T. Cahir, B. Carrick, R. Derbyshire, Richard Katengeze, <u>Zenasi Tembo</u>	MCP Vice President & Former Minister
1522	02-05-73	People's Trading Centre (Country-wide supermarket chain)	1. <u>H. Kamuzu Banda</u> , Richard Katengeze, 2. <u>Sydney Benson Somanje</u>	1. 1 <sup>st</sup> President of Malawi 2. MCP Minister (deceased)
1523	23-05-73	Dudu Transport Ltd	<u>J.Z.U. Tembo</u> , Ruth Tembo Abdul Sattar Sacrannie	MCP Minister
1529	30-06-73	Neno Estate	<u>Somanje (Sydney, Horace)</u> Escort Mlenga	MCP Minister (deceased)
1556	19-04-74	Kalungwisi Estates Ltd	<u>Hon. Albert Andrew Muwalo Ngumavo's (Sofina, Linney)</u>	MCP Minister (sentenced to death during Banda's rule)
1569	21-09-74	Mwalawoyera Estate	<u>Matenje (Dick, Liness, John)</u>	MCP Minister killed in the 1983 Mwanza accident
1574	10-09-74	Chimwemwe Estate	<u>Tembo (J.Z.U., Ruth) A. Sattar Scrannie</u>	MCP Minister
1592		Kamata Transport Ltd	<u>Banda (Aleke K., Mbumba)</u> Sara Salima	Former MCP Minister, UDF Minister and UDF Vice President
1609	12-03-75	Namphende Estate	Bisawi (Bester, Ruth, Granson)	MCP Executive
1744	06-04-77	Nkhawanawo Containers Ltd	<u>Munyenembe (Rodwell, Lilian, Pharo)</u>	Speaker of Parliament (AFORD)
1745	15-04-77	Enterprise Containers Ltd	<u>Banda Aleke, Gerald Raynor, Kenneth William</u>	UDF Minister
1752	31-05-77	Vogue Ltd	<u>Banda (Aleke, Mbumba) Dr Charles Kahumbe</u>	UDF Minister
1756	20-06-77	Mlinda Estates Ltd	<u>Bwanali (Edward, Kidney, Andrew, Lonnie, Golden)</u>	MCP Minister now UDF Minister
1759	04-07-77	Pyoramsenje Estates Ltd	<u>Munyenembe (Rodwell, Maynard, Wekson)</u>	MCP Minister now UDF Minister
1766	26-09-77	Express Fashions Ltd	<u>Aleke Banda, Sidney Somanje, Kautolal Desai</u>	MCP Minister now UDF Minister
1792	11-11-77	Cattle Feedlot Co. Ltd	<u>Aleke Banda, Wilhelm Kobelt, Generald Ravnor</u>	MCP Minister now UDF Minister

1796	14-11-77	Property Investments Ltd	1. <u>Richard Katengeza</u> , G. Richards, F. Parkin, <u>Aleke Banda</u> , 2. <u>Aron Gadama</u>	1. MCP Executive 2. MCP Minister now UDF Minister 3. MCP minister killed in Mwanza accident
1813	25-01-78	Agricultural Management & Consultancy Services Ltd	<u>Aleke Banda</u> , Abdul Hotoy, Raymond Demott	MCP Minister now UDF Minister

Table II

Company Number	Registration Date	Company Name	Subscribers and/or Directors	Comment
1830	20-04-78	Sanisani Estate Ltd	<u>Makhumula (James, Elsie, Arnet)</u>	UDF Ex-minister UDF Treasurer General
2152	18-09-80	Yamikani Estates Ltd	<u>Chaziya (L.C., Anne, Wiseman C.)</u>	UDF Minister
2203	29-05-81	Minyala Estates Ltd	<u>Ntaba (Henry, Hetherwick, Llyd, Davy)</u>	MCP Minister currently Central Executive MCP
2215	16-07-81	Yanu-Yanu Co.	<u>Makhumula (James, Elsie, Arnet, Pierson).</u>	UDF EX-MINISTER UDF Treasurer General
2223	14-08-81	Oriental Tobacco Development Project Ltd	<u>J.Z.U. Tembo et al</u>	MCP Minister currently Central Executive MCP
2230	01-09-81	Mtunthama Farming Ltd	H. Kamuzu Banda, Elena Kupingana Mwale, Zariya Chendawaka Mwale	Dr. H. Kamuzu's and his relatives
2231	01-09-81	Chikoko Trading Ltd	H. Kamuzu Banda, Elena Kupingana Mwale, Zariya Chendawaka Mwale	Dr. H. Kamuzu and his relatives
2232	01-09-81	Katsukamayani Properties Ltd	1. Elena Kupingana Mwale, Chendawaka 2. Zariya Mwale, <u>C.T. Kadzamira</u>	1. Dr. H. Kamuzu's relatives 2. Banda's longtime companion
2241	08-10-81	Kasungu Commercial Ltd	1. <u>A.E. Gadama, T.S.</u> 2. <u>Mangwazu, S.B.</u> Somanje	1. MCP Minister killed in Mwanza accident 2. MNDP president one time minister in UDF govt.
2267	27-01-82	A.G. Foods Ltd	<u>Elson B. Muluji</u> , Haroon Kassam, Surtee Abdul Gulam Osman	Current President of Malawi
2283	25-05-82	Kamchezeni Estate Ltd	<u>Mama C.T. Kadzamira</u> , Mary Kadzamira, Reena Sacranie	1. Dr. H. K. Banda's longtime companion
2284	25-05-82	Graphic Lintas Worldwide Ltd	<u>J.Z.U. Tembo</u> , W. James, M. Mtila, H. Sjogren, B. Crunden	MCP Minister, currently MCP Vice-President
2286	31-05-82	Guardian Equipment Ltd	<u>Hetherwick Ntaba</u> , Kumitsonyo, Kavindele, S. Kakhobwe, Eric Blackson	MCP Minister currently Central Executive MCP
2328	08-03-83	Dudu Estates Ltd	<u>J.Z.u. Tembo</u> , William Kadzamira et al.	MCP Minister, currently MCP Vice-President
2357	15-07-83	Dikani Manufacturing Co. Ltd (light manufacturing)	<u>Chaziya (Lynold Chakakala, Anne (Mrs), Dr Wiseman)</u>	UDF Minister
2361	22-07-83	Kahumbe Properties	<u>Kahumbe (Dr Charles, Mrs Florence, Mrs Annie)</u>	UDF Executive. Medical doctor
2461	26-11-84	Mamary Poultry Ltd	<u>Tembo (J.Z.U., Ruth, Chimwemwe)</u>	MCP Minister, currently MCP Vice-President
2462	27-11-84	Lakeland Commodities Ltd	<u>Ntaba (Hetherwick, George) Jakhura (Mahomed, Abdul)</u>	MCP Minister currently Central Executive MCP
2470	12-12-84	G&T Tour Travel Ltd	<u>George Afawawa Mkandawire</u> , Tom Kangulu, Phillip Tembanasi Banda	MCP Minister

Table III

Company Number	Registration Date	Company Name	Subscribers and/or Directors	Comment
2503	29-05-85	Mining investment & Development Corporation	John Ngwiri, James Chatupa, Justin Chimera Malewezi	Vice President of Malawi (UDF)
2507	19-06-85	Transmarine Forwarding Ltd	Wenham Nakanga, A. Chigama, R. Magombo, L. Chinyale, E. Mkhomani	UDF Minister (deceased)
2522	29-07-85	Atupele Transport Ltd	Elson Bakili Muluzi (Dick Muluzi), Shaibu Alli Itimu	Current President
2523	09-08-85	Samtanus Transport Ltd	Arthur Makhaira, P.PiH, D. Raval, g. Schnoor, E. Flemmer	UDF Executive, MP
2549	12-12-85	Olivetti (M/W) Ltd	J.Z Tembo, R.M. Wakyierd, Mama C.T. Kadzamira, L.T. Phiri, Mrs S. Kolea	MCP Minister, currently MCP Vice-President
2594	14-07-86	MTS Ltd	Reid W. Katenga Kaunda George Kalowo, Arthur Makhaira	MCP executive
2612	06-10-86	Kachulu Estate Ltd	Mama C.T. Kadzamira, J.Z.U. Tembo, William Raynod Chigona Kadzamira	1. Banda's longtime companion, and her uncle, 2), MCP Minister, currently MCP Vice-President
2614		Trust Industries Ltd	Patric Mbewe, (Alice), Kingsley D. Nyadani	UDF Minister (expansive investments in Malawi)
2617		Linthipe Estate Ltd	John Katengeza, Edith Msonthi, Hetherwick Ntaba	MCP Executives
2618	20-10-86	Kanthunzi Property investment Ltd	1. Esnat Kazombo, 2. Mama C.T. Kadzamira, Reena Sacranie	1. Kamuzu's nephew 2. Banda's longtime companion
2644	24-05-87	Business Development (Africa) Ltd	J.R. Mc Grath, Hetherwick Ntaba, George Ntaba	MCP Minister currently Central Executive MCP
2647	30-03-87	Sam-Jo Enterprises	Chibambo (Samuel, Ziliro, Josepine)	UDF ex-minister of health
2771	Sept. 1988	Katundu Haulage Ltd	Ramesh Rolf Patel, Rosita Patel (Mrs), D.B.Mawindo, Khan R.	Ex-UDF minister, now president of people's Democratic Party, PDP
3169	20-02-92	Maoni Carriers Ltd	Kunje (Frank, Francis, Daina)	UDF, Deputy Finance Minister
3170	27-02-92	Yanu-Yanu Diesel & Electrical Services Ltd	James Leonard Makhumula & family	UDF Ex-minister, UDF Treasurer General
3272	29-07-92	Dziwe Estates Ltd	Ntaba (Hetherwick, Maxwell, Rashel), Damalicy Mathengera (Mrs)	MCP Minister currently Central Executive MCP
3274	05-08-92	Matenje Estate Ltd	Malewezi (Justin, John)	Vice President of Malawi (UDF)
3424	04-03-93	Modern Commercial Law Centre Ltd	Chilumpha (Sameer, Maynan Cassim)	UDF Minister (Justice)
3481	09-06-93	Homecraft Boutique Ltd	Mama C.T. Kadzamira, Mrs Chrissy Linda Matupa, Mrs Muttu Clark	Dr. H. Kamuzu Banda's longtime companion



Table IV

Company Number	Registration Date	Company Name	Subscribers and/or Directors	Comment
3509	13-07-93	Midas Publications Ltd	1. <u>Kalonga Stambuli</u> , 2. Brown Mpinganjira, Lucious Chikani	1. Ex UDF executive (now formed own party) 2. UDF Minister
3512	29-07-93	K&M Industries (owns and publishes The National, a leading newspaper)	<u>Aleke B. Banda</u> , Mbumba Achuten	Minister in the MCP government now UDF Minister
3515	25-10-93	Park International Trading & Agencies Ltd	<u>Kazembe</u> (Peter, <u>Eunice</u> , Richard)	Ex- ADMARC GM (UDF)
3541	30-08-93	Evelyn Investment Co. Ltd	<u>Lovemore Munlo</u> (Evelyn M., Fayeson M.)	MCP Minister, Legal advisor
3546	08-09-93	Mulanje Bakery Ltd	<u>Makuta Friday</u> , Alliness, Sekani)	UDF MP, formerly MCP Minister
3596	25-11-93	News Today Ltd	<u>Reid Willie Katengeza</u> – <u>Kaunda</u> , Isaac Kawoko, L.P. Chimwaza	MCP Executive
3600	30-11-93	Impact Advertising	<u>P. Kalonga Stambuli</u> , Melvin Sibote, S. Kaiyatsa, Richard Mwale	Ex UDF executive (now formed own party)
3612	14-12-93	Human Resource & Industry Associates	<u>Justin C. Malewezi</u> , Dr Michael Mbvundula	Vice President Malawi (UDF)
3732	27-05-94	Manica Forex Bureau Ltd	<u>Florian Peter Kalilombe</u> , I.M. Makone, L. Fisher, Robert Mdeza	Ex-UDF minister, now GM (ADMARC)
3740	15-06-94	Linga Footwear Ltd	<u>Chakakala Chaziva</u> (Patricia, Lynod), Mrs Lucy Pinden	UDF Minister
3741	16-06-94	Machipisa & Sons Ltd	<u>Munthali</u> (Machipisa, Chome, Ben, Martin)	Member of AFORD
3749	28-01-94	Trade & Development Bank Ltd	<u>Mbewe</u> (Patrick, Mike), Phiri (H.M., Charles)	UDF Minister (expansive investments in Malawi)
3916	01-12-94	Mtemadanga Distributors Ltd	<u>The Khembos</u> ( <u>Clement</u> , Mary, Mwanasha, Betty)	Ex-UDF regional governor (S)
3918	02-12-94	Stockholder M/W Ltd	<u>F. Perekamoyo</u> , Dyress Mawindo, Chordwic Mphande	Former Central Bank governor (MCP die hard)
4182	26-09-95	J.A. Timbers International Ltd	<u>Katenga-Kaunda</u> ( <u>Reid</u> , Seraphine), Chiphalwali Alexander	MCP Executive
4195	12-10-95	Chimango Grading Company Ltd	<u>Louis Chimango</u> , Jave Chimango, Kasiya Chimango	MCP Minister, Executive
4200	16-10-95	Kasitu Transport Company Ltd	<u>Katenga-Kaunda</u> ( <u>Reid Willie</u> , Amos, Seraphine Jessie), Chiphalwali Alexander	MCP Executive
4207	25-10-95	Jenjewe Investment Company Ltd	<u>Dr Mapopa Chipeta</u> et al	AFORD founder now in UDF cabinet
4216	01-11-97	Chamwavi Estates Ltd	<u>Dr. H. Kamuzu Banda</u> , Edwin Banda, Modesai Mshisha	Dr. H. Kamuzu Banda

Table V

Company Number	Registration Date	Company Name	Subscribers and/or Directors	Comment
4253	14-12-95	Development and Investment Corporation	1. <u>Dr vella Chirwa, Dr</u> 2. <u>Matembo Mzunda, V. Nvimbo, Sr Saka, Dr Buliani &amp; Mrs</u>	1. Ex-MCP political prisoner (lost husband in prison) 2. Cabinet minister from Aford in UDF Govt.
4256		Procurement Corporation	<u>Mary Nvandovi-Kerr, Jai Banda</u>	Women's activist Founder of the Women's World Banking (UDF member)
4341	20-03-96	**** Garments Manufacturing (EPZ) Ltd	<u>P. Kalonga Stambuli, M. Sidhu, M-A. Singh</u>	Ex UDF executive (now formed own party)
4391		Democrat Publication Ltd	1. <u>Frank Mavinga Mkandawire, Charles Simango, I. Mervin Moyo</u>	1. Cabinet ministers from Aford in UDF Govt.
4521	06-08-93	UDF News	<u>B. Muluzi, H. Thomson, Aleke Banda, Edward Bwanali</u>	Current President and the rest are all Ministers in his government
4685	26-03-97	Atupele Group of Companies Ltd	<u>Muluzi (Bakili, Anne, Atupele, Friday)</u>	Current President and his family
4686	26-03-97	Atupele Properties Ltd	<u>Muluzi (Bakili, Anne, Atupele)</u>	Current President and his family
4696	25-04-97	Dika Fashions Ltd	<u>L. Chakakala Chaziya, (Dr Wiseman Chakakala Chaziya, Ivy Chakakala Chaziya)</u>	UDF Minister
4697	29-04-97	Wina & Sons Ltd	<u>Chakwambas (Wina, Noel, Gada, Mwai)</u>	Family of MCP President (current)
4715	08-05-97	Wafa Imports & Exports Ltd	<u>Bapu Wali &amp; Mrs, Hon. Fatchi, Peter Hapava &amp; Mrs</u>	UDF Minister
4717	08-05-97	Grinel Distributors Ltd	<u>Grace Jamila Itimu, Ilyals S. Itimu, Manna Itimu</u>	Family of EX-UDF Minister
4742	15-08-97	Mulangeni Holiday Resort Ltd	<u>The Lunguzi Family (Sera, Lucy, Ernestina)</u>	Former inspector of police – MCP (deceased)
4756	24-06-97	Chitsime Drilling Company Ltd	<u>Ann Muluzi, Prawod Patel, V. Patel, Harron Iorgat</u>	Wife of the current President
4764	09-07-97	Nguludi Traders	<u>Hon. Patrick Mbewe, (Mrs Dorcas Mbewe, Mike Mbewe)</u>	UDF Minister (expansive investments in Malawi)
4851	30-09-97	Hesto Investments	<u>Mr Stone Kawalewale, Mrs Kawalewale &amp; Children</u>	MCP die-hards

Source: Field data compiled from Registrar of Companies, Blantyre. Party affiliation compiled from various issues of the *Hansard* and local newspapers.

## **APPENDIX C: INTERVIEWS:**

### *Individual interviews:*

Mr. Noel Kulemeka  
Economist  
World Bank Office, Lilongwe, Malawi

Mr. J. Mbeye  
United Nations Development Programme, Lilongwe, Malawi

Mr. Owen Mwulubunju  
Executive Director  
Centre for Human Rights and Rehabilitation

Dr. Vera Chirwa  
Director,  
Centre for Rights and Education, Blantyre.

His Grace, Archbishop J Chiona,  
The Catholic Church of Malawi,  
Blantyre, Malawi

Professor Kenneth Rose  
University of Malawi, Chancellor College, Zomba

Professor Wiseman Chirwa  
University of Malawi, Chancellor College Zomba Malawi

Professor Kings Phiri,  
University of Malawi, Chancellor College, Zomba, Malawi

Mr. Modesai M. Msisha  
Lawyer, Blantyre Malawi

Mr. John Kapito  
Executive Director  
Consumer Association of Malawi

Mr. A. Munga  
National Democratic Institution of International Affairs  
Lilongwe

Mr. Kamlepo Kalua  
President  
Malawi Democratic Party

Mr. C. Chihana  
President  
AFORD

Justice J. D. Mwalungu  
High Court Judge

*Group and random interviews:*

Mbayani Township

Ndirande Township.