

**UNPACKING THE POLITICAL LEGITIMACY OF
PARLIAMENT IN AN EMERGING DEMOCRACY: THE
CASE OF MALAWI, 1994 TO 2011**

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Declaration

I do hereby declare that this thesis, titled ‘UNPACKING THE POLITICAL LEGITIMACY OF PARLIAMENT IN AN EMERGING DEMOCRACY: THE CASE OF MALAWI, 1994 TO 2011’, is my original research work. It has never been submitted by anyone for the award of other Degree or Diploma in any College or University. Furthermore, to the best of my knowledge, it contains no material previously published or written by another person except where due reference is made in the text of the thesis.

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Full Legal Name



Signature

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Date

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Dedication

To my daughter Micah-Patricia Jana, and my dad, the late Patrick Jana

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I am highly indebted to the following: my supervisor, Dr. Stephen Louw, for his diligent and patient supervision; Kingsley Chikaphupha for his invaluable assistance in fieldwork; Malawi Parliament staff members for facilitating my desk research at Malawi Parliament Library and interviews with selected Members of Parliament and Parliament staff members; Members of Malawi Parliament that I interviewed; Human Rights Consultative Council (HRCC) and Catholic Commission for Justice and Peace (CCJP) for facilitating staff interviews and desk research; and all research participants from the Malawi communities that I visited for providing valuable information that informed this thesis.

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Abstract

Political legitimacy manifests differently in different state institutions, and comprehending its dynamics is a prerequisite to understanding power, authority, capacity, consolidation, and sustainability of any political regime. Supported by evidence from a case study of the Malawian parliament from 1994 to 2011, my original contribution to knowledge is that political legitimacy of representative institutions in emerging democracies has three minimum dimensions, namely: public perception of the acceptability and fairness of formal procedures guiding a representative institution; public emotional attachment to the institution; and public perception of performance effectiveness of the institution. I label these dimensions as juridical; symbolic; and instrumental legitimacy respectively. I therefore posit that, deficiency in any or some of the three legitimacy dimensions has the potential to compel those represented, who may be self-confessed democrats, to demand institutional reforms that ironically may go against the very tenets of multi-party democracy. The Malawi parliament case shows that legitimacy deficiency of parliament seems to be facilitated by public dissatisfaction with their local socio-economic status, in the context of a dysfunctional local government, and coupled with the public perception of parliament as a responsible institution given its status in the perceived representation hierarchy that places it above the local government. This situation is aggravated given the fact that Malawi parliament, rightly so, is neither institutionally nor financially supported to directly address local development issues; and that, erroneously, the parliament is neither institutionally nor financially supported to effectively carry out its representation function despite representation carrying the status of a meta-function. The lack of political will for public consultations and lack of intra-party democracy in political parties represented in parliament has also tremendously eroded the influence of political parties hence further undermining the legitimacy of the whole multi-party regime. Using principles of external validity in case study research therefore, the Malawian case study provides analytical insights that can be extrapolated to understand political legitimacy of representative institutions in other emerging democracies that have similar context to that of Malawi.

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List of Acronyms and Abbreviations

ADMARC	Agricultural Development and Marketing Corporation
AforD	Alliance for Democracy
CCJP	Catholic Commission for Justice and Peace
CDF	Constituency Development Fund
DPP	Democratic Progressive Party
DRC	Democratic Republic of Congo
FGD	Focus Group Discussion
FPTP	First-past-the-post (electoral system)
HRCC	Human Rights Consultative Committee
IDI	In-depth interview
IMF	International Monetary Fund
LEGCO	Legislative Council
MCP	Malawi Congress Party
MP	Member of Parliament
MYP	Malawi Young Pioneers
NGO	Non-governmental organization
PR	Proportional Representation
SADC	Southern African Development Community
UDF	United Democratic Front
USA	United States of America
USSR	Union of Soviet Socialist Republics
WB	World Bank



Map 1: Africa showing the location of Malawi

Source: <http://www.pickatrail.com/jupiter/location/africa/malawi.html> (website visited on 7 December 2008)



Map 2: Malawi

Source: <http://www.indexmundi.com/malawi/location.html> (website visited 7 December 2008)

Chapter 1

1.0 INTRODUCTION

1.1 Introduction

The introduction of multi-party democracy in many parts of Africa in the early 1990s brought the promise of legitimate participatory governments and improvements in the socio-economic status of the people (Lumumba-Kasongo 2005). Close to two decades into democracy however, the legitimacy of democratic state institutions, particularly parliament, remains 'low and volatile' (Afrobarometer 2006b, p. 25; Dogan 2003, p. 122). What explains this paradox? What are the likely consequences? How can representative institutions, such as parliament, that are at the core of representative democracy, be legitimized? Is it necessary or does it matter?

Political legitimacy involves the capacity of the system to engender and maintain the belief that the existing political institutions are the most appropriate ones for the society and its development. A regime is therefore legitimate within a specific society if the citizens perceive its existence as justifiable and if the government is perceived to have the right to rule (Lipset 1960; Smith 2009). In this regard, understanding political legitimacy is a key to understanding state power, authority, capacity, consolidation, and sustainability. From this perspective, political legitimacy is therefore considered a core concept in Political Science (Smith 2009). More importantly, in contemporary politics, political legitimacy is one of the main prerequisites to building a sustainable democratic state (Leftwich 1997; Lipset 1960). This makes the question of political legitimacy a *sine qua non* in such emerging democracies as Malawi.

It is however recognised that political legitimacy, despite its centrality in the understanding and building of democratic state, is an elusive concept as it can mean different things to different people in different contexts (Sternberger 1968; Connolly 1984). This makes it imperative to use an operational and context specific model of

political legitimacy analysis to meaningfully understand and explain the dynamics of power, authority, capacity, and sustainability of any state institution including parliament.

In a democratic dispensation, parliament, as one of the key state institutions, enables citizens' representation, hence participation in the governance of the state and society. Yet, despite the pivotal role of parliament in representative democracies, studies show that, among state institutions, parliaments command 'less and volatile' trust from the people (Afrobarometer 2006b, p. 25; Dogan 2003, p. 122). Comprehending legitimacy dynamics of the parliament is therefore key to understanding and prescribing people-centred democratic state building and consolidation in a particular context.

In the context of general legitimacy crisis of states in Africa, and particularly less and volatile trust in parliament, this study aims at exploring the legitimacy of the Malawi parliament in a democratic set up, from 1994 to 2011. Underpinning this is a conception of legitimacy that avoids overly simplistic assessment of a system as being either legitimate or illegitimate. A system is unlikely ever to be wholly legitimate or illegitimate because legitimacy is not a black or white phenomenon; there are shades of grey, with correspondingly diverse implications on political and social development (Dogan 2003). The aim therefore is not simply to rehearse the debate as to whether parliament has or lacks legitimacy, but, rather, to unpack the concept of parliament legitimacy carefully, both in terms of its underlying factors and the implications for representative state institutions such as parliament in emerging democracies.

This thesis used evidence from the case of Malawi from 1994 to 2011 to offer explanations and highlight the implications for the observed levels of parliament legitimacy during the democratic era. This thesis, therefore, attempts to answer the following questions: why is the legitimacy level of Malawi parliament the way it is in a democratic era? What does this mean for representative institutions in emerging democracies? What constitutes parliament legitimacy from the point of view of the electorate? How do the electorate weight different components of parliament legitimacy? How do the functions and actions of members of parliament (MPs) align with people's expectations? What is the implication of this (mis)alignment? These questions become

critical when we consider that parliament is one of the key institutions in a representative democracy.

This thesis therefore, guided by an informed conceptual framework of political legitimacy¹, and supported by qualitative and quantitative evidence, assesses and explains the political legitimacy of Malawi democratic parliament from 1994 to 2011, and elucidates implications for legitimacy of representative institutions in emerging democracies that are similar to Malawian context.

The main thesis from this study is that there are three minimum dimensions of political legitimacy of representative institutions namely: public perception of the fairness and acceptability of formal procedures guiding the institution, which I label as *juridical legitimacy*; public feeling of emotional attachment to the institution, which I label as *symbolic legitimacy*; and public perception of the effectiveness of the performance of the institution in addressing their needs, which I call *instrumental legitimacy*. The thesis therefore posits that deficiency in any one or some of these legitimacy dimensions can compel people who are represented by the institution, who may be self-confessed democrats, to demand institutional reforms that may ironically go against the very tenets of multi-party democracy.

The Malawi parliament case shows that the legitimacy deficiency of parliament often occurs when people feel that parliament has failed to address their socio-economic problems especially at local level. This is despite the fact that local development is formally the responsibility of local government and that Malawi parliament is neither institutionally nor financially supported to address the local socio-economic needs of the people. This however is intelligible in the context of people's perception of parliament as holding a bigger responsibility than local government to address socio-economic needs of the people. They perceive parliament as an institution occupying a position above local government in the perceived representation hierarchy. This, therefore, explains the potential domino legitimacy crisis that can spread from dysfunctional local representative

¹ See operationalization model in figure 3 in chapter 2

institutions, such as local authorities, to parliament, and even up to the executive branch of government.

The parliament legitimacy deficit is further explained by the parliament's unresponsive representation. This happens in the context of the lack of institutional or financial support for the representation function of parliament despite representation carrying the status of a meta-function that manifests in all the other functions of parliament.

The situation is aggravated by the conduct of political parties that are supposed to act as collective representation agents in a multi-party democracy. The parties hardly consult the public in their representation role and they lack intra-party democracy. This undermines the legitimacy of the multi-party regime itself, as evidenced by the increase in the number of elected independent MPs in Malawi since 1999.

Drawing upon these insights from the Malawi parliament case, I attempt in the last chapter to show the implications for political legitimacy of representative institutions in emerging democracies. Further, through the principle of external validity as applied in case studies, I display possible analytical extrapolations of the Malawi parliament insights to other contexts that are similar to that of Malawi.

This introductory chapter, however, sets the context for the study, explains the research problem, objectives, rationale, and the ethical considerations.

1.2 Background and Context: State Building and Legitimacy Crisis in Africa

Since the 1884 Berlin Conference and the subsequent partition of Africa, there have been efforts to build and consolidate 'the state' in Africa. Such efforts and policies as direct and indirect rule during the colonial period, nation-building during independent post-colonial African states, and the introduction of multi-party democracy after 1990, were all aimed at consolidating and legitimizing the state in Africa (Lumumba-Kasongo 2005; Phiri 2004; Young 1982).

Despite these efforts, debates on the political legitimacy of the state in Africa have generally concluded that most states have little to no legitimacy. Pierre Englebert for instance observes that most states in Africa are not embedded in the African societies and that most Africans do not naturally relate to and pay allegiance to the state (Englebert 1997) (Englebert, 2000a). He indicates that state institutions have no historical connections to African culture and traditional institutions, hence provide little continuity and compatibility to African governance institutions and way of life. This is said to have led to a lack of political legitimacy of governance institutions, a situation that has compelled political leaders to seek alternative networks of political support, such as patrimonialism and official corruption, thereby diverting state resources that could have been used for developmental purposes². State fragility and development crisis in Africa is therefore linked to the supposed legitimacy crisis of the state in Africa.

Probably the most common analysis of the legitimacy crisis of the state in Africa is based on the states' poor performance on political and economic fronts. The whole discourse on African 'weak', 'impotent', 'soft', 'prebendal', 'lame Leviathans', 'patrimonial', 'predatory' and 'kleptocratic' states, forms the basis for the argument on poor state performance, hence the loss of legitimacy of most states in Africa (Mkandawire 2001; Niemann 2007; Van de Walle 2001). Since independence, African economies have grown dismally and poverty has increased – a problem often attributed to poor economic and political governance (Collier & Gunning 1999). The poor human rights record and poor government service delivery has in many cases been seen to result in disengagement of civil society from the state (Azarya & Chazan 1987). Disengagement of civil society from the state in this case entails citizens' withdrawal from formal governance mechanisms. This includes the growth of black markets, the informal sector, and corruption. This citizen disengagement from the state is a manifestation of the state's lack of legitimacy.

The democratization drive in the early 1990s in Africa therefore brought the hope of creating states that would be capable of satisfying people's political and economic needs.

² Pierre Englebert however categorizes Botswana, Lesotho and Swaziland as legitimate States due to their leadership links to traditional governance structures.

In a way, the process was part of the project to legitimize the state, this time through popular participation within the liberal paradigm (Lumumba-Kasongo 2005). Despite this drive, the legitimacy of the state in Africa still remains low (Afrobarometer 2006b). This thesis therefore sets out to elucidate this paradox by using evidence from a case study of the Malawian parliament.

It has been observed that different state institutions enjoy different levels of legitimacy (Dogan 2003). Thus, state legitimacy is essentially an aggregate of ‘legitimacies’ from different state institutions. For an indepth analysis, this thesis therefore isolates parliament as one key representative state institution in a democracy, and uses the Malawian case to assess and explain parliament legitimacy with the aim of enhancing our understanding of parliament legitimacy and ultimately state legitimacy in emerging democracies.

1.2.1 Legitimacy Crisis in Malawi

During the initial years of political independence in the early 1960s, the first Malawian President, Kamuzu Banda, and his government, seemed to enjoy popular acceptability and support, hence legitimacy. This was evidenced by close to 99% of the lower roll seats of parliament that the Malawi Congress Party (MCP) led by Kamuzu Banda won in 1961 (Thompson 2009).

However, as the MCP and the Malawi government were practically merged and further personalized by Kamuzu Banda, especially after the mass dismissal and resignation of dissident cabinet ministers in 1964 (popularly known as the ‘cabinet crisis’), people’s perception of government was distorted to entrench Banda’s rule. Government induced fear and terror among the citizens reigned over willing popular acceptance of the government authority (Thompson 2009). Kamuzu Banda was later to declare Malawi a one-party state, forced every citizen to become a member of the MCP. He further changed the Constitution to make himself president for life (Government of Malawi 2008).

In a bid to consolidate his power, Kamuzu Banda curtailed such freedoms as those of association and expression, and detained many of his political opponents without trial (Phiri & Ross 1998). By the early 1990s, poverty was on the increase, there was poor government public service delivery, and the economy generally deteriorated because of poor economic policies worsened by the Structural Adjustment Programmes (SAPs) that were imposed by the World Bank (WB) and the International Monetary Fund (IMF). Kamuzu Banda's regime was also characterized by patron-client relationships where state resources and jobs were allocated to individuals who showed support to the regime. The dissenters were effectively excluded from political and economic opportunities (Mutua 1994). This poor political and economic performance contributed to the loss of legitimacy of the authoritarian regime.

International and domestic preconditions explain the total collapse of Banda's one party legitimacy in Malawi as manifested in the early 1990s change to multi-party democracy. The collapse of the Soviet Union that marked the end of the Cold War between the United States of America (USA) and her allies on the one hand, and the Union of Soviet Socialist Republics (USSR) and her allies on the other, in the late 1980s and early 1990s was considered the triumph of liberal democracy over socialism (Fukuyama 1989). During this period, most developing countries were deeply indebted and were deemed unlikely to repay the debts. As a result pressure mounted on the developing countries to liberalize their economies and democratize or risk being denied economic assistance from the West. In April 1992 for instance, the Paris club, a club of international donor countries, froze financial aid to Malawi in a bid to force Malawi to liberalize her politics. Due to international pressure and loss of legitimacy at domestic level, Kamuzu Banda's regime met growing resistance. This was marked by domestic civil unrest, international pressure for political liberalization, and stiff religious opposition. This led to a referendum in 1993 where the majority of the voters chose a multiparty system of government over a one party system of government. The 1994 democratic parliamentary and presidential elections saw the replacement of Kamuzu Banda and his MCP with Bakili Muluzi and his United Democratic Front party (UDF).

The change from the one party authoritarian regime to multi-party democracy therefore brought the hope for legitimate state institutions that would realise the needs of the people. It is against this background that this study assesses and explains the legitimacy of parliament in a democratic Malawi from 1994 to 2011.

1.3 African Political Legitimacy and Legislatures

Studies of political legitimacy in Africa have often focused on the state capacity to control its territory and to provide services to its people. In these studies, the verdict generally points to the fact that most African states are weak and fragile, in that they cannot provide the needed public services to their populations, and in some cases, like the Democratic Republic of Congo (DRC), are failing to control all parts of their territories. As such, the fabric of most African societies seems to be disengaged from the state, and international recognition seems to be the only factor that is maintaining the legitimacy residue of these weak states (Azarya & Chazan 1987; Jackson & Rosberg 1982; Niemann 2007; Van De Walle 2001; ed. Zartman 1995).

While these studies consider state capacity to control its territory and to provide for its population as necessary proxies for state legitimacy, other analyses consider the state institutions' historical, cultural and affective connections to the specific society as a necessary proxy for state legitimacy (Bayart 1993; Englebert 1997; Englebert 2000a; Englebert 2000b; Schatzberg 1993; Schatzberg 2001). Using this analysis, Pierre Englebert (1997) concludes that the current state institutions in most African states, most of which are modeled on those found in European and North American countries, have no historical connection to indigenous African ways of life, and hence are likely to lack legitimacy.

These studies however often treat 'the African state' as some unitary homogenous institution without disaggregating different states across Africa. The studies further hardly disaggregate different state institutions and their legitimacy dynamics and implications. This thesis therefore breaks away from this trend by analyzing the legitimacy of parliament as one key state institution, using the case of Malawi in a

democratic era. This is from the understanding that different states and state institutions may enjoy different levels of legitimacy (Dogan 2003). The thesis therefore seeks to unpack insights from parliament legitimacy in a democracy and its implications on the legitimacy of representative institutions in emerging democracies.

It also seems that scant attention has been paid to the study of parliaments in African emerging democracies. This is consistent with Barkan's (2009) observation that African parliamentary studies in emerging democracies are sparse. Further, there seems to be few studies focusing on the political legitimacy of African parliaments in democracies. Studies that concentrate on African legislatures in post-1990 democracy that were reviewed in this study include Barkan's analysis of the power of legislatures in African emerging democracies (Barkan 2009), and the presentation of the first findings from African legislatures project (Barkan et al. 2010); Salih's compilation of papers on African parliaments and governance (ed. Salih 2006); and Afrobarometer Working papers on general state of democracy in Africa (Afrobarometer 2006a) (Afrobarometer 2006b). This thesis therefore adds to the existing body of literature on African parliaments in democracies that is currently scanty. The thesis concentrates on the political legitimacy of parliaments in emerging democracies.

Of the few studies on African legislatures in emerging democracies, many have concentrated on horizontal accountability of parliament, that is, the relationship between parliament and other state institutions such as the executive (Barkan 2009; Dulani & van Donge 2006; ed. Salih 2006). There seem to be very little said on vertical accountability, that is, the relationship between parliament and the people – an area that is crucial in political legitimacy discourse. This thesis, by concentrating on vertical accountability of parliament, attempts to contribute in filling this gap.

A study by Reneske Doorenspleet (2006) that touched on vertical accountability analysed citizen's support for parliament primarily in Mali and used exclusively Afrobarometer secondary quantitative data in 1999. My study however concentrates on Malawi and uses both primary qualitative data and Afrobarometer secondary quantitative data concentrating on the period from 1994 to 2011. The aim is to have a multi-dimensional

view of political legitimacy from both point and longitudinal perspectives. Following principles of external validity as applied in case studies (Chima 2005; Patton 1990), an attempt is made to extrapolate analytical insights from this study to other similar scenarios in Africa.

It should also be noted that most studies on state legitimacy treat legitimacy as a solid phenomenon that applies to the state as an integral entity; they hardly disaggregate different levels of legitimacy among different state institutions let alone clearly show whether ordinary people's perceptions and assessment of the state display a distinction between the different state institutions such as the executive and the parliament³. This study attempts to explore different levels, meanings and implications of legitimacy as it applies to parliament as one crucial state institution from the perspective of the people in a democracy.

1.4 Research Problem

Despite 'waves' of democratization in many states in Africa, efforts that were touted as a way of promoting popular participation and legitimizing the state, most states in Africa are still considered as illegitimate, and the state in Africa has in other extreme analyses been considered 'not a state' (Englebert 1997) (Englebert 2000a) (ed. Zartman 1995). In such analyses, African state fragility and underdevelopment has also been said to have its roots in a legitimacy crisis. This is because, as most politicians lack formal legitimacy, they end up using state resources and spend efforts seeking alternative avenues of legitimacy such as patronage (Englebert 2000a).

Despite this analysis, the state in Africa still remains central to people's lives and to contemporary African studies. The state is still a vehicle for development and a target of numerous reform programmes, including the democratization project. Thus, the task at hand is not necessarily to discard the state because it is declared illegitimate, but rather to understand the dynamics surrounding the legitimacy of the African state and possibly prescribe ways of strengthening the legitimacy. This study attempts to fill this gap.

³ See for example Englebert (2000a and b), Hunter (2008); Lipset (1960), Schatzberg (1993; 2001)

Political legitimacy is however not a black or white phenomenon – there are shades of grey (Dogan 2003); and that there are different degrees of ‘stateness’ (Nettl 1968). This implies that the legitimacy of states in Africa may lie at different points on the legitimacy continuum with different implications on state capacity and development. There is therefore need to critically and objectively analyse the legitimacy of states in Africa and possibly explore more and/or better ways of strengthening the legitimacy of the state in Africa. This study therefore responds to this need.

The state is however made up of several institutions that may enjoy different levels of legitimacy at different times (Dogan 2003). Of these institutions, parliament is one of the major state institutions especially in a democracy as it offers the main avenue for popular representation and hence participation (Dogan 2003). Amongst the studies on state legitimacy that I have reviewed, most do not disaggregate different levels of legitimacy among different state institutions, let alone clearly show whether ordinary people’s perceptions and assessment of the state display a distinction between different state institutions more especially the executive and parliament⁴. For an in-depth analysis therefore, this thesis will concentrate on the political legitimacy of parliament as one of the critical democratic state institutions, and will use data from different sources including people’s perception and assessment of parliament.

To my knowledge, there are few studies on African parliaments in post-1990 emerging democracies. Many themes in these few studies have concentrated on horizontal accountability of parliament, that is, the relationship between parliament and other state institutions such as the executive⁵. Few studies concentrate on parliamentary vertical accountability, that is, the relationship between parliament and the people⁶ – an area that is crucial in political legitimacy discourse. This study, by concentrating on vertical accountability of parliament, attempts to contribute to filling this gap.

⁴ See for instance Connolly (ed), 1984; Englebert, 1997, 2000a; Schatzberg, 1993, 2001

⁵ See for instance Barkan, 2009; Dulani and van Donge, 2005; Salih, 2005

⁶ See for instance Doorenspleet, 2005. Doorenspleet’s study on people’s support for parliament concentrates on Mali and uses exclusively Afrobarometer quantitative data in 1999. My study is different and more comprehensive in that it concentrates on Malawi and uses both primary qualitative data and Afrobarometer quantitative data from 1994 to 2011.

1.5 Research Objectives

This research study uses the case of Malawi parliament from 1994 to 2011 to explore and explain political legitimacy of representative institutions in emerging democracies. The following are the specific objectives:

- To explore Malawian's perception of parliament authority in a democratic state and the parliament's acceptability in Malawian societies.
- Blending findings from the objective above and identified political legitimacy indicators⁷, assess the extent to which Malawi parliament from 1994 to 2011 is legitimate.
- To explain the legitimacy of parliament in Malawi from 1994 to 2011.
- Based on the Malawi findings, to elucidate the implications on political legitimacy of representative institutions in similar emerging democracies.

1.6 Research Questions

The main research question for this study is: what explains the extent of parliamentary legitimacy in Malawi from 1994 to 2011? To comprehensively answer this question, the following sub-questions will be addressed:

- With special emphasis on Malawi as an emerging democracy, and elected parliament as one of the state institutions, how do Malawians understand and perceive the powers and authority of parliament and the parliamentarians?
- Using the definitions got from the first sub-question above, and identified political legitimacy indicators, to what extent is Malawi parliament legitimate?
- Why does Malawi parliament have the observed levels of legitimacy, and what are the implications?
- What analytical insights can be drawn from the Malawi case about political legitimacy of representative institutions in emerging democracies?

⁷ See Concept Operationalization Model of Political Legitimacy of Parliament in figure 3 in Chapter 2

1.7 Research Justification

This section discusses the justification for the choice of the study topic, the methodology, the choice of parliament among state institutions, and the choice of Malawi as a country case.

1.7.1 Justification for choice of Political Legitimacy as a topic of study

At theoretical level, the concept of political legitimacy is central to the understanding of the concepts of power and authority, hence lies at the heart of Political Science (Smith 2009; Sternberger 1968). Despite this central importance, political legitimacy is one of the most elusive concepts in Political Science and needs context specific analysis to gain useful understanding (Dogan 2003; Sternberger 1968). In contemporary politics therefore, this justifies the study of political legitimacy to understand power dynamics particularly in such specific emerging democracies as Malawi.

As indicated above in paragraph 1.4, corruption, patronage and lack of development in Africa has also been associated with crises of legitimacy. This is linked to a certain strain of political patronage where politicians use state resources, that would be used for development activities, to seek alternative sources of legitimacy (Englebert 1997) (Englebert 2000a). This implies that understanding political legitimacy is a step towards understanding one of the sources of lack of development. At policy level, this understanding can aid us to prescribe, if necessary, ways of legitimizing the state thereby guaranteeing a state whose resources will be used for development purposes and not diverted to alternative sources of legitimacy such as patronage. The analytical insights and lessons gained can also be extrapolated to broader debates on state-building and democratization in similar contexts in Africa.

1.7.2 Methodology Justification

To correctly interpret diverse tendencies and explanations of state legitimacy, it is advisable to explore this phenomenon by country and by institution (Afrobarometer, 2006). This justifies the selection of a specific state institution and specific country to

study the state legitimacy phenomenon. At the methodological level therefore, the study used a case study approach that triangulated both qualitative and quantitative methods, using primary qualitative interview data, secondary nationally representative quantitative data, direct observation, and document data⁸. The case study approach is further justified in this case given one of the weaknesses of current literature on African political legitimacy. This literature often levels off the African political terrain⁹, and often overlooks country or cultural specific nuances that may help illuminate the subject before extrapolating insights to broader contexts of similar characteristics. Since the meanings of political legitimacy vary depending on the context (Dogan 2003), the case study approach is a desirable and effective approach to in-depth understanding of political legitimacy in a specific time and space.

In this study therefore, to analyse political legitimacy in some depth, I used the case of Malawi parliament in a democratic era from 1994 to 2010.

It is important to specify the grounds upon which the Malawi parliament case was selected. The explanation of the potential viability of the case will reveal the extent to which analytical insights to be derived from the case can be confidently extrapolated to a larger population of similar cases (Gerring 2007). It is against this background that I now turn to explain the grounds for the choice of parliament among possible state institutions, and, later, Malawi among possible African countries.

1.7.3 Justification for the choice of Parliament among State Institutions

As indicated above, different state institutions may have different levels of legitimacy (Dogan 2003). As a result, aggregating the legitimacy of different state institutions without in-depth differentiated analysis may result in superficial understanding of the political dynamics involved hence may not be informative enough to understand the legitimacy phenomenon, let alone prescribe policy. This study therefore explored the political legitimacy of Malawi parliament as one of the key democratic state institutions.

⁸ See Chapter 3 on Methodology

⁹ See for instance Bayart, 1993; Englebert, 1997, 2000; and Schatzberg, 2001

Parliament as a state institution was purposefully selected as a case study on the basis that a parliament, among key state institutions¹⁰, has been shown to have low legitimacy levels in different contexts. For instance, surveys conducted in 1981 by the European Value System Study Group and repeated in 12 countries in 1990 showed that people had low confidence in parliament (averaging 43%). This ‘astonishingly low confidence in the parliament is a serious strain on legitimacy (of the state)’ (Dogan 2003, p. 122).

In Africa, Afrobarometer studies since 2000, after most African countries had adopted multiparty democracy system of government, show that parliament legitimacy has been volatile. For instance, in 2000, a survey conducted in 12 sub-Saharan countries (including Malawi) shows that 68% of the people trusted parliament, as compared to 43% in 2002 and 58% in 2006. This volatility poses an interpretation challenge – whether it means endorsement of free elections or acts as another indicator of dissatisfaction with democracy (Afrobarometer 2006b, p. 25).

In the context of this low and volatile parliamentary legitimacy, it is important to keep in mind that modern democracies are hinged on representation primarily through parliament to the extent that low and uncertain trust of parliament does not only imply a serious strain on state legitimacy, but may also imply a challenge on the whole theory and practice of democracy (Afrobarometer 2006b; Dogan 2003). Thus, the parliament holds the key to the credibility and effectiveness of democratic states in Africa and indeed other parts of the world. Parliament in this study is therefore a crucial case study on political legitimacy to the extent that parliament is the backbone of representative democracy yet it is showing low and volatile legitimacy levels with the prospects of undermining the democratic theory and practice¹¹.

It can also be argued that the interpretation of the statistical data showing the volatility of parliament legitimacy levels can make sense if illuminated by an in-depth case study. An in-depth study of parliament as a state institution in a democratic dispensation will

¹⁰ In this case, we consider the Executive, the Legislature (parliament), and the Judiciary as the key State institutions as they constitute the government which by definition is the machinery of the state (Patel and Svasand, 2007)

¹¹ On ‘crucial case studies’ (and other types of case studies) see John Gerring (2007) Op. Cit. Chapter 5 on techniques for choosing cases.

therefore result in critical insights in analysing the dynamics of democratic state legitimacy. At a policy level, this may inform a possible formula for legitimizing parliament and, by extension, the state – if proved necessary. The analytical insights can also be extrapolated to other states in African emerging democracies that have similar scenarios to that of Malawi.

1.7.4 Justification for the choice of Malawi among African countries

Recent studies show that Malawians support democracy to reasonable levels. A survey conducted by Afrobarometer in 18 sub-Saharan African countries in 2006, for instance, shows that 56% of Malawians support democracy. This was in the context where the highest support was from Ghana, Kenya and Senegal (75%); the lowest was from Tanzania (38%); seven countries were in the range between 61% and 69%; and the mean was 62% (Afrobarometer 2006b, p. 2).

Paradoxically, Malawians are dissatisfied with democracy. Only 26% of Malawians in 2006 said they were satisfied with how democracy works in Malawi compared to a mean of 45%, maximum of 70% and minimum of 14% across the 18 sub-Saharan African countries (Afrobarometer 2006b, p. 8). Figure 1 below shows this gap between support for democracy and satisfaction with democracy in the 18 African countries in 2006.

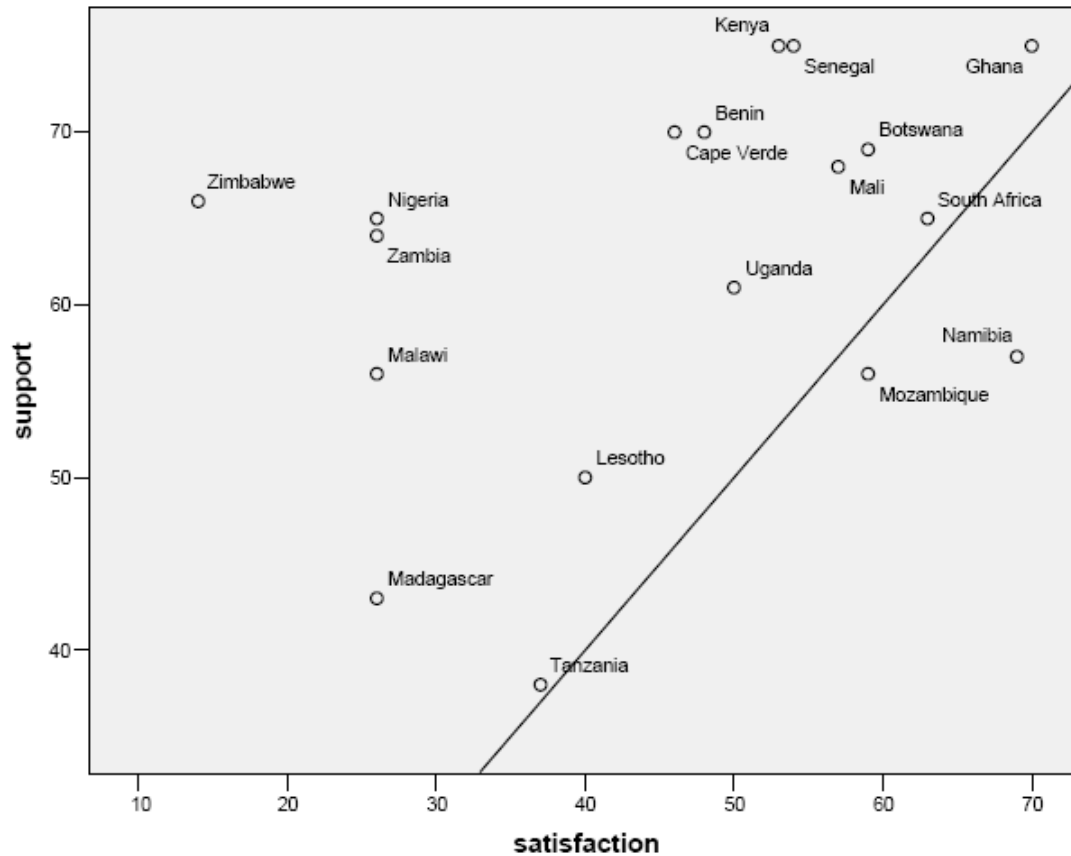


Figure 1: The Gap between Support for Democracy and Democracy Satisfaction (percent)

Source: Afrobarometer 2006b, p. 10

As figure 1 above shows, Malawians, just like Nigerians, Zambians and Zimbabweans, are characterized as deeply dissatisfied democrats who may agitate for renewed democratic reforms in the years to come (Afrobarometer 2006b). This makes the Malawi case one crucial case needed to understand the dynamics of political legitimacy and the future of democracy in Malawi and, by extension, similar African countries such as Zimbabwe, Zambia and Nigeria.

It should also be noted that this study intermittently compares Malawi with other African countries on some key legitimacy indicators in order to identify significant trends and locate Malawi in the African context.

The Malawi case was also a convenient option given that I am a Malawian who was born and grew up in Malawi and this gave me deeper insights in processing and interpreting the Malawi data and eased up language barriers and cost of doing research.

1.8 Conclusion

This chapter has set the context and background of the study. It has shown that, to understand the dynamics involved in political legitimacy in a democracy and be able to prescribe any policy recommendation, there is a need to do an in-depth context specific analysis. The Malawi parliament case from 1994 to 2011 therefore offers an opportunity to gain analytical insights that can be applied in other similar circumstances in emerging democracies.

The rest of the chapters flow as follows: chapter 2, using literature on political legitimacy, provides a theoretical perspective that guided the development of a conceptual and analytical framework that I used in data collection and analysis. It should be noted however that the framework only acted as a lens for data collection and analysis and that the approach was open to new and emerging themes. Chapter 2 however highlights the need for a comprehensive multi-dimensional definition of political legitimacy to fully understand the intricacies of the phenomenon in different contexts.

Chapter 3 presents and discusses the methods used to collect, analyse and interpret the evidence used in this thesis. The general approach adopted in this study, as indicated above, was a case study approach.

Chapter 4 introduces the Malawi case by presenting a historical perspective of Malawi parliament from independence in 1964 to the re-introduction of multi-party democracy in 1994. This chapter includes an overview of legitimisation efforts by the one party regime and the brewing legitimacy crisis that reached its peak in early 1990s as evidenced by the rejection of the one party system in the 1993 referendum, and the replacement of the ruling MCP in 1994 multi-party elections. The chapter also sets the institutional foundation of the Malawi parliament during the democratic era from 1994 to the time of the study.

The Malawi case continues in Chapter 5 where findings on trends and patterns of parliament legitimacy in Malawi from 1994 to 2011 are presented. The trends and patterns are presented and discussed in the context of the theoretical framework developed in chapter 2. In some key instances, these trends and patterns are juxtaposed with the picture emerging from other African countries with the aim of locating Malawi within the broader African picture. This approach also sets the foundation for analytical extrapolations of Malawi lessons to other similar African scenarios – an exercise that peaks in chapter 8.

Chapter 6 begins to explain the observed legitimacy levels, trends and patterns of Malawi parliament from 1994 to 2011. The key theme in this chapter revolves around the effect of dysfunctional local government system on parliament legitimacy. Again, in this chapter, the theoretical framework of political legitimacy is instrumental in guiding and understanding the explanations.

Chapter 7 continues with the explanation on the observed levels, trends and patterns of Malawi parliament legitimacy in the democratic era. In this chapter, the focus is on the mode of parliamentary representation and its effect on parliament legitimacy in a democracy.

Chapter 8 presents and reflects on key themes and insights from the Malawi case study. It also analyses the implications of the insights for political legitimacy of representative institutions in emerging democracies. Using principles of external validity as applied in case studies, the analytical applicability of the Malawi insights to other similar contexts is also discussed. The thesis concludes with a thematic summary, and areas for possible further research.

Chapter 2

2.0 THEORETICAL PERSPECTIVE: JURIDICAL, SYMBOLIC, AND INSTRUMENTAL LEGITIMACY

2.1 Introduction

Political legitimacy is the oil that lubricates the machinery of the state and hence prevents friction and conflict in a political system. Without legitimacy, state institutions are fragile and tentative (Gibson 2004). Political legitimacy is therefore one of the key prerequisites to building sustainable democratic institutions (Leftwich 1997; Lipset 1960)¹².

Government is a collection of institutions that acts as a machinery of the state (Heywood 2007). This collection of state institutions is legitimate when the governed perceive its existence as justifiable and when they perceive the government to have the right to rule (Smith 2009). This ‘involves the capacity of the system to engender and maintain the belief that the existing political institutions are the most appropriate ones for the society’ (Lipset 1960, p. 77). Thus, government is legitimate when the governed accept the power of the government as rightful and justifiable authority over them. The government’s acceptability by the people therefore guarantees its perpetual existence and right to rule over the people.

In the same vein, since government is a collection of institutions, the legitimacy of any government institution, including parliament, entails people accepting the authority of the institution as rightful. This again involves the capacity of the institution to engender and maintain the belief that its existence is the most appropriate one for the society. In this vein, Dogan (2003) rightly points out that different institutions may enjoy different levels of legitimacy. The legitimacy of government, and by extension of the state, therefore is in fact the aggregate legitimacy enjoyed by the totality of government institutions. By

¹² Other conditions for sustainable democracy include meaningful level of economic development, consensus about the rules of the game, policy restraint by winning parties, and national cohesion (Leftwich, 1997; Lipset, 1960)

focusing on the legitimacy of parliament therefore, this study aims at understanding in depth the dynamics of legitimacy of a single government institution and the potential effect this has on the legitimacy of other government institutions and the state as a collection of institutions.

However, political legitimacy is an elusive concept in Political Science. It can mean different things to different people in different contexts (Dogan 2003; Sternberger 1968). The plurality of the patterns and sources of legitimacy endangers the meaningfulness of the concept. Rivals for political power, for instance, consider their opponents illegitimate and themselves legitimate. This makes it difficult to talk about legitimacy in general terms (Sternberger 1968). This therefore calls for the need for clear definition of the institution and context in which the concept of legitimacy is applied. In this study, the institution under focus is parliament and the context is democratic Malawi from 1994 to 2011.

Despite this elusiveness of the concept and application of legitimacy, legitimacy is the key to understanding concepts of power, authority, and state capacity, and hence lies at the heart of Political Science (Smith 2009; Sternberger 1968). In Africa, for instance, it has been claimed that legitimacy crisis is partly responsible for the fragility and underdevelopment of states (Englebert 1997) (Englebert 2000a) (ed. Zartman 1995). This line of thought claims for instance that most state institutions lack that widespread public acceptance to the extent that public officials often seek alternative avenues to gain legitimacy such as through patronage. These alternative avenues drain state resources that would have been used for other development projects. In this context therefore, understanding political legitimacy in Africa is not only key to understanding state power and authority, but also is key to understanding state stability and development.

What then should a state or its government do to engender this belief that its institutions are the most appropriate for the society? This question, much as it seems to shift the focus from the meaning of legitimacy to how to achieve legitimacy, is crucial to understanding the nature of legitimacy. This is because, in contemporary politics, legitimacy is no longer a philosophical question of ‘why people *should* obey the state’ but

a sociological question of ‘why they *do* obey a particular state or system of rule’ (Heywood 2007, p. 219)¹³. To understand political legitimacy therefore, this empirical question demands identifying factors that can be manipulated by the governors to turn power into authority, and those that can be evaluated by the governed to create and maintain a perception that the governors and their institutions are rightful authorities. If we can unpack and address this question, we can meaningfully talk of legitimacy of rulers, regimes, and institutions, and know the implication of this characterization on power, authority, and state capacity. This study therefore concentrates on the legitimacy of parliament as a state institution. This includes parliamentary rules and roles, and the conduct of MPs.

This chapter, through an analysis of theories and models of power and authority, develops a theoretical framework that guided data collection and analysis for this study; and that will be used throughout this thesis as analytical lens.

2.2 Numinous versus Civil Legitimacy

The theoretical framework developed in this chapter, and subsequently used as analytical lens in this thesis, gets intellectual insights from classical to modern literature on state power, authority and political legitimacy; and from recent studies on the same, both globally and in Africa.

History shows that the context hence meaning and vibrancy of political legitimacy evolves. During the medieval period, when the Church and the state were merged, God, nature and morality (defined by divine purpose) were the basis for political legitimacy. Dolf Sternberger (1968) called this type of legitimacy, numinous legitimacy. In this case, the question of political legitimacy, much as it arose, was muted as authority was embedded in unquestionable divinely sanctioned hierarchies.

From the period when the Church and the state were separated up to the modern secular context, the question of legitimacy of political authority has been very active and

¹³ Original emphasis

contested. This is because authority and social order is now considered a result of human will and agency, and not a result of divine sanction. This type of legitimacy where a system of government is based on agreement between equally autonomous constituencies who have combined to cooperate towards some common good is called civil legitimacy (Connolly 1984; Sternberger 1968). This study concentrates on the modern secular conceptions of political legitimacy – the civil legitimacy – though in some cases it has some doses of morality sanctions as will be appreciated in this chapter below.

An analysis of both the classical and modern literature on power, authority and legitimacy shows that there are three minimum dimensions that define legitimacy especially in emerging democracies. For analytical purposes, I call these dimensions: juridical; symbolic; and instrumental legitimacy. These legitimacy dimensions are relevant to modern African politics and have been used in this thesis to guide understanding of the phenomenon of legitimacy and the supporting evidence presented throughout this thesis.

2.3 Juridical Legitimacy

Juridical legitimacy is when the governed perceive the governors and their institutions as rightful authorities based on established laws, policies and procedures of the specific society. For instance, MPs are perceived to be legitimate when they are duly elected by the electorate according to the set laws and procedures.

An analysis of classical Political Thought shows that classical political thinkers grappled with the question of political legitimacy, albeit couched in broader state theories. The theory of a just society by Plato (428BC – 347BC) indicates that individual roles in the running of a polity should be based on division of labour that depends on the individual capacities. For instance, he states that the polity should be ruled by (well trained) philosopher kings, or alternatively by the laws (Ochieng'-Odhiambo 1994; Sabine & Thorson 1973; Wanlass 1955). This idea of a just society, to the extent that it deals with issues of an authentic and acceptable authority, bears on the problem of legitimacy (Sternberger 1968). Thus, in Plato's conception, a state is legitimate if, as a matter of

procedure, it is ruled by philosopher kings or laws. This procedural or legal basis of authority forms the foundation for the modern juridical legitimacy.

Similarly, Aristotle's (384BC – 322BC) theory of the state proposes that a constitutional rule must at least have three basic elements namely: rule in the public or general interest, rule based on consensus (not arbitrary), and government by willing subjects (Ochieng'-Odhiambo 1994; Wanlass 1955). Based on this conception of constitutional rule, Aristotle drew a distinction between good and perverted forms of monarchy, aristocracy and democracy - the good forms being the regimes that display the elements of the constitutional rule (Sabine & Thorson, 1973). In contemporary analysis, this distinction fits the legitimate/illegitimate or the acceptable/unacceptable rule dichotomy (Sternberger 1968) that has its roots in what is legally and procedurally sanctioned. Thus, any rule or institution that diverts from established constitution can be said to lack legitimacy.

The conception of the constitutionality of institutions and public officials, hence their legitimacy, is consistent with the medieval outlook of legitimacy. During this period, what is legitimate referred to what conforms to custom and customary procedure. This was further crystallized by the Romans when legitimacy assumed the form of lawfulness. For instance, an emperor was legitimate when chosen or elected by electors as per set laws and procedures (Sternberger 1968).

In this lawfulness or constitutionality conception of legitimacy, a critical question that needs to be answered is: who sets the laws and procedures that anchor the acceptability of institutions and public officers?

John Locke (1632 – 1704) probably articulated the human consent criteria of political legitimacy in a way that is instrumental in contemporary civil legitimacy discourse. In his social contract theory of the state, Locke rejected the divine right of kings and stipulated that kingship or any political leadership should be an office created by human agreement that serves the common good of the parties to the convention (Ochieng'-Odhiambo 1994; Sternberger 1968). In broader context, this conception forms the basis for modern democracies with their emphasis on popular participation in creation of leadership and

formulation of public policies through such mechanisms as elections and public consultations. It also emphasizes the necessity for popular participation and consent in establishing laws and procedures that anchor authority.

Jean-Jacques Rousseau (1712 – 1778) is probably the bridge between the classical and the modern thought on political legitimacy. Just like Locke, Rousseau indicates that social order, which is a sacred right, is legitimate only to the extent that it is based on societal or human convention (Connolly 1984). To say that social order is legitimized by human convention is to imply that legitimacy is not about God, nature or immemorial tradition. This again is a departure from the numinous legitimacy that is characteristic of the ancient and medieval periods. He however concedes that ‘[t]he problem is to know what these conventions are’ (Rousseau, quoted in Connolly 1984, p. 1). This broadens the analysis of the set procedures to include not only codified laws but also conventional popular expectations. This study on Malawi therefore, attempts to unpack these popular expectations that legitimize a system, or the lack of which undermines the legitimacy of the system. However, this will not be in the context of broader state-society contract, but specifically in the context of the relationship between parliament as a representative institution and the society. By doing so, the study hopes to reveal some insights to do similar analyses in other similar contexts.

Rousseau takes the conception of legitimacy further by implying that the human conventions are rendered legitimate or are validated if they fully satisfy the general will (Ochieng-Odhiambo 1994). Human conventions in this case refer to customs, habits or institutions which have their source in human will (Connolly 1984). This understanding is a *déjà vu* of the medieval Roman conception where legitimacy meant conformity to customs and set procedures. The question however is: what is the general will? How would it manifest itself in a polity? The difficulty to address these questions constitutes the ambiguity of Rousseau’s general will. Arguing in the context of legitimacy in a democracy, the domain in which this study is located, Guglielmo Ferrero attempted to break this general will ‘fiction’ by emphasizing that legitimacy rests on the blend of two pillars namely: majority government and minority opposition (Sternberger 1968). By including the opposition, Ferrero also avoided the problematic conception that democracy

is solely based on majority rule. This implies that juridical legitimacy in a democracy should be conceptualized to go beyond the majority consent of the set laws and procedures, and include the voices of the minority.

Max Weber (1864 – 1920) is another key modern legitimacy theorist whose ideas contribute significantly to our understanding of juridical legitimacy. Weber identified three main types of authority: the traditional; the charismatic; and the rational/legal authority (Wolin 1984). It should be noted in advance that by referring to authority, Weber was impliedly tackling the issue of legitimacy because, as we have noted in this chapter above, authority is, by definition, legitimate power.

Weber conceptualized traditional authority as an established belief in the sanctity of traditions and the legitimacy of those exercising authority under them. Charismatic authority, by contrast, was defined as devotion to the exceptional sanctity, heroism or exemplary character of an individual person and the normative patterns of order revealed or ordained by him. Lastly, rational/legal authority was defined as a belief in the legality of enacted rules and the right to those elevated to authority under such rules to issue commands (Wolin 1984). Most significantly in our legitimacy discourse in emerging democracies, Weber indicated that as societies are getting more and more modernized, they get more biased towards bureaucratic governments. A bureaucratic government achieves legitimacy through following impersonal and rational procedures of decision making (Wolin 1984). This is consistent with the civil juridical legitimacy that we are conceptualizing in this section.

As can be noted, Weber does not discuss the general sense of legitimacy but shifts the center of gravity of legitimacy debate to how to secure belief in the legitimacy of the modern state. He deals more with sources of legitimacy rather than the meaning of legitimacy. This leads him to an analysis of the types of authority, with emphases on rational bureaucratic politics in modern world (Connolly 1984; Sternberger 1968; Wolin 1984). Much as this debate seemingly does not touch directly on the meaning of legitimacy, it creates the necessary context of understanding the phenomenon as the knowledge of the sources of legitimacy closes in on definition of legitimacy. More

importantly in empirical studies, the sources are the observable and measurable proxies of legitimacy. This is consistent with Andrew Heywood's (2007) position presented earlier in this chapter, which forms the basis of our approach, that the question of political legitimacy in modern era is no longer a philosophical question but an empirical sociological question.

Analysing the Weberian typologies using the modern democratic lenses, it is important to note that the concepts of legitimacy and democracy are not one and the same thing, though a specific type of legitimacy may entail some level of democracy. For instance, historically, charismatic and traditional legitimacy are typically associated with authoritarian regimes. Examples in this case include Nazi Germany, Chinese emperors and Russian Tsars (Dogan 2003). The implication here is that authoritarian regimes can be legitimate. By analytical extension therefore, this thesis sets out with the assumption that a democratic regime like Malawi may or may not be legitimate. It should also be noted that in contemporary politics, there are often mixed sources of legitimacy (charismatic, traditional and/or legal) with many states, especially democratic states, leaning towards rational/legal authority (Dogan 2003).

In summary, the Platonic legal state, the Aristotelian constitutional rule, the Roman lawfulness, the Lockean social contract, the Rousseauan general will, and the Weberian rational/legal authority are all variants of what we conceptualize here as juridical legitimacy. This conception of legitimacy fits into the contemporary conception where popular election and consent in conformity with set laws and procedures is one of the key criteria to political legitimacy (Weatherford 1992).

From the juridical legitimacy dimension therefore, a legitimacy crisis would entail the governed not recognising a governing institution or the governors on the basis that the governing institution or governors do not conform to the existing laws and procedures; or, for some reason, the existing laws and procedures that formed the basis of a governing institution and the governors become obsolete.

Having conceptualized juridical legitimacy, we now turn to the second dimension of legitimacy – the symbolic legitimacy.

2.4 Symbolic Legitimacy

Symbolic legitimacy can be easily understood if we recognize the fact that politics of the state are partly a product of societal psycho-social dynamics. The nature of the state is a dependent variable in the societal equation. This recognition cuts across ideological divides. For instance, Marxists consider the state or nature of the state as a result of class conflict. On the other hand, liberals or pluralists consider the state as a result of utilitarian consensus or value consensus (Skocpol 1979; Krasner 1984).

This perspective implies that, much as many Political Science concepts are often extravagantly accorded universal meanings, they can only be understood within a specific societal context. Discussing the concept of political legitimacy, Mattei Dogan indicates that:

Power, legitimacy, trust and effectiveness do not have identical meanings in London and Jakarta, or in Washington and Cairo. The ambition to encapsulate these concepts in definitions of universal validity may be a sin of Western cultural ethnocentrism (Dogan 2003, p. 125)

From this premise, it is recognized that the notions of political legitimacy in a specific society are embedded in the societal culture (Schatzberg 1993). Understanding political legitimacy in a specific time and space therefore demands comprehending the psycho-social dynamics in the relationship between the government and the society.

In Africa, as anywhere else, notions of political legitimacy are expressed in daily discourse between and among political elite and the societal members. To comprehend African political legitimacy, it is therefore imperative to examine the specific language, metaphors, and other images used to transmit thoughts about politics in Africa (Schatzberg 1993).

Jean-Francois Bayart characterizes African politics as the 'politics of the belly'. The politics of the belly is the phenomenon of 'eating' the fruits of power. The extent to which officeholders monopolize or share these fruits with the larger community has, however, significant consequences for the leaders' legitimacy (Bayart 1993). Thus, those leaders who eat the fruits of power without sharing with the people enjoy less or no legitimacy than those who share the fruits of power. The fruits of power here is broadly conceptualized as state resources that are allocated by politicians formally and/or informally.

Michael Schatzberg (1993; 2001) refines and expands the belly politics analysis in his study of African ideas and languages in African political culture. His analysis suggests a moral matrix of legitimate governance embedded in familial and paternal metaphors that shape the belly politics. The moral matrix of legitimate governance is premised on portrayal of a ruler as a 'fatherchief', who has an obligation, on the one hand to nourish and nurture his 'family', and on the other to punish his 'children' when they do wrong and pardon them if they truly repent.

Another premise concerns the role of women. While they are not considered as equal to men, they are supposed to be respected as 'counsellors and advisers'.

And the last premise holds that permanent power is illegitimate, and political fathers should allow their children to grow, mature and take on the responsibility in their lives and that of ruling.

This implies that rulers who eat within limits and feed their families and children, respect and listen to their 'wives' and 'daughters', and allow their children to succeed them in power, enjoy popular support (legitimacy). In this context, Africans will therefore be satisfied with a regime that responds to this norm of accountability and legitimacy.

Symbolic legitimacy is not unique to African politics. Graeme Gill (2011) presents a compelling historical analysis of how the Soviet regime utilized ideological symbolism in language, visual arts, the physical environment, and ritual, as a political tool to control the population in its efforts to establish a communist nation. The regime's success to use

symbolism is one key factor that created and strengthened its legitimacy. In this context, symbolism proved to be a subtle force that anchored the power and authority of the communist regime.

This conception of legitimacy has significant overlaps with the Weberian traditional authority in as far as it hinges on societal history and established daily discourse and values. If leaders and institutions manage to establish themselves as ‘fathers’ and the people accept and respect them as such, this forms a societal and traditional basis for accepting the existing powers and authority hence the legitimacy of the institutions.

The symbolic legitimacy conception is also consistent with Pierre Englebert’s notion of ‘societal embeddedness’. This notion suggests that a state is legitimate when its institutions have historical and cultural connections to the specific societal way of life. In this case, people naturally relate to and pay allegiance to the state within their traditional institutions (Englebert 1997) (Englebert 2000).

One criticism of this conception of political legitimacy and its implications has been that the discourse does not penetrate much into the unscripted realm of the victims of power; rather it concentrates on the common wisdom and in some instances manipulation of rulers and dominant classes (Fatton 2002; Hunter 2008). This may call for a deeper anthropologic study of the infrapolitics of the governed to understand the underpinnings of their conception of political legitimacy. The systematic study informing this thesis, attempted to address this challenge by including in-depth qualitative accounts from community members as well as members of parliament and officials on their conception of parliament legitimacy.

In summary, symbolic legitimacy hinges on affective and symbolic ties of the governed to the governors and/or the governors’ institutions. The governed recognise and accept the governing authority on the basis that they feel emotionally attached to the governors. This emotional attachment is often symbolically expressed in established traditions, values and structures such as familial relations.

From symbolic legitimacy dimension therefore, brewing legitimacy crisis is signalled when people cease to recognise the propagated symbols of authority. In Africa for instance, brewing legitimacy crisis would be signalled when the governed cease to recognize the governors as their ‘fatherchiefs’, ‘parents’ or ‘guardians’, and they perceive themselves as ‘orphans’.

2.5 Instrumental Legitimacy

Weber’s notion of ‘iron cage’ – the view that even attempts to contain bureaucracy foster its expansion – paradoxically takes us back to the medieval numinous legitimacy perceptions that resulted in lack of human agency in political legitimacy. As indicated in section 2.2 above, during this era, the question of legitimacy of authority was constricted as it was stamped by divine design that could not be questioned. In the ‘iron cage’ context, Sheldon Wolin (1984) notes two modern principles emerging that have the potential of delimiting the riddle of legitimacy, these are: the primacy of method in inquiry; and the primacy of procedural (or rational legal) legitimacy in politics. In contemporary inquiry, emphasis is put on methodology more than the substance of inquiry; and in politics, procedures and rules put the stamp on legitimacy more than the substance of legitimacy. In contemporary politics, as long as power is legally and procedurally sanctioned, people seem to be constricted to question the authority of the power no matter how ineffective that power is in achieving human wellbeing. This is a limitation of juridical legitimacy conception and application. There is therefore need to rise above juridical conception and move towards substantive legitimacy. One way of doing this is to ascertain the legitimacy perception of the governed and the means and ends of power from the perspective of the governed. This broadens the legitimacy debate from the narrow moral and legal obligation angle to a broader political behavior perspective as our focus shifts to analyzing conditions that encourage people to see authority as rightful (Wolin 1984). This study therefore, using the case of Malawi parliament, explored political legitimacy in a democracy by rising above mere procedural and moral legitimacy perspective to include substantive legitimacy as defined by the governed, the community members.

Analyses that go beyond legalistic and moralistic dimensions of legitimacy have tended to include an assessment of performance of state institutions, especially from the perspective of the governed. Most African states, for instance, have been largely characterized as weak and fragile, and losing legitimacy, on the basis that they have not achieved meaningful economic and political development to the satisfaction of their people (Mkandawire 2001; Nieman 2007; Van de Walle 2001). In this analysis, the legitimacy of state institutions is not only based on the fact that the institutions are legally constituted, but, like ‘parents’, they are expected to be providers – sometimes even beyond their legal mandate. This real or imagined public expectation of state institution performance therefore to some extent overlaps with Jean-Francois Bayart’s analysis of ‘politics of the belly’ where the governed expect the governors to share the fruits of power, and the governors’ ability to do this has an implication on their legitimacy (Bayart 1993)¹⁴.

A critical analysis of this legitimacy dimension in modern politics leads us to the relationship between legitimacy and effectiveness of a specific institution. While effectiveness is primarily instrumental, legitimacy is evaluative. However, much as the two variables are strictly not one and the same thing, they feed into each other – the presence or absence of one can, in the long run, lead to the growth or loss of the other (Lipset 1960). For instance, effectiveness in Singapore, South Korea and Taiwan gave the regimes legitimacy over the long term. On the other hand, the Soviet Union and Eastern Europe satellites’ ineffectiveness since 1989 ruined their legitimacy (Dogan 2003). In this case, there seem to be a high positive correlation between legitimacy and effectiveness. In legitimacy studies therefore, effectiveness can reliably be used as a proxy for legitimacy. This becomes useful especially considering that the instrumental properties of performance effectiveness are easier to observe empirically than the evaluative properties of legitimacy itself.

To get close to legitimacy however, performance effectiveness should primarily be measured from the perspective of the governed that use perceived effectiveness to evaluate an institution thereby holding the stamp to legitimacy. This approach retains not

¹⁴ Bayart’s analysis is discussed in section 2.4 under ‘Symbolic Legitimacy’.

only the instrumental properties of effectiveness but also the evaluative properties of legitimacy. It is however important to verify the perceptions of performance effectiveness with observed objective achievements of the specific institution to ascertain if the people's perceptions are based on some objective truth, and not on lack of knowledge or manipulation.

This instrumental conception of legitimacy is consistent with the position of Crawford Young (1982) when he indicated that people would naturally relate and adhere to a government that performs to their satisfaction.

Thus, instrumental legitimacy is premised on people accepting authority of an institution on the basis that they perceive the institution to have performed and satisfied, or to have the potential to perform and satisfy, their needs.

2.6 Towards a Substantive Conception of Legitimacy: Juridical, Symbolic, and Instrumental Legitimacy Interface

As can be noted from the above analysis of the concept of legitimacy, preoccupation with the lawfulness of governing institutions at the expense of their performance, at least from the perspective of the governed, limits the concept of legitimacy, and may result in missing brewing legitimacy crisis emanating from people's dissatisfaction with the performance of legally constituted institutions. At the same time, ignoring affective links between the governed and the governing institutions misses the (potential) spontaneous popular allegiance to governing institutions. And again, in contemporary politics, power that is not legally constituted is anarchical and potentially arbitrary. At this stage therefore, we begin to appreciate that contemporary political legitimacy entails some interface between juridical, symbolic and instrumental legitimacy.

Going back to Lipset's definition of political legitimacy to entail 'the capacity of the system to engender and maintain the belief that the existing political institutions are the most appropriate ones for the society' (Lipset 1960, p. 77), we realize that most contemporary definitions of political legitimacy contain Lipset's elements to different

degrees (Dogan 2003; Smith 2009). A critical analysis of this definition shows that it treats as equivalents legitimacy and belief in the legitimacy of established institutions. John Schaar (1984) criticizes this conception by indicating that such definitions dissolve legitimacy into mere belief or opinion, overlooking the fact that these beliefs might be ungrounded, or might be sustained by institutional arrangements whose real principles of operation are misunderstood by participants, or whose real principles are bent to manipulate the participants into accepting such institutions. It is therefore necessary to consider the substance and intensity of the popular belief and support (Easton 1965) because adherence to legitimacy definitions devoid of substance may cloud our understanding of the crisis of legitimacy that has been brewing for some time in modern societies (Schaar 1984; Connolly 1984).

Schaar further indicates that in the modern conception of legitimacy, there is little effort to repair the erosion of traditional authority (Schaar 1984; Connolly 1984), a situation that may also prevent us from fully understanding brewing legitimacy crisis. This position is consistent with such contemporary analysts as Pierre Englebert, who perceive the discarding of historically and culturally embedded authority as one factor that has contributed to legitimacy deficit in Africa (Englebert 1997) (Englebert 2000a) (Englebert 2000b).

We can therefore deduce that, to understand legitimacy and potential legitimacy crisis, we should look beyond whether people believe in existing arrangements as legitimate, and analyse whether their beliefs are well grounded (to some truth) or rest upon mystification, manipulation or ideology (Connolly 1984; Habermas 1984; Schaar 1984). This knowledge-based and substantive approach sets very high standards to understanding legitimacy and proposes the need to evaluate people's perception in the context of some objective truth. The juridical, symbolic, and instrumental multi-dimensional conception of legitimacy therefore has the potential to minimize cases of ungrounded popular evaluation of authority.

The above debate implies that legitimation of governing institutions entails a complex socialization of people in a system that results in people accepting the authority of the

institutions as the rightful ones. It further implies that understanding and assessing legitimacy – the key aim of this study – demands a careful multi-dimensional approach given the different, overlapping, evolving, and context-specific meanings of the phenomenon. Figure 2 below graphically presents a conceptual understanding of substantive legitimacy used in this study.

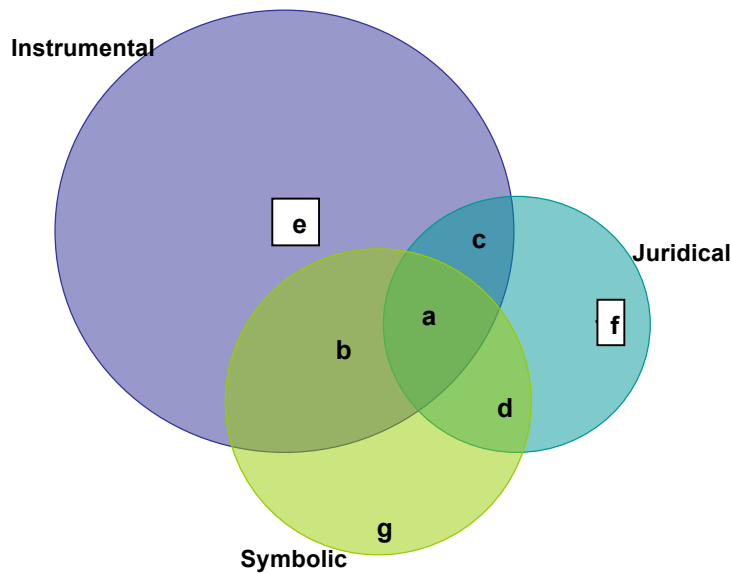


Figure 2: Substantive Legitimacy Conception

In contemporary politics, especially emerging democratic regimes in which this study is located, juridical legitimacy is at the heart of legitimacy. Power without legal authority is questionable and can be challenged locally and internationally. Thus, power exercised in domains ‘e’, ‘b’, and ‘g’ in figure 2 above can be challenged as they lack legal basis.

However, juridical legitimacy is hollow if the governed are not emotionally attached to the governing institutions. Thus, the whole discourse on patriotism and popular spontaneous allegiance to the state and its institutions (Young 1982) is largely based on the need for symbolic legitimacy. Deficiency of symbolic legitimacy (domains ‘e’, ‘c’,

and ‘f’ in figure 2 above) may lead to demands for reformation of the legal grounds of an institution.

However, when the governed disapprove of the governors’ performance, symbolic legitimacy fades away and this may lead in popular demands for the replacement of the governors or even review of the legal basis of the governors and their institutions. If governing institutions fail to perform to the satisfaction of the governed (domains ‘f’, ‘d’, and ‘g’ in figure 2 above), the sustainability of juridical and symbolic legitimacy is put under threat as people lose trust in the institutions and may demand legal reforms to alter the institutions. Instrumental legitimacy is therefore the anchor that ensures sustainability of authority over time.

Substantive legitimacy therefore emerges at the intersection of an institution’s legal mandate, societal embeddedness, and perceived satisfactory performance of real and/or imagined mandate of the institution. In other words, contemporary substantive legitimacy emerges at the intersection of juridical, symbolic, and instrumental legitimacies (domain ‘a’ in figure 2 above). Juridical legitimacy forms the legal foundation upon which symbolic and instrumental legitimacies are built. Symbolic legitimacy breeds natural allegiance of the governed to the governors. However, instrumental legitimacy carries more weight in sustaining the holistic legitimacy over time.

In this thesis therefore, legitimacy will carry this three-dimensional meaning, with research respondents often using any of the three dimensions depending on their level of assessment.

2.7 Political Legitimacy Indicators and Operationalization

Based on the above conceptions and debates, political analysts have proposed several legitimacy indicators that may be used in legitimacy studies. I now turn to briefly discuss some of the proposed indicators before presenting an operational model with indicators that were used in this study. As can be noted below, all indicators used conform to the three dimensional conception of legitimacy that we have discussed above in this chapter.

Majority support of the state or state institution is generally considered as a mark of legitimacy (Dogan 2003). In a democratic regime, this is often a set legal electoral procedure for choosing a government. In this context, the regime's adherence to set procedures and public perception of procedural fairness were used as legitimacy indicators in this study. In as far as they speak to the procedures of setting up an institution, these indicators fall within the juridical conception of legitimacy.

David Easton further indicates that 'the ratio of deviance to conformity as measured by violation of laws, the prevalence of violence, the size of dissidence movements or the amount of money spent for security would provide indices of support' (Easton 1965, p. 163). However, violation of laws, dissident movements and prevalence of violence are difficult indicators to measure empirically (Dogan 2003). Besides, the absence of violence, dissidence, or violation of law may not imply that a system is legitimate. Faced with a brutal system, subjects may choose to (temporarily) suppress their feelings and conform to, or exit, the system (Hirschman 1970). This study therefore did not use these indicators.

The number of *coups d'etat* has been used as the most visible indicator of (lack of) legitimacy (Dogan 2003). It should however be noted that this points to the most extreme manifestation of legitimacy deficit, often displayed by the military and not necessarily the citizens. And being on the extreme, it does not show the shades of grey of legitimacy (crisis) in between that are often prevalent among the population and are important as they can build up to the extremes. In this study, the *coup d'etat* indicator may not be useful as our concentration will be on parliament as part of the state. Further, much as Malawi has been experiencing legitimacy issues, there has never been a *coup d'etat*.

Another important indicator of legitimacy is subjective adherence of the people to the system. This adherence is stronger if the people appreciate the legal basis of the system (juridical legitimacy), they feel emotionally attached to the system (symbolic legitimacy), and they perceive the system to be performing to their satisfaction (instrumental legitimacy). One example of this indicator is confidence in the system. Though this indicator is difficult to measure and explore in countries where freedom of speech is

suppressed (Dogan 2003), it was explored in Malawi given that Malawi is a democracy with some level of freedom of expression guaranteed in the constitution¹⁵. This indicator was measured and explored from the community members' perspective. Since people's confidence in the system may rise or wane depending on their perception of the system's performance, procedural fairness, or affective connection to the system, this indicator cuts across juridical, symbolic and instrumental legitimacy conception.

Another example of subjective adherence of the people to the system that is linked to confidence in a specific institution is trust. As Miller succinctly puts it:

Political trust can be thought of as a basic evolutive or affective orientation toward the government.... The dimension of trust runs from high trust to high distrust or political cynicism. Cynicism thus refers to the degree of negative affect toward government and is statement of the belief that the government is not functioning and producing outputs in accord with individual expectations (Miller, quoted in Dogan 2003, p. 121)

As can be noted therefore, trust, just like confidence in a specific institution, is an affective legitimacy indicator that can also be informed by people's satisfaction with the performance of the institution. Trust therefore also cuts across symbolic and instrumental legitimacy conceptions, as well as juridical legitimacy as perception of procedural fairness can build trust in an institution.

Trust is normally attributed to officers or rulers constituting an institution. Analytically therefore, there can be legitimacy of an institution without trust in the institution. However, if too many officers of an institution are not trusted, the legitimacy of the institution is contested; and if a collection of institutions such as the parliament, the executive, the judiciary, the army, political parties, and the public service, are not trusted, the regime itself could become illegitimate (Dogan 2003).

¹⁵ Freedom of expression is guaranteed in section 35 of the Malawi Constitution (Government of Malawi, 2002)

This study therefore used both confidence and trust in a system as indicators of legitimacy.

To avoid accepting people's perceptions without considering whether the perceptions are grounded in some objective truth, the public knowledge of their point of reference was explored and measured, and used as another indicator. This enabled an analysis of perceptions that are a result of manipulation and/or distorted knowledge of procedures and expected performance of institutions, and their implications on legitimacy.

The study also looked out for emerging popular conceptions of symbolic legitimacy, articulated in the model in figure 3 below as 'societal embeddedness'.

One challenge in studying political legitimacy is the task of choosing between a macro-level or a micro-level perspective. Should we look at legitimacy purely from the macro-level such as constitutions; or purely from a micro-level such as people's perception? It is recognized that micro-level perspective should be given a priority (Weatherford 1992). This is because, at the end of the day, it is the people's perception of the rightfulness of authority that bestows legitimacy on an institution. However, to verify the objectiveness of some perceptions and thus be in a position to explore substantive legitimacy that is grounded in some truth, M. Stephen Weatherford (1992) proposed a simultaneous analysis of macro and micro perspectives of political legitimacy. The rationale is to tap into the theoretical, empirical, subjective, and objective dimensions of political legitimacy thereby getting a rich understanding of the phenomenon. This study adopted this approach as shown in the operationalization model in figure 3 below, though more weight was placed on people's perceptions and assessments.

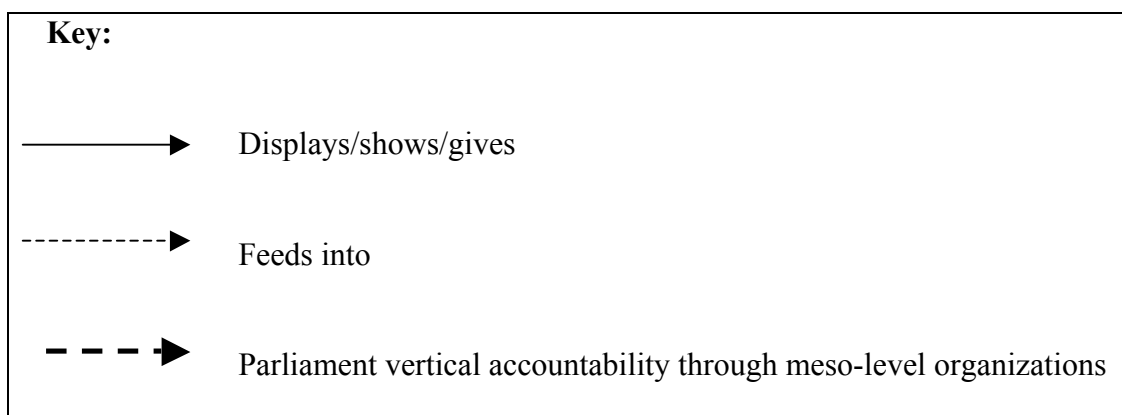
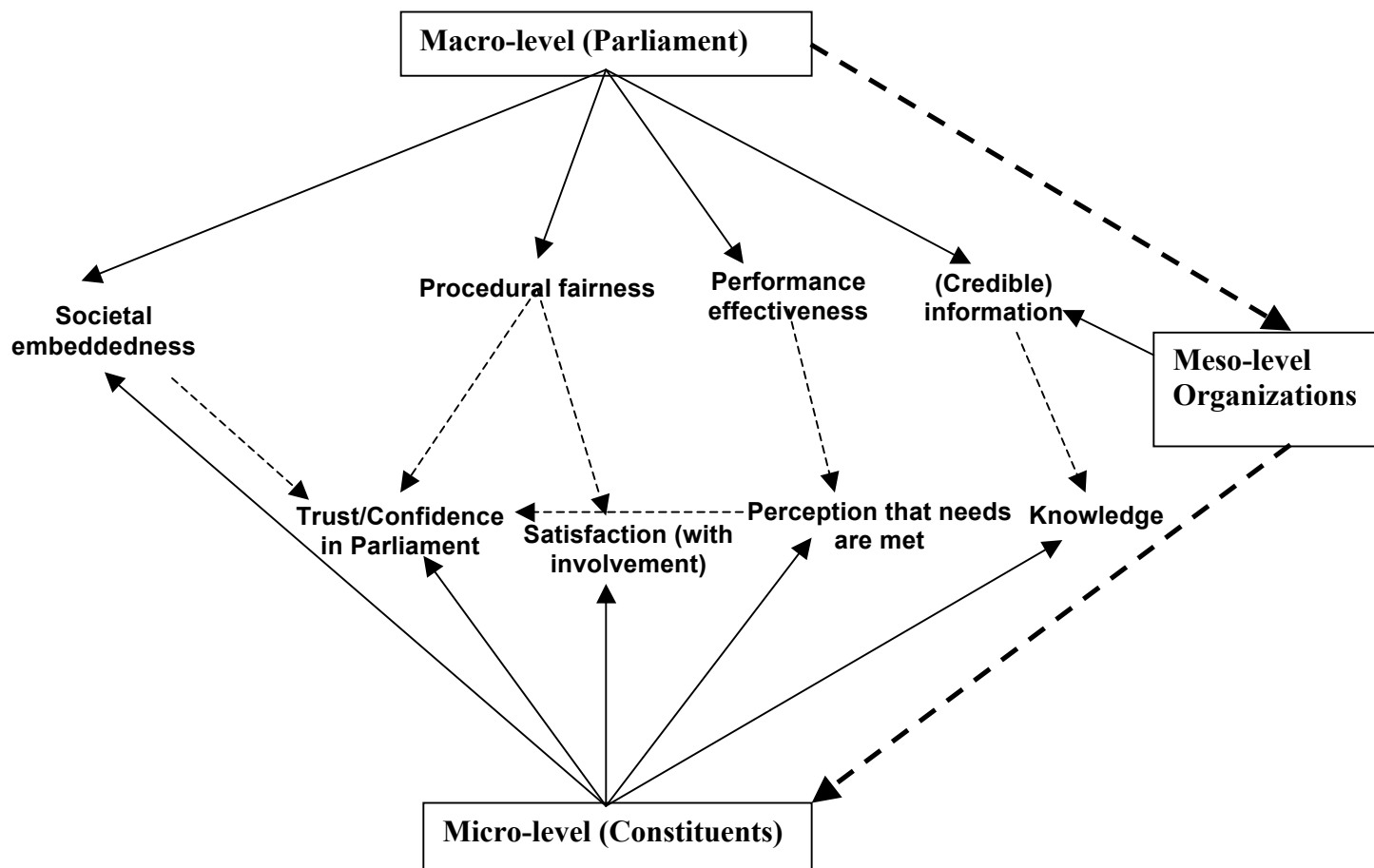


Figure 3: Concept Operationalization Model of Political Legitimacy of Parliament

The model shown in figure 3 was used as analytical lenses as I explore the processes and dynamics of parliament legitimacy. However, the analysis was open to data-driven emerging frameworks.

As can be seen in figure 3 above, the indicators in the analytical model were informed by the multi-dimensional understanding of legitimacy (juridical, symbolic, and instrumental legitimacy), and the macro-micro dual perspective.

2.8 Conclusion

The literature analysed in this chapter has shown that, to be useful, a contemporary definition and application of political legitimacy should be multi-dimensional, context-specific, and looked at from both the governed and the governors perspectives though more weight should be put on the perspective of the governed. A comprehensive and substantive definition and application of political legitimacy demands a critical assessment of the symbolic, juridical, and instrumental dimensions of legitimacy to meaningfully assess and explain political legitimacy of a state institution. A comprehensive analysis of political legitimacy demands a simultaneous analysis of the established legal basis of an institution and people's perception of fairness within the set procedures; the societal symbolisms sanctioning the authority of the institution; as well as the people's perception that their needs are met. To fully understand legitimacy and any brewing legitimacy crisis, the perceptions should however be verified to also assess the extent to which they are based on some objective truth or if they are based on mystification and manipulation.

This thesis will use this substantive approach to political legitimacy definition and application to analyse and explain political legitimacy of Malawi parliament from 1994 to 2011. This framework however serves simply as analytical lens, and our eyes will not be shut from new dimensions that may emerge from the data and that can enrich our understanding of political legitimacy in emerging democracies.

Chapter 3

3.0 METHODOLOGY

3.1 Introduction

This chapter presents and explains the research design, approach, and methods used to collect, analyse, and interpret the data that was used to substantiate this thesis. At a meta-level, the study used the case study approach to analyse political legitimacy of Malawi parliament from 1994 to 2011. Within the case study approach, the study used triangulation of different methods following both quantitative and qualitative approaches to analyse different units of analysis as expounded below. The study used primary qualitative data and secondary representative quantitative data.

3.2 The Case Study Approach

This study used the case study approach to explore the research question. A case study maybe understood as ‘the intensive study of a single case where the purpose is – at least in part – to shed light on a larger class of cases’ (Gerring 2006, p. 20). Primarily, the case study approach adopted in this study can be categorised as a single case study that combines synchronic analysis (in that variations of observations within the case at a given point in time were analysed) and diachronic analysis (in that variations of observations over a period of time were also analysed)¹⁶. The study of Malawi parliament therefore aimed at elucidating political legitimacy variations and explanations thereof in democratic Malawi between 1994 and 2011, and extrapolating the analytical insights to political legitimacy in other African countries with similar contexts.

Case studies take an ‘eclectic messy center’ approach to social science methodology (Peter Evans, cited in Chima 2005, p. 6). This implies that, a case study uses a guiding theoretical perspective as lenses to identify what is interesting and significant about the case under study. At the same time, the study uses the case to test the applicability of the

¹⁶ For a full typology of covariational research designs, see John Gerring, 2006, pp 27-28

theoretical perspective. Thus, neither the theory nor the case is treated as sacrosanct. This study used the theoretical framework as conceptualized in figure 2 and the operational model as presented in figure 3 in chapter 2.

This case study approach avoids both the positivist reduction that would reduce the case to natural sciences and discount the hermeneutic dimension, and the humanist reduction that suppresses the scientific dimension of trying to find empirically verifiable general laws (Chima 2005). The presentation and discussion of findings in this study will therefore refer back and forth to the guiding theory and the case with the ultimate aim of gaining analytical insights that can be extrapolated to other similar cases.

As discussed in section 1.7 on Research Justification in chapter 1, this case study is categorised as a single ‘crucial case study’ (Gerring 2007) in that, among the sub-Saharan African countries, Malawi - just like Zambia, Zimbabwe and Nigeria – is categorised as a country having ‘deeply dissatisfied democrats’ with a high likelihood of citizens agitating for regime reforms (Afrobarometer 2006b, p. 10). Much as this is a single case study, comparisons with other African countries will be made on some key indicators to locate Malawi in the African context. Transferable insights will be discussed in chapter 8 in line with the research principle of external validity¹⁷.

3.3 Methodological and Data Triangulation

Within the case study approach, the study used methodological and data triangulation. Triangulation in social research entails the use of a mixture of different methods and/or data sources to explore a research question (Patton 1990). Triangulation strengthens a research design in that it enables a study to explore the study phenomena from different angles hence getting a better holistic multi-dimensional picture than in a uni-dimensional survey. Another strength of methodological triangulation in this study is that different approaches were used to validate each other in that, since biases are not systematic across different methods and approaches (Poulin 2010), potential biases in one approach were covered by the strengths of the other approach.

¹⁷ On external validity, see Neuman, 2006, 2014

On methodological triangulation, the research used both qualitative and quantitative approaches. Much as case studies have been associated with qualitative methods, it is argued that, to study a single case intensively, both qualitative and quantitative methods can be useful (Gerring 2007). This justified the use of both approaches in this study.

On data triangulation, data were collected from different sources as shown in table 4 below that summarizes the data sources. Data triangulation was key in this study as it offered a multi-dimensional view of a phenomenon thereby guaranteeing rich results, interpretation, and understanding of the issue at hand.

3.4 Data Collection

The population of the study covers the three main levels of the study namely: parliamentarians and parliament officials at the Parliament level (macro-level), organization officials at meso-level, and potential voters (those who are 18 years old and above) at local constituency micro-level.

3.4.1 Secondary Quantitative Data

For quantitative approach, secondary statistical data from Afrobarometer was used. At the time of the study, Afrobarometer had been conducting national public surveys on democracy, markets and civil society in 18 African countries, including Malawi, since 1999 with a total representative sample size of about 25,400 respondents. In Malawi, these surveys were conducted in 1999, 2003, 2005 and 2008, and they were based on a national representative sample of 1200 respondents¹⁸. The use of Afrobarometer data for this period allowed cross-sectional as well as longitudinal analysis of Malawians' views and opinion on political legitimacy, and generalization of the same to Malawi population on both temporal and within-case variations at individual level. The data also offered analytical flexibility in terms of differentiating views from people from different demographics of interest. The appendices include selected Afrobarometer indicators that I used in the analysis.

¹⁸ For more on Afrobarometer methods, see <http://www.afrobarometer.org/> (website accessed on 6th September 2009)

3.4.2 Qualitative Data: Focus Group Discussions (FGDs)

FGD is one of the most effective qualitative data collection methods. This is because, during group interviews, as respondents talk to each other and contribute to each others' views, the interviewer is able to get the social construction and context of the topic under investigation. The FGDs also ensure valid and reliable data as group discussions provide some checks and balances that weed out extreme views (Patton 1990).

Typical of direct interviews, one major disadvantage of FGDs is the potential for biased responses from the interviewees as they react to perceived expectations of the interviewer (Sarantakos 1998). During this study, the reactivity bias was minimized by the interviewer's neutrality throughout the data collection process. For example, the interviewer was not judgmental when conducting the interviews.

Within the methodology triangulation paradigm, a preliminary quantitative bivariate analysis was conducted to identify key characteristics of participants to constitute the FGDs. Using the 2008 Afrobarometer quantitative data – the most recent data at the time of the fieldwork (2010-2011) - preliminary quantitative bivariate analysis was conducted to ascertain the relationships between two legitimacy indicators and ten population characteristics with the aim of identifying key participant characteristics to guide the recruitment of FGD participants. The legitimacy indicators used were respondents' trust for parliament and respondents' approval of parliament performance. These two indicators are deemed to be key predictors of legitimacy (Dogan 2003) and directly speak to our two dimensions of legitimacy that are evaluative namely symbolic (trust) and instrumental (approval of performance) legitimacy¹⁹. The idea here was that the demographic characteristics that would have a significant relationship with at least the 'trust' variable would be used to recruit FGD participants.

¹⁹ Juridical legitimacy indicator is not directly addressed here because it is more objective than the other two dimensions. For instance, in legitimacy discourse, it can be easily objectively ascertained whether parliament is legally instituted; but we can largely rely on the people's perception of whether they are emotionally attached to an institution (symbolic) or whether they approve of parliament performance (instrumental). However, as discussed in chapter 2, trust is also related to perception of procedural fairness, the procedures of which are normally legally instituted.

Pearson's chi-squared test was used to check if the relationships between the legitimacy indicators and demographic variables were significant. Below are the statistical results of this preliminary analysis:

Table 1: Testing Relationships between Key Demographic and Legitimacy Indicators (Pearson's Chi-squared test results, n=1200)

Population characteristics	Legitimacy indicators		<i>Relationship significance (p<0.05; confidence interval >95%)</i>
	Trust for parliament	Approval of parliament performance	
Poverty/Wellbeing ²⁰	$\chi^2 = 27.523$; $p=0.006$	$\chi^2 = 12.611$; $p=0.398$	<i>Significant on relationship with trust only</i>
Belongingness to/membership of an association ²¹	$\chi^2 = 8.650$; $p=0.470$	$\chi^2 = 7.213$; $p=0.615$	<i>Not significant on both relationships</i>
Education ²²	$\chi^2 = 47.704$; $p=2.838e-05$	$\chi^2 = 37.647$; $p = 0.001$	<i>Significant on both relationships</i>
Regional belonging ²³	$\chi^2 = 16.971$; $p=0.0002$	$\chi^2 = 0.7397$; $p = 0.6908$	<i>Significant on relationship with trust only</i>
Exposure to media: radio ²⁴	$\chi^2 = 20.378$; $p=0.06$	$\chi^2 = 13.133$; $p=0.359$	<i>Not significant on both relationships</i>
Exposure to media: television ²⁵	$\chi^2 = 14.404$; $p=0.276$	$\chi^2 = 31.958$; $p=0.001$	<i>Significant on performance approval</i>

²⁰ Question 8A in 2008 Afrobarometer Malawi survey: 'Over the past year, how often, if ever, have you or anyone in your family, gone without enough food to eat?'

²¹ Question 22B in 2008 Afrobarometer Malawi survey: 'Let's turn to your role in the community. Now I am going to read out a list of groups that people join or attend. For each one, could you tell me whether you are an official leader, an active member, an inactive member, or not a member: Some other voluntary association or community group'. Here the assumption is that those who belong to some group or association are bound to be politically socialized and be critical citizens.

²² Question 89 in 2008 Afrobarometer Malawi survey: 'What is the highest level of education you have completed?'

²³ The percentage distribution of regional belonging was calculated based on ethnic identity as sourced through question 79 of 2008 Afrobarometer Malawi survey: 'What is your tribe? You know, your ethnic or cultural group.' This was from the understanding that Malawi politics is regional based (Kalipeni, 1997).

²⁴ Question 12A in 2008 Afrobarometer Malawi survey: 'How often do you get news from the radio?'

²⁵ Question 12B in 2008 Afrobarometer Malawi survey: 'How often do you get news from the television?'

			<i>only</i>
Exposure to media: newspaper ²⁶	$X^2 = 10.052; p=0.611$	$X^2 = 17.734; p=0.124$	<i>Not significant on both relationships</i>
Urban/rural location ²⁷	$X^2 = 7.856; p=0.0491$	$X^2 = 6.123; p=0.106$	<i>Significant on relationship with trust only</i>
Gender (male/female) ²⁸	$X^2 = 5.016; p=0.171$	$X^2 = 3.074; p=0.38$	<i>Not significant on both relationships</i>
Age ²⁹	$X^2 = 4.762; p=0.19$	$X^2 = 4.645; p=0.2$	<i>Not significant on both relationships</i>

The demographic variables whose relationships were significant with at least people's trust for parliament were selected to guide recruitment of FGD participants at community level. Based on the above findings, poverty/wellbeing, education, regional belonging, and urban/rural location proved to be significant with at least trust of parliament. These demographics therefore provided the break characteristics of FGDs at community level as shown in table 2 below.

Table 2: FGD Break Characteristics

	North		Centre			South			
Rural	1 FGD <i>mixed gender been to school</i>	1 FGD <i>mixed gender been to school</i>	1 FGD <i>not been to school</i>	1 FGD <i>not been to school</i>	1 FGD <i>been to school</i>	1 FGD <i>mixed gender been to school</i>	1 FGD <i>mixed gender been to school</i>	1 FGD <i>been to school</i>	1 FGD <i>not been to school</i>
Urban	2 FGDs <i>mixed gender been to school</i>		2 FGDs <i>mixed gender been to school</i>			2 FGDs <i>mixed gender been to school</i>			

²⁶ Question 12C in 2008 Afrobarometer Malawi survey: 'How often do you get news from newspapers?'

²⁷ Question 113 in 2008 Afrobarometer Malawi survey: 'Do you come from a rural or urban area?'

²⁸ Question 101 in 2008 Afrobarometer Malawi survey: Respondent's gender

²⁹ Question 1 in 2008 Afrobarometer Malawi survey: 'How old are you?'

Note that, due to high degree of subjectivity, it was difficult to disaggregate FGD participants basing on wellbeing/poverty as such this break characteristic was not used in recruiting FGD participants. Gender, despite being not significantly related to trust for parliament, was eventually used as a break characteristic in some groups because in Malawi culture, especially in rural areas, mixed gender groups may not result in dynamic discussions as women (or men) may not be comfortable expressing themselves in the presence of members of the opposite sex.

In total, 15 FGDs were conducted, four in the North, five in the Centre and six in the South. By 2008, the North had 16% of the Malawi population, the Centre had 39% and the South had 45%³⁰. The regional FGD distribution was therefore purposefully set to roughly conform to the population distribution. The same reasoning was applied in urban/rural FGD distribution. I conducted 9 FGDs in rural areas and 6 in urban areas because the majority of Malawians reside in rural areas³¹. Three FGDs were conducted with participants who had never been to school, while the rest of the FGDs (twelve) were with participants who had been to school. This again is roughly in line with Malawi's education levels where about 19% of the population has never been to school and 81% has been to school³².

Each group constituted about 9 to 12 participants with the minimum age of 18 years – the voting age in Malawi³³.

3.4.3 Qualitative Data: In-Depth Interviews (IDIs)

IDIs are one-to-one qualitative interviews that offer flexibility to gain a depth understanding of the issue under study, while at the same time provide for a systematic, guided and structured interview by using a semi-structured interview guide (Patton 1990). This is an ideal data collection method for sensitive topics and other types of research

³⁰ My calculation using 2008 Afrobarometer data (n=1200)

³¹ 15% of Malawi population is in urban while 85% in rural areas (my calculation using 2008 Afrobarometer data; n=1200)

³² My calculation using 2008 Afrobarometer data (n=1200)

³³ Constitution of the Republic of Malawi (1999) Section 77 subsection 2(b)

where it would be difficult to observe the research participants or interview them in a group.

In this study, IDIs were used to gain in-depth understanding of political legitimacy of Malawi parliament. In-depth interviews were primarily conducted at the Parliament among MPs, Parliament officials; and at meso-level among selected Non-Governmental Organizations (NGOs) officials.

As in FGDs, respondents' reactivity and subsequent biases are the major potential disadvantages. Again, the interviewer in this case maintained neutrality throughout the data collection process to minimize reactivity biases.

At parliament level, 6 MPs were selected and interviewed out of the 193 parliamentarians in the Malawi Parliament. The recruitment of the MPs was purposeful in line with the regional location of respective constituencies in which the sampled parliamentarians represented³⁴. Party affiliation was also considered. All three major political parties represented in parliament were represented in the sample.

Below is the breakdown of interviews with members of parliament:

Table 3: Interviews with Members of Parliament

	North	Centre	South
Democratic Progressive Party	2	-	1
Malawi Congress Party	-	2	-
United Democratic Front	-	-	1

³⁴ Malawi is divided in three main administrative regions, North, Centre and South.

Eight parliament officials (parliament secretariate employees) were also sampled purposefully. These were drawn from the offices of the Clerk of Parliament (COP), Parliamentary Committees, Hansard Department, Parliament Library, and Parliament Research Unit.

At meso-level, two NGOs that had been involved in parliament monitoring and civic education were purposefully selected. These were: Malawi Human Rights Consultative Committee (HRCC)³⁵ and Catholic Commission for Justice and Peace (CCJP)³⁶. Two high-ranking officials from each of the organizations were interviewed, and relevant documents from these organizations were analysed.

Both the in-depth and focus group interviews were guided by discussion guides containing themes and questions that were drafted in line with the theoretical and conceptual perspective and objectives of this study³⁷. The interviews were however fluid to the extent that the facilitator was at liberty to probe and follow-up systematically on emerging issues within the context of the subject under study.

3.4.4 Observation of National Assembly Meetings and Parliamentary Committee Meetings

Another method used to collect data was observation of National Assembly and Parliamentary Committee meetings. For a week (12 – 16 November 2012), I observed and took notes from deliberations of the the 3rd meeting 43rd Session of the Malawi National Assembly.

In addition, I observed and took notes from 4 Parliamentary Committee meetings namely: Defence and Security committee meeting; Agriculture and Natural Resources committee meeting; Commerce, Industry and Tourism committee meeting; and Education, Science and Human Resources committee meeting. For each parliamentary committee meeting, I observed at least a day's proceedings and took extensive notes as members of parliament

³⁵ HRCC is an umbrella NGO covering over 90 NGOs in Malawi. See <http://www.hrcc.mw> (website last accessed on 24 August 2013)

³⁶ <http://www.ccjp-lilongwe.org> (website last accessed on 24 August 2013)

³⁷ Discussion Guides are included in the appendices

and summoned civil servants interacted. Much as the main aim of the parliamentary committee meetings is oversight over especially the executive, in my observation, I also paid particular attention to how the parliamentary representation function, which is at the heart of the relationship between the people and parliament, hence legitimacy, was weaved into the oversight function.

3.4.5 Desk Research

Reports, documents and publications were also extensively used as data sources. I did desk research at Malawi Parliament library; and sourced relevant documents from HRCC, CCJP, and online. These documents are acknowledged whenever they are used or cited in this study.

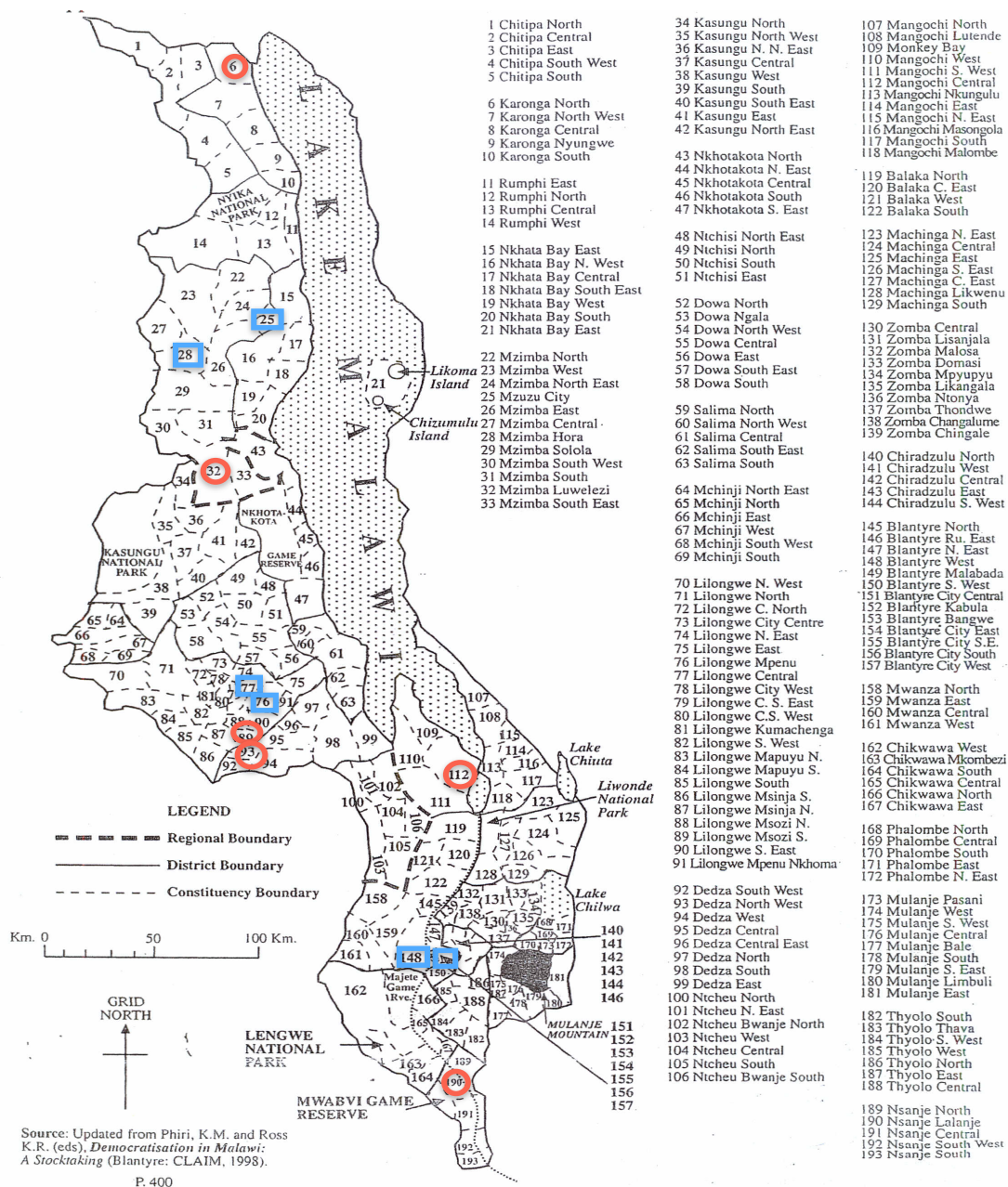
Below is a summary of data sources for this study:

Table 4: Summary of Data Sources

FGDs with community members	IDIs			Observations (1 National Assembly meeting and 4 parliamentary committee meetings)	Secondary Quantitative Data (Malawi: n=1200; 18 Sub-Saharan countries n = 25,400)	Official Documents
	Parliament Members	Parliament Secretariate officials	NGOs officials			
15	6	8	2	5	4 surveys (1999 to 2008)	numerous

Map 3 below shows local parliamentary constituencies where I interviewed MPs and community members:

Map 3: Parliament Constituency Map of Malawi showing Constituencies where MPs and Community Members were interviewed



Key:



Constituency where a member of parliament was interviewed



Constituency where community members were interviewed

3.5 Data Processing and Analysis

Typical of case study approaches, different types of analyses were employed at different stages (Chima 2005; Gerring 2006). Much as the operational model³⁸ guided areas to be explored in interviews and specific indicators to be extracted from secondary statistical data, the research was open to a grounded theoretical approach where data was collected and analysed inductively to identify themes and indicators emerging from the data on the topic under study³⁹. This was in line with the case study approach where the theory and the case are used alternatively to illuminate each other and help understand the phenomenon under study in depth (Chima 2005).

3.5.1 Quantitative Data Analysis

For quantitative data, R statistical software⁴⁰ was used for data analysis. Descriptive statistics (univariate and bivariate analyses) was primarily used to assess trends and patterns in the data, and to feed into and compliment qualitative approach and analysis.

Relevant indicators from Afrobarometer data that measure different aspects of the conceptual framework were used. The key indicators used are included in the appendix.

Unless specifically indicated, all tables and graphs presented in this thesis are my calculations and analyses.

3.5.2 Qualitative Data Analysis

All interviews (in-depth and focus group interviews) were recorded electronically. Interviews at community level were conducted in the local languages in which the interviewees were comfortable, namely Chichewa and Tumbuka⁴¹, and were later

³⁸ See figure 3 in chapter 2

³⁹ On Grounded Theory Approach, see Kathy Charmaz in Norman K. Denzin and Yvonna S. Lincoln (eds) 2005, pp. 507 – 535

⁴⁰ R is an open source statistical software that works pretty much as Stata, see <http://www.r-project.org/> (web page accessed 6th September 2009). A copy of analysis syntaxes that I used in R is included in appendix for possible replication

⁴¹ I am conversant with Chichewa and Tumbuka languages and was able to conduct interviews in these local languages and translate and transcribe the interviews into English

translated into English. Interviews with MPs, Parliament officials, and NGO officials were conducted in English which is the official business language in Malawi. All interviews were translated into English and transcribed verbatim. This process ensured that the analysis captured the nuanced details of the responses and that the investigator's biases were minimized.

Using manual (paper-based) qualitative analysis, the transcripts were analysed thematically. Michael Patton refers to thematic analysis as 'content analysis'; where responses are coded based on meaning, and further grouped into themes emerging from the data, but within the theoretical framework and objectives of the study (Patton 1990, p. 381). This type of analysis also gives room for emerging themes that might fall outside the theoretical framework but are deemed informative by the investigator.

Similarly, in analysing observation notes, documents, facts, trends, and practices on political legitimacy, themes on political legitimacy were extracted. This was guided by the theoretical framework while at the same time being open to 'unexpected' findings.

The themes and emerging models from the IDIs, FGDs, observations and documents, and trends and patterns from the quantitative analysis, were meta-analysed in the context of the research question and then written up. In the write-up, and subsequently in this thesis, narratives were and will be supported by specific evidence such as statistics and direct qualitative quotations.

3.6 Scope of the Study and Levels of Analysis

There are three main levels of analysis in this study:

1. Micro-Level (Constituents): This is the local community constituency level where MPs are directly elected by community members and to which the MPs are accountable. The main units of analysis at this level were community members' perceptions, opinion and definitions of legitimate parliament; their evaluation of parliament; and their suggestions for improving the institution. The data collection method used at this level was FGDs with community members in selected constituencies. Secondary statistical

data primarily from Afrobarometer surveys were also used to analyse trends and variations in people's knowledge, perception and attitudes towards the Malawi parliament.

2. Meso-level (Intermediate Organizations): The meso-level institutions in this case mean organizations involved in monitoring parliament and citizen perceptions, and those that sometimes act as communication channels between parliament and the constituents. The meso-level constitutes one key channel of parliament vertical accountability (Patel & Tostensen 2007). The main units of analysis at this level were the organizations' assessment of the role of parliament vis-à-vis people's perception and attitudes towards parliament. Interviews with civil society officials, and document research were the main mode of data collection at this level.

3. Macro-level (Parliament): This represents parliament as one of the state institutions. Parliament in this case operationally refers to the National Assembly; and the unit of analysis was the parliamentarians' and parliament secretariate officials' views in as far as vertical accountability is concerned. This included their views and assessments of parliament functions such as law making and representation of people's views, aspirations, and values at national level. Data collection included interviews with members of parliament and parliament officials, observation of National Assembly and Parliamentary Committee meetings, and desk research on parliament practice, policy and history.

The following political legitimacy indicators guided data collection and analysis for this study. The indicators were analysed from both the macro-level and the micro-level to tap into both the subjective and objective dimensions of political legitimacy (Weatherford 1992).

1. **Societal Embeddedness:** This symbolic legitimacy indicator was used to inform an analysis of the extent to which the Malawi parliament is embedded in the Malawian society, culture, values, language and symbolisms. This was looked at

from both the parliament and the constituents' perspectives. Predominantly, qualitative data was used to explore this dimension.

2. **Confidence and Trust in Parliament:** As can be seen in figure 3 in chapter 2, procedural fairness as well as people's perception that needs are met have a bearing on people's trust of parliament. Quantitative survey data and qualitative data from individual interviews and focus group interviews were used to measure and explore levels of people's trust and confidence in parliament.
3. **Procedural Fairness and Satisfaction with involvement:** This includes the credibility of parliament procedures such as parliament elections and conduct of parliament business; and the level of satisfaction among constituents with these procedures. This emanates from juridical understanding of legitimacy. Again, quantitative data from national surveys and qualitative data from interviews were informative in the measurement and exploration of these legitimacy indicators.
4. **Performance effectiveness and Perception that needs are met:** Outputs and outcomes of parliament were measured against the set parliament objectives and people's expectations. This was done to achieve an assessment of substantive legitimacy that is grounded in some objective truth. Both qualitative and quantitative data gathered from parliamentarians, parliament technical officials, meso-level organizations that monitor parliament, and constituents were used to measure and explain this pair of legitimacy proxy.
5. **Credible information on Parliament and people's knowledge:** This pair of legitimacy indicators was included to again measure and explain the substantive aspect of political legitimacy, i.e. the extent to which people's perception of parliament authority is grounded in credible knowledge and information about the parliament operation, objectives and roles. Again, both quantitative and qualitative data were used to measure this proxy from the micro, meso, and macro perspectives.

3.7 Ethical Considerations

The basis of ethical considerations in social research is that the rights of research participants whose (private) domains are intruded by research investigators, who often

are strangers, must be protected (Neuman 2006). Informed by this understanding, I sought approval of the proposed research from the Human Research Ethics Committee (Non-Medical) of the University of the Witwatersrand. The research was officially approved by the ethics committee on 18 June 2010. The ethics clearance certificate protocol number is H100627⁴².

At the study sites, I further sought approval to conduct research from relevant authorities such as District Commissioners, Traditional Authorities and the Clerk of Malawi Parliament.

During the process of the research, the following ethical principles were adhered to:

3.7.1 Informed Consent

Informed consent to participate in a research exercise is considered a fundamental ethical principle in social research (Neuman 2006). During the fieldwork, I explained the overall aim of the study to all research participants. Their understanding of the research aim ensured that the research participants' permission to conduct the interviews was informed. The interviewees were asked to sign interview and recording consent forms before commencing the recorded interviews. Many interviewees signed these forms though some refused but allowed verbally to be recorded during the interviews.

In terms of document research, I explained the overall aim of the study to authors or custodians of the documents in cases where the documents were sourced directly from the authors or custodians. In addition, relevant copyright protocols were strictly adhered to.

3.7.2 Confidentiality

In this study, data collected from individual and group interviews are not linked back directly to the personal details of the interviewees. This is in adherence to the ethical principles of privacy, anonymity and confidentiality (Neuman 2006). My adherence to

⁴² A copy of the ethics certificate is included in the appendices.

these principles was mentioned to all interviewees before interviews were conducted as part of information they needed to know before giving their consent to participate in the research exercise⁴³.

The informed consent and confidentiality ethical principles not only helped to solve the problem of reactivity (and subsequent response bias) of research participants that is often associated with direct data collection methods, but also ensured that respondents' rights to information, privacy and confidentiality were respected.

3.8 Potential Strengths and Limitations of the Study

The main strength of this study lies in its methodology of triangulating qualitative and quantitative methods. This approach ensured that weaknesses of qualitative methods are covered by strengths of quantitative methods and the vice versa. For instance, within the Malawi Parliament case study, it would be difficult to generalize findings from the qualitative data. However, since I also used representative national statistical data, generalization on some indicators was possible at least within the Malawi case and specifically cited countries where statistical data was also used. On the other hand, representative quantitative data, much as it can be generalizable, may not paint a rich detailed picture of the phenomenon, especially in this case, on meanings, dynamics and explanations of political legitimacy. Qualitative data therefore covered for this weakness.

One potential limitation of this study is the use of secondary statistical data. The fact that such data is often collected based on study objectives and sampling frames that may not be congruent to this study in all respects created problems during data collation and analysis. For instance, preliminary data collation and analysis was conducted on many variables to collapse categories of responses so that they conform to the objectives and framework of this study. Further, in as far as quantitative analysis was concerned, I was constrained to the indicators that were measured in the surveys. The choice of Afrobarometer was however carefully made after analysing the indicators and confirming

⁴³ See Information and Consent Sheets in the Appendices

that some of them are in line with the study on political legitimacy in Malawi⁴⁴, and that dimensions that may have been missing in the quantitative measurement were covered in the qualitative approach.

⁴⁴ Note that Afrobarometer data sets measure a wide range of indicators on public opinion, democracy and market reform in 18 African countries including Malawi. See <http://www.afrobarometer.org/> (web page accessed on 6th Sept 2009). Also see selected indicators in the appendices

Chapter 4

4.0 THE MALAWIAN PARLIAMENT: HISTORICAL PERSPECTIVE AND LEGITIMATION TRENDS SINCE POLITICAL INDEPENDENCE

4.1 Introduction

Since the Malawian parliament is our main unit of analysis, it is imperative to understand its historical background before delving into current analysis of its legitimacy. This chapter therefore sets the historical context. The chapter focuses on the Malawi parliament legitimation trends as it evolved from independence years in early 1960s to the on set of multi-party democracy in early 1990s. The chapter also introduces the Malawi parliament institutional set up at the beginning of multi-party democracy in 1994. This chapter therefore lays the foundation for our analysis of parliament legitimacy in democratic Malawi from 1994 to 2011.

The chapter uses the theoretical framework developed in chapter 2 to identify and analyse legitimation trends in the historical evolution of Malawi parliament. The chapter observes that, since political independence in 1964, the first president of Malawi, Kamuzu Banda, and his ruling Malawi Congress Party (MCP), used parliament to legislate constitutional reforms to establish a one party authoritarian state with sweeping executive powers that were concentrated in a life president. The parliament was subordinated to the executive and was merely a rubber stamp of the executive decisions. Much as the parliament was legally constituted, and hence claimed juridical legitimacy, it was reduced to Banda's legitimation arm of government itself. Parliament legitimacy was therefore largely defined by Banda's legitimacy that was hinged on laws that made him a life president with sweeping powers. Banda further manipulated and distorted traditional symbolisms of legitimacy and portrayed himself as the benefactor of Malawians to whom every Malawian should pay allegiance.

The following section starts with a broad brief look at the historical context of African parliaments. I then narrow down to the historical context of the Malawian parliament. The chapter closes with a brief presentation of Malawian parliament institutional set up at the beginning of multi-party democracy in 1994.

4.2 Parliament and Political Legitimacy in Africa: A Historical Context

Before focusing on the Malawian parliament, it is necessary to consider a broader picture of parliaments in Africa in a historical context. This is because most parliaments in Africa have similar pattern of colonial legacy. They inherited the institutional set up of Western parliaments. In addition, they in many cases carried on with some colonial legislative practices that in many ways were not only undemocratic, but were at variance with the African traditional governing institutions. Understanding this legacy is therefore a prerequisite to understanding the evolution of parliaments in Africa from colonial period, post-colonial period, to post-1990 democratic era. In Malawian context, this will help us to comprehend the legitimization trends from colonial era to post-1994 democratic era.

African colonial history is basically divided into two major influences: the Francophone and the Anglophone influences⁴⁵. In Anglophone countries of which Malawi is one, many countries acquired their independence following the Westminster tradition of parliamentary system. Many countries however, including Malawi, later changed to presidential system as it was deemed to be more effective than the parliamentary system in centralizing and consolidating power as the new independent countries embarked on a journey of nation building.

There are however some features of the Westminster tradition that endure to this day and these include: single member constituencies; presiding officer of parliament is called the Speaker; the chief administrative officer is the Clerk; and parliament rules of procedure are outlined in the Standing Orders (Barkan 2009). These features are clear as I unpack the Malawi parliament case in this thesis. Some features, such as the single member

⁴⁵ There are of course some minor influences such as the Portuguese in Angola and Mozambique.

constituency, have significant implications on the accountability of MPs to their constituents hence the MPs' legitimacy as discussed in chapters 6 and 7.

Before the parliaments in the colonies became full parliaments with elected members, they were called legislative councils (LEGCOs) with the members being appointed by the governor (Barkan 2009). This left a legacy that enabled independent African leaders to appoint some of the MPs thereby influencing the parliament deliberations and decisions. This trend is clear in the historical background of Malawi parliament as discussed in section 4.3 below where Kamuzu Banda appointed as many MPs as he deemed necessary with the aim of subordinating the parliament to the executive and ultimately to himself.

During the colonial era, the LEGCO was also more of a deliberative body than a legislative and oversight body hence there was no strong permanent and portfolio committees. Again, we see this legacy in the history of Malawi parliament where, much as on paper Malawi parliament was a legislative body, the parliament was reduced to a rubber stamp of Banda's dictates. This set up however changed in many African countries after the re-introduction of multiparty democracy in early 1990s. Many LEGCO features however remain to this day. For instance, the single member constituency elections following first-past-the-post (FPTP) electoral system of Britain remain to this day in many Anglophone countries including Malawi – a situation that has increased people's expectation of members of parliament to be involved in constituency service (Barkan 2009). This is discussed in detail in chapter 6.

During the post-independence authoritarian one-party/military regimes, where parliaments still operated, there was a legacy of patron-client relationships, low salaries for MPs and subsequent concentration of MPs on constituency service and praising the executive for political and economic survival at the expense of legislation and oversight (Barkan 2009). Parliaments were therefore legitimization tools for the executive that simply rubber-stamped executive decrees, with their own legitimacy largely depending on their performance in constituency service.

In Africa, like in many countries worldwide, legislatures remain weak, and in some cases are becoming weaker in relation to the executive; they are dominated and influenced by the executive. However, compared to any time since independence a half a century ago, parliaments in Africa are arguably more powerful today (Barkan 2009; Dulani & van Donge 2006). For instance, Dulani and van Donge demonstrates how parliament in Malawi succeeded in thwarting a parliamentary motion aimed at extending the presidential terms of office from two to three terms even in the face of aggressive executive campaign to extend the terms (Dulani & van Donge, 2006).

4.3 Malawi Parliament: 1961 to 1994

As part of the process of decolonization from the British, the first multiparty elections were held in Malawi, then Nyasaland, in 1961. The MCP won a national massive majority of over 99% of the lower roll seats of parliament. In total, the MCP got 22 of the 28 lower and higher roll seats of parliament and this eventually led to the MCP leader Kamuzu Banda becoming Prime Minister, and later president of the independent Malawi. During this independence period, the MCP government and its parliament was widely accepted by the populace hence legitimate as it held the hope for self-determination and end to colonial oppression (Thompson 2009). The initial legitimacy of Malawi parliament therefore was juridical as it was based on majority consent within established electoral laws and procedures. This legitimacy was buttressed by the public hope for satisfactory performance of the new government in facilitating self-determination. This can impliedly be said that, not only did the independent Malawi parliament enjoy juridical legitimacy, it also enjoyed instrumental legitimacy.

In 1966, Malawi abandoned the parliamentary system for presidential system of government (Patel & Tostensen 2007). As it turned out to be, this was one of the many efforts by Kamuzu Banda to concentrate power into the presidency. As soon as Kamuzu Banda became Malawi Prime Minister in 1964, and later President in 1966, he set out to concentrate powers of all branches of government, including parliament, into the presidency. For instance, as early as 1964, there was a cabinet crisis where dissenting ministers were sacked and some went into exile (Thompson 2009). In 1970, the

Constitution of Malawi was amended to allow the president to nominate 15 out of 60 elected members of parliament and Kamuzu Banda was made President for life (Malawi Parliament Hansard 7th Session 1969; Government of Malawi 2008). In 1981, the Malawi Constitution was again amended to allow the President to nominate as many MPs as he considered desirable in addition to the 87 elected MPs (Government of Malawi 2008). In this regard, Banda capitalized on the institutional legacy of the colonial period, where the governor would appoint members of the LEGCO (Barkan 2009), to amass and concentrate executive power to control and influence parliamentary proceedings and decisions. These developments resulted in the Malawi parliament turning into a rubber stamp of Banda's dictates.

Banda also established a paramilitary wing called the Malawi Young Pioneers (MYP) and another youth wing called the Malawi Youth League. These two wings, apart from getting involved in micro-development activities such as agricultural production, unleashed a reign of terror among the Malawi society by arresting and torturing people who allegedly opposed Banda's rule. Many dissidents were detained without trial and such freedoms as association and speech were greatly curtailed (Phiri & Ross 1998). In this context, people's support of Banda and his centralized institutions, including parliament, was more out of fear than willing acceptance (Thompson 2009). This is consistent with observations made by Hirschman (1970) that, faced with an oppressive regime, people suppress their feelings and conform to the system, exit the system, or voice out their concerns. Many Malawians therefore chose to suppress their feelings and conform to the system while some went into exile.

From the symbolic legitimacy point of view, Banda, using his symbolic rhetoric, labelled himself '*Nkhoswe* Number 1', implying that he was the 'chief custodian', 'chief mediator' and 'supreme benefactor' of all cultural rights and responsibilities, and all people under his jurisdiction (Kishindo 2000). This portrayal was publicized by government and party establishments, including public media, to the extent that Malawians perceived Banda not only as their 'father', but also their 'saviour' who rescued the Malawi society from the pangs of colonialism. This socialization is analytically consistent with Schatzberg's (1993; 2001) analysis of African legitimacy that

is hinged on political leaders portraying themselves and being perceived as ‘fatherchiefs’ who take care of the citizens who are symbolically the ‘children’.

In effect however, Banda distorted the Malawian cultural imagery of ‘*Nkhoswe*’ to practically mean total centralization of government power in the presidency. Dunduzu and Yatuta Chisiza, and Masauko Chipembere, three of the most hardcore Malawi freedom fighters and first cabinet ministers who opposed Kamuzu Banda’s autocratic tendencies, had the following understanding of African cultural political legitimacy that contrasted with Banda’s cultural distortion:

[T]raditionally, chiefs, however strong or popular, had to articulate popular feeling and although chiefs sought to guide such feeling they could do this successfully only through consultation. A chief always acted with his elders who all had the right to speak and be consulted. Indeed, in judicial matters cases had to be heard in public and everyone concerned had the right to speak. The term *mlandu* describes this understanding of authority and its concept... is ... in direct contrast with Banda’s insistence on autocratic rule being the ‘African way’; a refrain too often echoed by European ‘liberals’ and ‘experts’ (Thompson 2009, p. 208)

Thus, the *Nkhoswe* and ‘fatherchief’ symbolism that Banda adopted and used to indoctrinate the Malawi society was essentially deliberately distorted to suit Banda’s autocracy. This practice of African leaders distorting African tradition and culture is consistent with Schatzberg’s observation that many African dictators manipulated cultural imagery to amass personal power (Schatzberg 2001). To use African political terminology⁴⁶, Kamuzu Banda ‘ate’ too much of political power and did not nurture his ‘children’ to take on the responsibility of ruling. He violated their political and economic rights, thereby undermined the legitimacy of his regime.

Using Weber’s concepts of charismatic and traditional sources of legitimacy, some analysts such as Forster have argued that, from independence in 1964 to 1994, Kamuzu

⁴⁶ See for instance Jean-Francois Bayart’s ‘Politics of the Belly’ (Bayart, 1993), and Schatzberg, 1993.

Banda enjoyed legitimacy due to his charismatic and cultural nationalism appeal that had an impact on Malawi's political culture and resulted in popular support for his regime (Forster 1994). However, a critical analysis shows that Banda's charisma only managed to suppress people's dissent. Further, despite trying to promote a type of charismatic legitimacy, Banda for the most part relied on manipulation and distortion of the cultural worldview of the masses and brutally suppressing any dissenting voice. Studies have actually shown that, faced with a manipulative and oppressive situation, people have three choices: to exit the system; stay and make their dissatisfaction known; or conform to the system (Hirschman 1970). It can therefore be argued that, in Malawi, between 1964 and 1994, faced with a brutal regime, many Malawians opted to suppress their concerns and conform to the system, and some went into exile. This, in effect, undermined Banda's legitimacy as the system was made up of masses with suppressed dissenting voices, hence brewing legitimacy crisis. That is why in 1992, when an opportunity to voice concerns presented itself, all the vestiges of Banda's superficial legitimacy vanished, and people in 1993 rejected Banda's one party system, voted for multi-party system of government, and voted Banda out of office in 1994 (Phiri & Ross 1998).

Due to effective conflation of executive and legislative powers in Banda therefore, the legitimacy of Malawi parliament from 1961 to 1994 is analytically inseparable from a discussion of Banda's legitimacy. The parliament legitimacy therefore was merely based on authoritarian laws whose public scrutiny was brutally suppressed. This superficial juridical legitimacy, or in other words unfair constitutive laws, combined with Banda's distortion of cultural symbolism to entrench his power and use parliament to legitimize his decrees, can be said to constitute parliament's weak legitimacy during the post-colonial Malawi.

4.4 Malawi Parliament in a Democratic Era: 1994 to 2011

Malawi re-introduced a multi-party system of government in 1993, following the referendum in June of the same year where the majority of the electorate rejected one-party system in favour of multi-party democracy. In the following presidential and

parliamentary elections in May 1994, Kamuzu Banda lost the presidential elections to Bakili Muluzi of the new United Democratic Front party (UDF), and the MCP failed to win the majority of the parliamentary seats as shown in table 5 below:

Table 5: 1994 Parliamentary Elections Results

Party	Votes	% Votes	Seats	% Seats
United Democratic Front (UDF)	1,375,878	46.53	85	48.02
Malawi Congress Party (MCP)	996,047	33.68	56	31.64
Alliance for Democracy (Aford)	563,417	19.05	36	20.34
Others	21,811	0.74	0	0.00
Total	2,957,153	100.00	177	100.00

Source: Electoral Institute for Sustainable Democracy in Africa (EISA)⁴⁷

Since the UDF also failed to secure the majority of parliamentary seats, it formed a coalition government with Alliance for Democracy (AforD); and the MCP became the main opposition party in parliament.

The voting pattern during the 1994 presidential and parliamentary elections was however marked by regionalism where voters from specific regions voted predominantly for presidential and parliamentary candidates belonging to specific political parties whose leaders came from their regions. Table 6 below summarizes this regional voting pattern:

⁴⁷ <http://www.eisa.org.za/WEP/mal1994results2.htm> (Accessed on 6 February 2013)

Table 6: Regional Voting Patterns during the 1994 Parliamentary Elections

Party	Seat Allocation			
	North	Centre	South	Total
United Democratic Front (UDF)	0	12	73	85
Malawi Congress Party (MCP)	0	51	5	56
Alliance for Democracy (AforD)	33	3	0	36
Total	33	66	78	177

As can be seen from table 6 above, the Northern region predominantly voted for AforD; the Central region for MCP; and the Southern region for UDF. Similar identity voting patterns emerged during the 1999 and 2004 presidential and parliamentary elections where the home of origin of the voter was a credible predictor of who the voter would vote for (Ferree & Horowitz 2007). This regional voting pattern was broken during the 2009 presidential and parliamentary elections when the Democratic Progressive Party (DPP) and its leader Bingu wa Mutharika won the majority votes in all the three regions (Smiddy & Young 2009). Whether this symbolized the end of regional voting patterns in Malawi is yet to be confirmed through experience including the next general elections in 2014.

As indicated in chapter 3, region of residence was one of the criteria used to segment respondents in this study. However, as findings in the following chapters reveal, there were no remarkable regional differences in people's perception and opinion of parliament legitimacy.

4.4.1 Institutional Framework of Malawi Parliament

The old Constitution of Malawi that defined 30 years of authoritarianism was replaced by the new democratic Constitution in 1995. The new Constitution provided for a presidential system of government where the president is both head of state and chief executive who is directly elected by the electorate, and who has a fixed term of office of a

maximum of two consecutive five year terms⁴⁸. This provision is a departure from the one-party era constitution that provided for the president, Kamuzu Banda, as a life president of the Republic of Malawi.

The 1995 Constitution, which was still valid at the time of this study, also provided for a parliament that consists of the National Assembly, the Senate, and the President as the head of state. The Senate provision was however never implemented. The Malawi government indicated that it would be too expensive to maintain a second house (Patel & Tostensen 2007). Against disapproval from opposition parties and civil society organizations, the Senate constitutional provision was eventually repealed by Act number 4 of 2001⁴⁹. Malawi therefore has a unicameral parliament.

The role of the head of state in parliament is largely symbolic. The head of state does not participate in parliamentary debate, decisions or influence the composition of parliament. This again is a significant departure from the one-party era parliament where the president had powers to appoint any number of MPs in addition to the elected members of parliament, thereby influencing not only the composition of parliament but also the parliamentary debates and decisions. The head of state in the post-1994 parliament however calls for the seating of parliament in consultation with the Speaker, and, as head of the executive, and in line with the principle of checks and balances, has limited assent and veto power over parliamentary Bills⁵⁰. Due to this overlap between the President as head of government on the one hand, and the President as the head of state who is part of parliament on the other, and the need for analytical comparison between the executive and parliament, the definition of parliament in this study will be limited to the National Assembly that consists of elected MPs only.

Malawi follows a single-member district parliament system. Using first-past-the-post (FPTP) electoral system, MPs are directly elected by the electorate from their respective

⁴⁸ Government of Malawi (1999), The Constitution of the Republic of Malawi, Chapter VIII

⁴⁹ Government of Malawi (2001), The Constitution of the Republic of Malawi, Chapter VI

⁵⁰ Government of Malawi (2001), The Constitution of the Republic of Malawi, Section 73; Malawi Parliament Standing Orders, Section 15(1)

geographical constituencies⁵¹. Malawi is divided into 193 geographical parliamentary constituencies⁵². This single-member district parliamentary framework sets the context for direct accountability between MPs and community members in their respective geographical constituents (Patel & Tostensen 2007), and is very instrumental in our analysis of parliament legitimacy in as far as it involves the relationship between parliament and the people at local level. The implications of this direct accountability on parliament legitimacy is expounded in chapters 6 and 7.

4.4.2 Functions of Malawi Parliament

The parliament is a key state institution in any representative democracy as it is the ultimate forum of the people at national level where people's interests are represented. Conventionally, there are three main functions of parliament namely: legislation, representation, and oversight of other branches of government notably the executive (Barkan 2009; Heywood 2007). Barkan (2009) however adds 'constituency service' as another function of parliament especially in Africa. This function however is not a conventional function of parliament as it normally falls within the local government ambit (Chiweza 2007; Heywood 2007; Patel & Tostensen 2007). Barkan's observation is however correct that many African members of parliament are involved in 'constituency service' especially given the poverty levels in many African communities and the direct accountability of MPs to their constituents that is embedded in the parliament institutional set up. The political legitimacy implication of this observation is discussed in chapters 6 and 7.

Legislation basically entails MPs debating and passing laws and policies in collaboration with or independent of the executive.

Representation in this case roughly refers to members of parliament articulating and presenting the views, opinions and needs of the people they are standing in for in parliament. In constituency based parliamentary systems like Malawi, the people

⁵¹ Government of Malawi (2001), The Constitution of the Republic of Malawi, Section 62(1)

⁵² See Map 3 in Chapter 3

represented by the MPs are normally those from the MPs' respective geographical constituencies.

Oversight function entails MPs monitoring the functions of the executive and other branches of government to make sure that laws and policies are implemented in the intended manner (Barkan 2009; Patel & Tostensen 2007).

Following these conventional functions of parliament, the Malawi Constitution, the Malawi Parliament Standing Orders, and other Malawi Parliament official documents attempt to provide for and expound the terms and procedures for carrying out these three core functions.

Legislative Function

The Malawi Constitution provides the ultimate framework for the legislative role of the Malawi parliament. Section 48 sub-sections 1 and 2 of the Malawi Constitution provides that '[a]ll legislative powers of the Republic shall be vested in Parliament which shall have the powers and responsibilities set out in this Constitution' and that '[a]n Act of Parliament shall have primacy over other forms of law,...' subject only to the Constitution (Malawi Government 2002, p. 23). Thus, the Malawi parliament has powers to debate public or private Bills that become law when the majority of MPs vote for it, when assented to by the president acting as executive check on parliament, and when gazetted. However, if the president vetoes a Bill and returns it to parliament, he has no power to veto the Bill again if the majority of MPs vote for it again to become law; in that case, the president is compelled to assent to the Bill and the Bill is gazetted into law⁵³. This suggests that the Malawi constitution, much as it provides for executive check on parliament, accords higher powers and authority to parliament in the law making process; and accords the president limited veto powers.

Pursuant to section 56 of the Malawi Constitution that mandates the parliament to regulate its own procedures through Standing Orders or otherwise, the Malawi Parliament Standing Orders go on to detail the processes and rules of debating public and private

⁵³ Government of Malawi (2001), The Constitution of the Republic of Malawi, section 73.

Bills before they are forwarded to the president for assent⁵⁴. Thus, the legislative function of Malawi parliament is not only mandated by the constitution but its operationalization is also well documented and thus has a clear guide on the *modus operandi*.

Oversight Function

Section 66 (1) (a) and (c) of the Malawi Constitution provides that '[t]he National Assembly shall be a directly elected Chamber which shall have power,... to... receive, amend, accept or reject Government Bills and Private Bills;... debate and vote motions in relation to any matter including motions to indict and convict the President or Vice-President by impeachment;' (Malawi Government 2002, pp. 30-31). To the extent that the parliament is accorded power to scrutinize, accept or reject the executive initiated government Bills before they become law, the Malawi parliament is therefore vested with the power and authority not only to legislate, but to oversee the functions and policies of the executive. This oversight function reaches its peak with the ultimate authority to indict and convict the president or his vice by impeachment if the executive is deemed by the parliament to have committed serious breaches of the Malawi Constitution.

Apart from the National Assembly oversight of the executive that happens through debates in the Chamber, another significant channel of parliamentary oversight over the executive is through the parliament committee system. Parliamentary committees are basically 'sub-Assemblies' of the National Assembly that are composed of specific number of selected MPs tasked by the whole house to oversee specific functions of the executive or as delegated by the house from time to time.

Section 56 (7) of the Malawi Constitution establishes four parliamentary committees namely:

- Budget and Finance Committee, to oversee government budget and finances;
- Defence and Security Committee;
- Legal Affairs Committee; and

⁵⁴ Malawi Parliament Standing Orders (2003), sections 108-138

- Public Appointments Committee, to oversee and approve executive appointments of certain top public officials as mandated by the Constitution.

In addition to the above committees, pursuant to section 56 (6) of the Malawi Constitution that mandates the parliament to establish oversight committees, Malawi parliament has established the following committees:

- Public Accounts Committee, to examine the audited public accounts;
- Business Committee, to coordinate and prioritise business of the House;
- Parliamentary Development and Coordination Committee, to coordinate and recommend budget and development issues of all the other committees except the Business Committee;
- Departmentally related committees namely:
 - Commerce, Industry and Tourism;
 - Health and Population;
 - International Relations;
 - Media and Communication;
 - Agriculture and Natural Resources;
 - Education, Science and Human Resources;
 - Social and Community Affairs; and
 - Transport and Public Works.

The Malawi Parliament Standing Orders (2003) details in part XXXI the rules and procedures guiding the conduct of parliamentary committees in their oversight function.

The committees however face budgetary constraints. The funding from government is often not enough and/or erratic and this affects the oversight functions of the Committees (Patel & Tostensen 2007). Though some external donors have stepped in to fund some committees, funding remains a stumbling block to the oversight functions of Malawi Parliament.

Evidence also suggests that the executive branch of government, which controls the National Treasury, also manipulates funding to the committees to avoid the committees'

scrutiny of the executive activities. This was particularly the case from 2004 to 2009 when the opposition parties controlled the majority of parliament which meant many parliamentary committees being controlled by the opposition hence strict scrutiny on the executive. It is alleged that, during this period, parliamentary committees that by tradition used to meet at least four times a year, only met once or twice a year because the executive withheld funds to avoid opposition scrutiny. The executive on the other hand alleged that it could not fund most of parliament activities because parliament was turned into a political battle field as opposition members prioritized such issues as impeachment of the president at the expense of such development issues as passing the national budget⁵⁵. The quotation below illustrates the sentiments of some opposition members of parliament on parliament oversight function between 2004 and 2009:

Well, I can say that parliament is suffering and the executive has got a lot of powers in the sense that they are controlling money. So whenever we have a programme we must go to them like begging, ‘can you help us’? If they don’t have, or they see that this will hurt us they say we have no money. So we are like beggars. Our constitution stipulates that once we pass the budget, funds allocated to parliament are protected. Meaning that anytime when we have an activity we don’t have to beg from the executive. That’s where the challenge is. So we are like begging from the executive and if they want the programme to be executed they say go ahead, if they see that oh! this is not good they say we have no money.⁵⁶

Despite the above implementation challenges, it would seem that, just like the legislation function, the institutional set up of oversight function is in place, and is well documented and financially supported.

⁵⁵ In-depth interview with Malawi Parliament Staff member, 19 October 2010

⁵⁶ In-depth Interview with opposition Member of Parliament, 3 May 2011

Representation Function

Section 62 of the Malawi Constitution stipulates that:

[t]he National Assembly shall consist of such number of seats representing every constituency in Malawi, as shall be determined by the Electoral Commission....
[e]ach constituency shall freely elect any person, subject to this Constitution and an Act of Parliament, to represent it as a member of the National Assembly in such a manner as may be prescribed by the Constitution or an Act of Parliament.
(Malawi Government 2002, p. 29)

This provision lays down the foundation for the representative role of the Malawi parliament and the MPs' direct accountability to their respective constituencies. Thus, MPs meet at the National Assembly to represent the interests of their constituents who directly voted them into power, and are thus accountable to the constituents.

However, apart from the above constitutional provision on the composition of parliament, an analysis of the Constitution, Malawi Parliament Standing Orders, and other Malawi Parliament documents shows that representation function is not well documented let alone supported either institutionally or through meaningful budget allocation as is the case with legislative and executive oversight functions. There are no documents at parliament or within political parties that clearly stipulate how MPs should carry out the representation function let alone set the minimum standards of representation. Thus, the operationalization of representation function is largely left to the discretion and budgetary support of the individual MPs and other informal mechanisms. This has an implication on the quality of representation and hence the legitimacy of parliament. This gap is expounded in chapter 7.

In this study on political legitimacy of parliament, given that political legitimacy hinges on the relationship between the governors and the governed, the focus will be biased towards the representation function. It should however be noted that representation function is carried out within all the other functions of parliament. For instance, as members of parliament are debating and passing laws, it is expected of them to make sure

that the opinion and needs of the people they represent are reflected in the laws and policies; and as they oversee the executive branch of government, they are expected to make sure that the executive is implementing the laws and policies to the satisfaction of the people they represent. In this case, much as the focus of this study is primarily on representation function, it will also delve into the other functions in as far as they overlap with the representation function. In this regard, representation function can therefore be categorised as a 'meta-function' of parliament and hence it is at the heart of parliament legitimacy. It is therefore ironical that in Malawi, this meta-function is largely left to the discretion of the MPs with very little, if any, documentation, institutional and budgetary support.

4.5 Vertical versus Horizontal Parliament Accountability

Since our parliament legitimacy discussion will largely focus on representation that presupposes popular authorization and representative accountability, it is important at this stage to differentiate between vertical and horizontal parliament accountability.

Vertical accountability refers to the relationship between parliament and members of parliament on the one hand, and the electorate on the other. The members of parliament are expected to represent the views and interests of the people as they carry out their legislative and oversight functions. The members of parliament are therefore answerable to the electorate through such mechanisms as periodic elections, and bodies and fora such as public hearings, the media, political parties, local assemblies and civil society organizations (Hussein 2004; Patel & Tostensen 2007).

Horizontal parliament accountability on the other hand refers to the relationship between parliament and other key state institutions such as the executive and the judiciary (Patel & Tostensen 2007). Within the principle of checks and balances, parliament is mandated to check and oversee the functions of other arms of government. At the same time, the other arms of government such as the executive are mandated to check the functions of parliament through such mechanisms as presidential veto and assent powers on parliament Bills.

Given that parliament legitimacy is predominantly located in the relationship between the people and parliament, this study will primarily focus on vertical accountability. Ultimately however, horizontal accountability ensures that rulers are accountable to the people as the parliament is a representative body of the people. This justifies the need to delve to some degree into horizontal accountability roles as one way of ensuring vertical accountability. In this case therefore, some cases of horizontal accountability are also used to strengthen the arguments made in this thesis.

4.6 Conclusion

The history of Malawi shows that parliament, since independence in 1964, was subordinated to the executive arm of government. The first president, Kamuzu Banda, in turn personalized the executive arm of government. Banda initiated a series of constitutional reforms that included the President hiring and firing members of parliament. The legitimacy of parliament from the early 1960s to 1994 therefore was tied to the legitimacy of Kamuzu Banda. Backed by one party authoritarian constitution, Banda established himself as a feared ‘fatherchief’ to all Malawians through distortion of cultural symbolism and brutal suppression of dissenting voices at cabinet and parliament levels on the one hand, and community level on the other. In effect therefore, Banda and his institutions, including parliament, enjoyed superficial legitimacy as dissenting voices were merely suppressed and many people paid allegiance to the state not through willing acceptance. The brewing legitimacy crisis of Banda system was manifested in early 1990s through civil unrest and eventual rejection of the one party system in the 1993 referendum; and deposition of Banda and the majority of MCP members of parliament in 1994 presidential and parliamentary elections.

The re-introduction of multi-party democracy in 1993 and the ushering in of new democratic government in 1994 brought the promise of a government with legitimate institutions and a government that caters for people’s socio-economic needs (Phiri & Ross 1998). The institutional set up of parliament however shows that; of the three main functions of parliament namely representation, legislation, and oversight; representation function is not well-documented let alone supported institutionally and financially. This

is ironical considering the fact that representation is a meta-function as it cuts across the other functions. This development is crucial in our analysis because representation is at the heart of parliament legitimacy and is the hallmark of the relationship between the people and the members of parliament in a democracy. The implication of this development is unpacked in chapter 7

Given the Malawi parliament history, and the institutional set up at the onset of democracy in 1994, chapter 5 proceeds to present the legitimacy trends and patterns of the Malawi democratic parliament from 1994 to 2011.

Chapter 5

5.0 LEGITIMACY TRENDS AND PATTERNS OF MALAWI DEMOCRATIC PARLIAMENT FROM 1994 TO 2011

...parliament is useless and irrelevant as we speak because it doesn't address our needs... - FGD participant, Rural Northern Region, Mzimba (16 November 2011)

5.1 Introduction

Having looked at the historical perspective of the Malawian parliament, this chapter explores the trends and patterns in the legitimacy of the Malawian parliament from the re-introduction of multi-party democracy in 1994 to 2011. The chapter uses both quantitative and qualitative analyses to present the legitimacy trends, patterns and the quality of the trends. The quantitative evidence periodizes and examines people's perception of parliament and identifies patterns and events that are of interest in the context of the theoretical framework developed in chapter 2. The quantitative evidence, as indicated in chapter 3, is an analysis of Afrobarometer data that were collected in surveys in Malawi in 1999, 2002, 2005, and 2008. In addition, analysis of Afrobarometer data from at least 12 African countries is also presented where an attempt is made to locate Malawi in the broader African picture. Unless specifically indicated, all tables and graphs presented are results of my analysis of the Afrobarometer data.

The qualitative evidence was analysed from primary data from my fieldwork in Malawi as presented in chapter 3. As can be noted, the data was collected largely in 2011. Thus, the qualitative data are the most recent data and are instrumental in not only bringing out people's meanings, perceptions and insights on parliament legitimacy, but also in qualifying the trends and patterns revealed by the quantitative analysis.

Occasionally, the legitimacy trends and patterns, and public perceptions and meanings are verified and interpreted in the context of other studies and evidence to tap into both

the subjective and objective public outlook of parliament and thereby getting a comprehensive and substantive picture of people's evaluation of parliament.

The discussion of findings in this chapter is guided by the concept operationalization model shown in figure 3 in chapter 2. Ultimately, the interpretation of the findings is guided by the conceptual framework shown in figure 2 in chapter 2. As indicated elsewhere in this thesis, the conceptual framework and operationalization model are not treated as sacrosanct, but are used simply as lenses to identify what is significant about the findings in the context of the objectives of the study.

Further, as I present, analyse and discuss the findings, I take every opportunity to compare the Malawian trends and patterns of parliament legitimacy with the African trends and patterns using available quantitative evidence from at least 12 countries. Much as this is not a comparative study, the aim of these occasional comparisons is to locate Malawi in the larger African picture. This exercise also starts to build a case for external validity of the Malawi case that will be further developed in chapter 8. By external validity in the context of the Malawi case study, I am not referring to generalization of findings but rather possible analytical extrapolation of insights from the Malawi case to other countries with similar experiences (Chima 2005; Patton 1990).

The main picture emerging from this chapter is that, much as many Malawians recognize and accept parliament on the basis that it is legally constituted. However, public trust of parliament has recently been going down largely because of people's dissatisfaction with the performance of MPs, and the resultant waning of public affective affinity to parliament. In some cases, people have begun to question the representation procedures and effectiveness of parliament and some have begun proposing alternative avenues of representation such as through traditional leaders. Read together, this implies decreasing legitimacy of Malawi parliament on all three dimensions – the instrumental, symbolic, and juridical legitimacy.

5.2 Public Trust of Parliament

The trust that people have in governing institutions and governors is indicative of the level of legitimacy enjoyed by the specific institutions and governors (Dogan 2003). Political trust in institutions, as discussed in chapter 2, can be reflective of people's satisfaction with the institution's conformity to established laws and procedures, satisfaction with their affective proximity to the institution, and/or satisfaction with the institution's performance. Trust is therefore a credible legitimacy proxy and we use it here to get a picture of the Malawi democratic parliament legitimacy trend and quality.

Table 7 and figure 4 below show the levels of trust that people in Malawi and 12 African countries⁵⁷ have displayed from 1999 to 2008.

Table 7: Trust of Parliament in Malawi and Africa

	1999/2000	2002/3	2005	2008
% of people who trust parliament – 12 countries	68	43	59	57
% of people who trust parliament - Malawi	35	40	59	56

⁵⁷ Afrobarometer's first 12 countries surveyed were Botswana, Ghana, Lesotho, Malawi, Mali, Namibia, Nigeria, Tanzania, South Africa, Uganda, Zambia, and Zimbabwe. The comparative analysis therefore only compares these 12 original countries where surveys were conducted from 1999 to 2008.

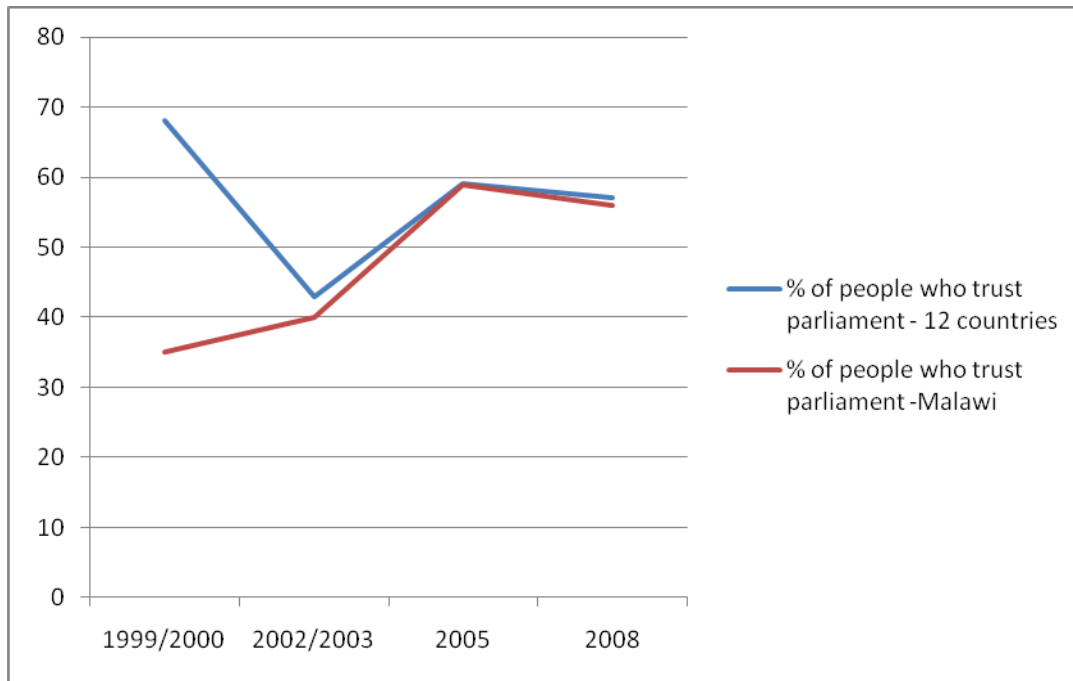


Figure 4: Trust of Parliament Trends in Malawi and Africa

As can be noted in table 7 and figure 4 above, the graph of 12 African countries shows that people's trust in parliament is generally volatile. This African trend is consistent with the observation of many analysts on parliament both in Africa and Europe. The Afrobarometer for instance shows that levels of public trust of parliament in many African countries are generally low and volatile (Afrobarometer 2006b). Studies in Europe in 1981 and repeated in 1990 also show that people's confidence of parliament only averaged 43%, a level characterized as astonishingly low (Dogan 2003).

However, the Malawi trend is different from this general observation as the level of trust in Malawi parliament has been rising from 35% in 1999 to a peak of 59% in 2005, before slightly dipping to 56% in 2008. The lowest trust level in 1999 may be a reflection of the fact that Malawi had just come out of an authoritarian regime where parliament was basically a rubber stamp of the executive as discussed in chapter 4. The rise in trust from 1999 to 2005 can be attributed to the onset of multi-party democracy and the associated hope in representative institutions; and the strengthening of the local government system

between 2000 and 2005 in an effort to cater for local needs. This local government effect on parliament legitimacy is discussed in chapter 6.

The dip in public trust of parliament from 2005 to 2008 reflects the period when the opposition had a parliamentary majority. During this period, the opposition MPs, using their majority, were preoccupied with trying to impeach the President at the expense of passing such socio-economic Bills as the national budget. This resulted in public loss of trust of parliament and subsequent public demonstrations against parliament as people felt that their socio-economic needs were compromised by persistent parliament political bickering (HRCC 2008). This situation may explain this loss of public trust in parliament from 2005 to 2008. This factor is discussed in more detail in chapter 7 under the theme of parliamentary representation.

Another explanatory factor that may explain this loss of trust is the deteriorating local government service delivery from 2005, when Malawi failed to hold local government elections to elect local councillors. This resulted in public dissatisfaction with local service delivery and, given that MPs were the only representatives close to the local level, the blame was shifted to the MPs. This finding is expounded in chapter 6.

The deviation of the Malawi case from the general parliament trust volatility thesis speaks to the fact that trust in (and by extension, legitimacy of) government institutions is often levelled off across different countries to the extent that country specific trends that would give new insights are buried under cross-country averages. Malawi's trust of parliament is not necessarily low and volatile, but rather has been steadily increasing since 1999 up to 2005 when it started nose-diving. The possible explanation for this trend, hence for parliament legitimacy trend in Malawi, is expounded in chapters 6 and 7.

Qualitative evidence that I gathered in 2011 is consistent with the drop in public trust in Malawi parliament observed from 2005. The evidence further shows reasons behind the drop in public trust of parliament.

It should be noted in advance that qualitative evidence shows that, when discussing parliament, respondents in the qualitative research that I conducted in rural and urban

Malawi did not automatically make a clear distinction between parliament as an institution, and MPs. However, when directly asked about the difference, respondents showed they generally knew the difference between the institution and the MPs. When evaluating parliament however, they often used ‘parliament’ and ‘MPs’ interchangeably because parliament is largely made up of MPs. Analysis shows that this is because people often look at MPs as the face of parliament that is in contact with the people. In presenting qualitative evidence below therefore, this interchangeability can easily be noticed though at times analysis will demand the distinction between the two.

The qualitative evidence overwhelmingly shows that many people do not trust their MPs, and subsequently parliament itself in as far as it is constituted by the MPs. The main reason for lack of trust was that MPs show little interest and effort in local development of their constituencies. The quotations below illustrate this finding:

Some (people) whose MPs are developing their areas are trusting parliament but for us it is what we are saying that with what our MP is doing we do not trust it... Because while in parliament how they discuss and pass budgets has seen people not having money in their pockets (not having disposable income).⁵⁸

It is really difficult to trust an MP... because we have realized that he is not fulfilling his promises. He promised a lot of issues that he will fulfill which we haven't seen him doing since he got elected. So even if he says something, it is difficult for us to believe him, we doubt it because the way he speaks is exactly the way he did during campaign. He promised us several things and he hasn't done anything yet.⁵⁹

Some two groups in one constituency in the rural Northern region of Malawi, acting almost as an outlier, indicated that they trusted their MP though overall they did not trust parliament itself for its perceived failure to develop the country. The trust they had in their MP was hinged on their satisfaction with his involvement and assistance in local development that went as far as the MP using his personal resources.

⁵⁸ FGD with women who had never been to school, Rural Central Region, Lilongwe, 30 May 2011.

⁵⁹ FGD with mixed gender literate group, Urban Southern Region, Blantyre, 6 June 2011.

We trust our MP very much... He is distributing desks in schools. He has also constructed over 80 houses across Hora constituency...these are houses for school teachers. That's why we depend on him... we accepted him and he is free to remain for 10 years... He is a very good MP, even for 20 years he can remain as an MP here.⁶⁰

Despite such isolated evidence of people trusting their MP, the weight of evidence suggests that many people do not trust their MPs.

Respondents indicated that they would trust and accept the authority of MPs and parliament if they are satisfied with the MPs' performance especially in addressing the people's socio-economic needs at the local level. This finding is consistent with the literature showing the link between trust of an institution, the institutional perceived performance and ultimately its legitimacy (Dogan 2003). The implication of evaluating parliament on the basis of local development is discussed in chapter 6.

A longitudinal analysis therefore shows that in post-1994 democratic Malawi, public trust of parliament was strong during the initial years of the introduction of multiparty democracy before it started waning after 2005. Qualitative evidence collected in 2011 further suggests that the public trust of parliament is deteriorating largely because of the MPs not fulfilling people's expectations and the MPs' promises of uplifting the welfare of the people at the local level through for instance local service delivery.

We now turn to analyse the trends in another legitimacy indicator namely procedural fairness.

5.3 Public Perception of Parliament Procedural Fairness

As discussed in chapter 2 and as shown specifically in figure 3, public perception of procedural fairness in constituting an institution determines their trust of the institution hence the legitimacy of the institution. Perception of procedural fairness falls within the juridical legitimacy ambit as the legitimacy of an institution is hinged on its lawfulness.

⁶⁰ FGD with mixed gender literate group, Rural Northern Region, Mzimba, 16 November 2011.

Thus, the more people perceive laws and procedures guiding an institution to be fair, the more they trust the institution, and the more the institution enjoys legitimacy.

One key parliament procedure that we explored in this study is parliamentary elections. The focus here was people's perception of the fairness of parliamentary elections. Using Afrobarometer indicator⁶¹, the graph below shows proportions of people in Malawi and 18 selected African countries⁶² who think that parliamentary elections ensure that MPs reflect voters' views.

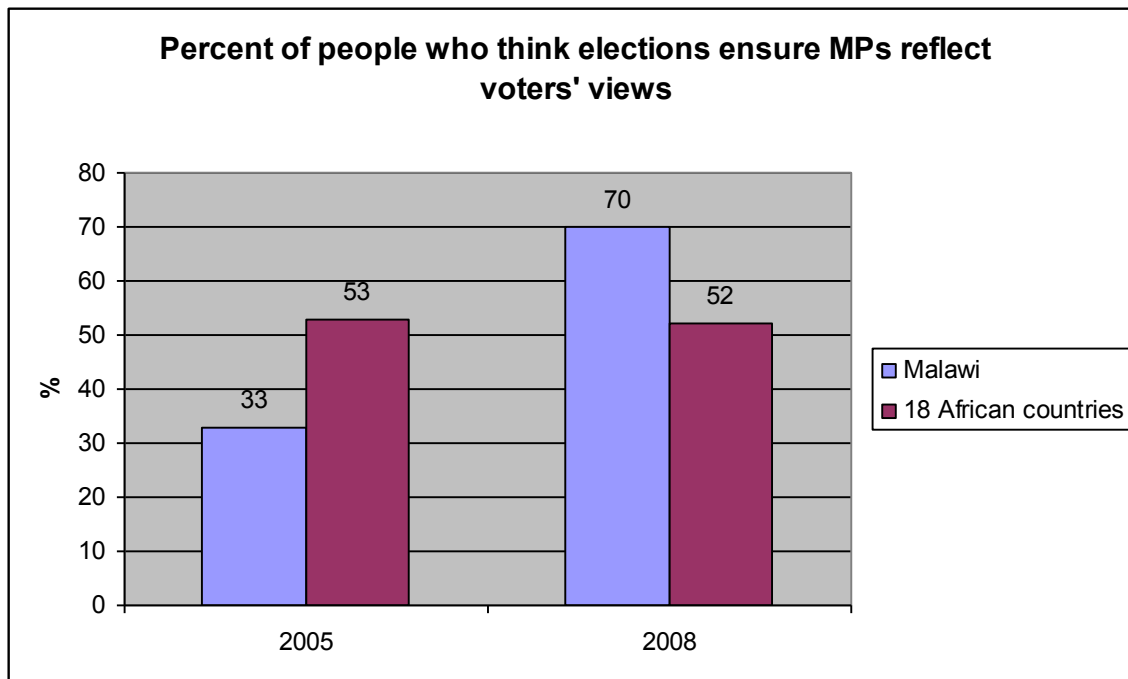


Figure 5: Public Perception of Parliamentary Elections' Fairness

As can be seen from figure 5 above, just over half of Africans in 18 selected African countries in 2005 thought that elections ensure that MPs reflect the views of the voters in

⁶¹ The question in the Afrobarometer questionnaire used to measure this indicator reads: 'Think about how elections work in practice in this country. How well do elections: ensure that the members of parliament reflect the views of the voters?'. This question was asked in 2005 and 2008 only.

⁶² Afrobarometer conducted surveys in 18 African countries in 2005, and 20 African countries in 2008. In this illustration, to ensure that the results are statistically comparable, I only used 18 African countries that were surveyed in both 2005 and 2008. The countries are Benin, Botswana, Cape Verde, Ghana, Kenya, Lesotho, Madagascar, Malawi, Mali, Mozambique, Namibia, Nigeria, Senegal, South Africa, Tanzania, Uganda, Zambia, and Zimbabwe.

parliament. This modest proportion did not change much in 2008. In contrast, there was a significant increase in the proportion of Malawians who thought that elections ensure that MPs reflect the views of the voters, from 33% in 2005 to 70% in 2008. This signifies a remarkably increasing public confidence in legal procedures that facilitate the representativeness of parliament. From a juridical legitimacy point of view therefore, this implies people's endorsement of the lawfulness and procedural fairness, hence legitimacy of Malawi parliament.

As discussed in chapter 2, public perception of lawfulness or procedural fairness of an institution is a significant anchor of the institution's legitimacy (Sternberger 1968). It is therefore seemingly ironical to note that, in general, from 2005, Malawians were losing trust in parliament as shown by figure 4 above, yet during the same period they showed remarkably increasing confidence in legal procedures guiding the representativeness of parliament. This can however be understood if we realise that parliamentary elections are not the only legal basis of parliament and representation that people consider when evaluating parliament and that, public trust in parliament is not only based on confidence in parliamentary elections. Qualitative evidence shows that, much as people were satisfied with parliament elections as a means of ensuring representation, they often questioned other set procedures of parliament representation and accountability, and they suggested reforms to these institutions. For instance, following the widespread dissatisfaction with the representation offered by MPs especially as it failed to address the needs of the people, many respondents suggested putting in place alternative representation avenues to parliament such as through traditional leaders. Further, in the absence of effective accountability mechanisms, respondents suggested setting up evaluation mechanisms of MP performance and introducing constitutional provisions for impeaching non-performing MPs. The quotations below illustrate this finding:

It's just so sad that we cannot impeach our MP, we need that law. If we had that law, we would definitely have impeached our MP and that is a fact. Had

parliament accepted that non-performing MPs get impeached, as is the case with the president, Mr Pitala⁶³ would have gone long time ago⁶⁴.

...maybe there should be a provision that if parliament fails, we have (traditional) chiefs here, probably they should also be allowed to go there (at parliament) and present the needs of the people...⁶⁵

What she is saying is true because in a village like this we believe that if we have the MP, he will be the one to help us on the problems that we have. But if the MP is not coming to visit us since the elections we do not have anywhere to take our issues to, that's why we are saying we would love if the government set some mechanisms to evaluate how the MPs are performing, we feel we would not have been facing all these challenges.⁶⁶

It is therefore clear from the above evidence that people were not fully satisfied with the existing procedures of representation and accountability. That is why they made such suggestions as allowing traditional leaders to represent them at national fora, and for non-performing MPs to be impeached. These suggestions were made with full knowledge that MPs in Malawi cannot by law be 'impeached' by the electorate while in office, and that traditional chiefs cannot go to parliament to represent the people. The constitutional provision for the electorate to recall their MP when necessary was quietly repealed in 1995⁶⁷, without popular consultation, barely a year after the re-introduction of multi-party democracy. And the only potential for traditional chiefs to represent the people in parliament was again nipped in 2001, when a provision for the Senate in the Malawi Constitution was repealed⁶⁸ against civil society demands to maintain it (Patel & Svasand 2007). Therefore, the popular suggestions for alteration of existing parliament laws and procedures to enhance representation and accountability signify discontent with the

⁶³ Not a real name, to maintain confidentiality

⁶⁴ FGD with mixed gender group, Urban Central Region, Lilongwe, 11 July 2011.

⁶⁵ FGD with mixed gender group, Rural Northern Region, Mzimba, 16 November 2011.

⁶⁶ FGD with mixed gender literate group, Rural Southern Region, Blantyre, 6th June 2011.

⁶⁷ Malawi Act No. 6 of 1995; repeal of the MP Recall Provision from the Constitution.

⁶⁸ Act No. 4 of 2001. It should be noted that, despite having a Senate provision in the 1995 Constitution, Senate was never implemented until its provision was repealed from the Constitution in 2001.

existing parliament framework. This, ultimately, is indicative of brewing legitimacy crisis of the Malawian parliament, at least from the juridical point of view.

It is now evident that people often questioned the fairness of existing parliament framework ultimately because of their dissatisfaction with the performance of MPs. People wanted some legal recourse to make the MPs more representative and more accountable with the hope of motivating the MPs to perform to the satisfaction of the people. I therefore turn to explore the trends in people's perception of MPs' performance during the study period.

5.4 Public Approval of Parliament Performance

The premise for exploring trends in public approval of parliament performance is that perceived performance of an institution is a key predictor of its legitimacy (Dogan 2003; Lipset 1960; Young 1982). The more the people feel that a specific governor or governing institution is satisfying their needs, the more they trust the governor or the institution, the more the governor or the institution enjoys legitimacy (Dogan 2003).

Using Afrobarometer indicator on people's perception of parliament performance⁶⁹, figure 6 below shows trends in public approval of parliament performance in Malawi and, comparatively, 12 African countries from 1999 to 2008.

⁶⁹The indicator in Afrobarometer questionnaire read: Do you approve or disapprove of the way the following people have performed their jobs over the past twelve months, or haven't you heard enough about them to say: Your member of parliament?

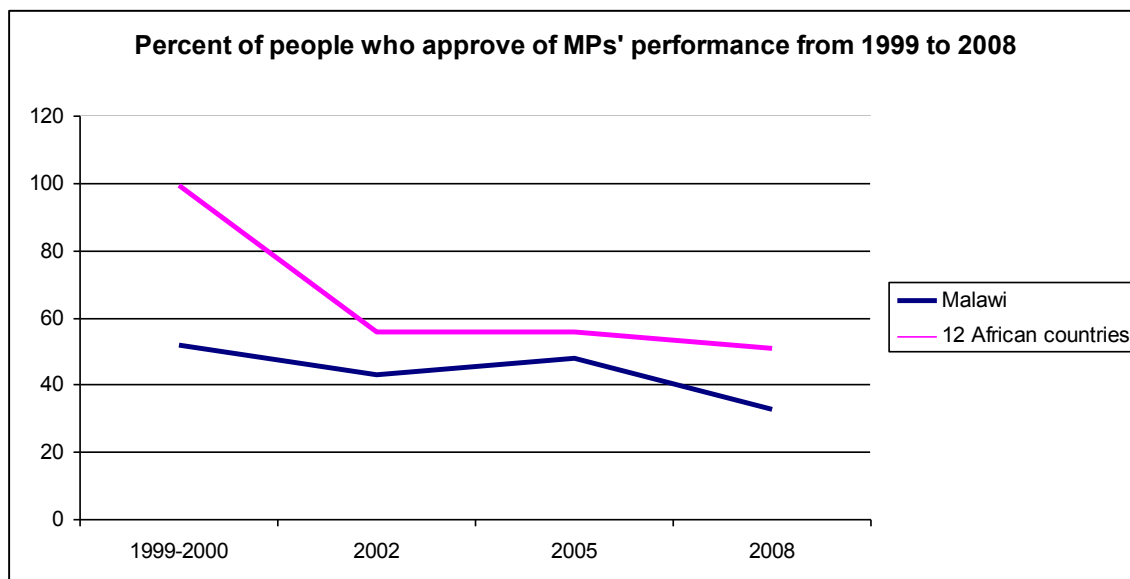


Figure 6: Public Approval of MPs' Performance

As can be noted in figure 6 above, since 1999, more and more people were getting dissatisfied with the performance of MPs both in 12 African countries and in Malawi. On average however, Malawians' performance rating of their MPs is below that of many Africans. The above 50% approval ratings in 1999/2000 can be attributed to the initial euphoria associated with the re-introduction of multiparty democracy in early 1990s. However, as years passed by, people were getting dissatisfied with the performance of their MPs. This trend is worse in Malawi as people continue to be increasingly dissatisfied with parliament performance, their approval rating well below the average approval rating in 12 African countries, reaching the lows of 33% in 2008.

The quantitative trends are consistent with qualitative evidence where respondents overwhelmingly lamented the poor performance of MPs. Performance in this case was prominently defined as satisfaction of people's local socio-economic needs ranging from facilitating availability of disposable income, local public services such as water and schools, to facilitating accessibility of product markets. Thus, MPs, and parliament as a

collection of MPs, were said to have failed in satisfying these local needs especially that the MPs knew about the people's poverty and promised during election campaigns to solve the problems. This public dissatisfaction made MPs and parliament to lose public trust hence undermined parliament legitimacy. Chapter 6 expounds on the implication of this public expectation of MP performance on parliament legitimacy. The quotations below illustrate this finding:

...this current MP used to come to even very far areas but now we are even unable to tell him our needs. We used to go to the campaign meetings, and that's where we knew about what he promised he would do after winning. He promised clean water, bridges, good roads and even good education for our children. That's why we were encouraged to vote for him hoping that he would deliver on his promises. But now since he won he completely stopped coming.⁷⁰

The MP is failing on his part because he is not the only one, we had another (MP)... and he did not bring any development so these things have just met,... the MP himself has no interest to bring development here.⁷¹

Since 1994 when Muluzi took over and democracy was born, in the first instance, it gave some kind of hope to the people but as years went on, as villagers we started losing hope because we never benefited anything from parliament. Always we hear on the radio MPs fighting in parliament, that's why you have heard that we only recognize our group village headman here because instead for us to put trust in our MP we were left a confused lot. We no longer expect anything tangible from our MP. Parliamentary deliberations are now just like one of those radio programmes and it is their business it doesn't concern us.⁷²

Since public approval of performance of government institutions and public officials is a strong factor in determining legitimacy of the institutions and officials (Dogan 2003;

⁷⁰ FGD with mixed gender group, Urban Central Region, Lilongwe, 11 July 2011.

⁷¹ FGD with mixed gender literate group, Rural Southern Region, Blantyre, 6th June 2011.

⁷² FGD with mixed gender literate group, Rural Central Region, Lilongwe, 30 May 2011.

Lipset 1960; Young 1982), disapproval of MPs' performance by the people signifies loss of legitimacy of MPs as individual public officials, and parliament as an institution.

In many cases however, respondents felt that parliament is ideally acceptable authority of representation in a democracy. They however strongly indicated that the failure of MPs to satisfy the expectations of the people has tainted the whole image of parliament and rendered the parliament and MPs irrelevant and useless.

We are not saying parliament should be abolished no. But parliament is useless and irrelevant as we speak because it doesn't address our needs. If we say we want potable water here, why should we wait for 5 years, or 10 years for us to access safe water? That's why we are saying parliament is bad. If it were that parliament is swift in addressing our needs, we could not lie to you, we would say they are delivering. Otherwise, there is no beating about the bush on this issue. These people are very bad people.⁷³

...there is nothing we can say it (parliament) has done for us because for the past two years we have been experiencing hunger but there has never been any arm of government that ever came to support us. Otherwise the parliament is important; they are only people holding those seats (MPs) who are not good.⁷⁴

...we want parliament to be there... it has been a norm that we have parliament since the early governments that they agreed that there should be a parliament. And who are we to say we don't want parliament. All we are saying is that this august house should always implement what we ask it to bring to our constituencies. We want it to be there. Furthermore, may be there should be a provision that if parliament fails, we have chiefs here, probably they should also be allowed to go there and present the needs of the people...⁷⁵

⁷³ FDG with mixed gender literate group, Rural Northern Region, Mzimba, 16 November 2011.

⁷⁴ FGD with mixed gender illiterate group, Rural Southern Region, Blantyre, 6th June 2011.

⁷⁵ FDG with mixed gender literate group, Rural Northern Region, Mzimba, 16 November 2011.

From the above evidence, much as parliament is ideally considered acceptable authority of representation, hence legitimate, the fact that people are losing trust in parliament members signifies brewing legitimacy crisis of parliament as an institution. This is consistent with Dogan's (2003) observation that the more the officials of an institution lose their legitimacy, the more the institution itself lose legitimacy. It now makes sense to observe that, although in many cases respondents still accepted the authority of parliament as a representative institution in a democracy, the widespread public frustration with MPs' poor performance in satisfying people's local socio-economic needs led to respondents suggesting parliament accountability reforms such as impeachment of non-performing MPs, and alternative representation avenues such as representation through traditional leaders as reported in section 5.3. This in a way begins to answer Afrobarometer's puzzle of whether the fact that most Malawians are dissatisfied democrats implies democracy at work or signifies potential agitation for institutional reforms in the near future (Afrobarometer 2006b); the weight of evidence in this thesis suggests the latter at least in as far as parliament is concerned, which by definition implies brewing legitimacy crisis of the current institutions.

5.5 Symbolic Legitimacy

As discussed in the theoretical perspective in chapter 2, we begin to understand the nature of legitimacy in a specific society when we understand cultural symbolisms that define people's proximity to the governing institutions or to the governors (Gill 2011; Schatzberg, 1993; 2001). In Africa, the relationship between governing institutions and governors on the one hand, and the governed on the other, is often defined in familial symbolisms such as considering governors as 'parents' who must provide for the governed – the 'children' (Schatzberg 1993) (Schatzberg 2001). Any deviation from this symbolic relationship is therefore indicative of waning legitimacy of the governors. It should be noted, as stated elsewhere in this thesis, that the symbolic dimension overlaps with the instrumental dimension where the governors' provision of the needs of the governed strengthens the 'parents-children' affective relationship.

It is against this background that I explore quantitative and qualitative evidence showing trends and quality of symbolic legitimacy in Malawi during the post-1994 democratic era. Using Afrobarometer indicator⁷⁶, the figure 7 below compares the proportion of people in Malawi and, comparatively, in 16 African countries who considered government as their ‘parent’ in 2002 and 2008.

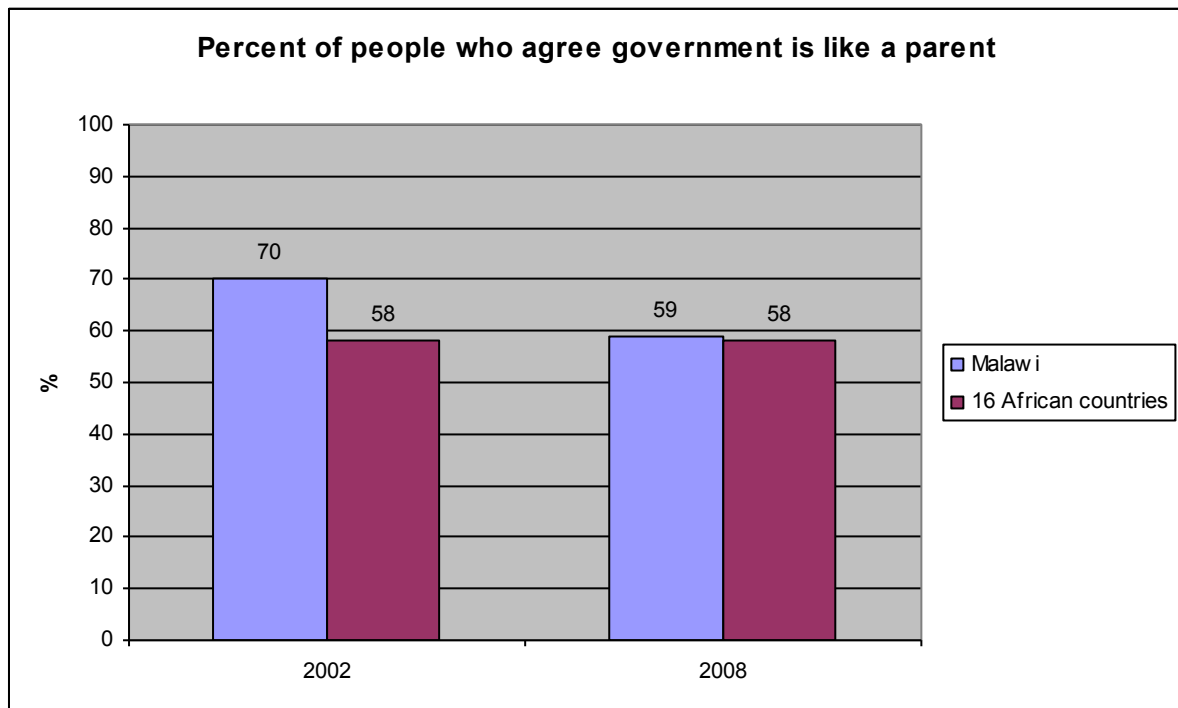


Figure 7: Proportion of People who consider Government as a Parent

Figure 7 shows that in 2002, 58% of Africans in 16 countries agreed or strongly agreed that government is like a parent and people are like children, compared to a big majority of 70% in Malawi. By 2008, the 16 African country average had not changed whereas Malawi’s proportion went down to 59%. On the whole, this implies that, in 16 African

⁷⁶ The Afrobarometer question read: Which of the following statements is closest to your view? Choose statement 1 or statement 2:

Statement 1: People are like children; the government should take care of them like a parent.

Statement 2: Government is like an employee; the people should be the bosses who control the government

countries, consistent with the thesis of Schatzberg (1993; 2001), the majority of Africans consider their governments and their leaders as parents who need to take care of the people as children. Though the proportion of people having this perception did not change on average in 16 African countries between 2002 and 2008, the proportion of Malawians who considered government as a parent decreased from 70% to 59%. Thus, although in absolute numbers the majority of Malawians still considered government as a parent, this feeling among the Malawi society was eroding, implying erosion of familial attachment that defines symbolic legitimacy of government.

Another critical dimension to this finding is that most of those respondents who did not consider government as their parent actually considered government as an employee and people like bosses. That is, in Malawi in 2002, about 28% of Malawians perceived government as an employee and people like bosses compared to 38% in 2008. Public perception of government as an employee of the people has huge implications for public demand for government accountability. The more people consider government as an employee of the people, the more they will demand accountability; on the other hand, people who consider government as a parent have a low probability of demanding government accountability (Logan & Bratton 2006). Thus, it can be implied that, by 2008, more Malawians than in 2002 were more likely to demand government accountability⁷⁷.

For the data used in this study, this indicator was only measured during the 2002 and 2008 Afrobarometer surveys, and did not disaggregate the arms of government like the parliament, the executive, and the judiciary. This constitutes the limitation of this measurement. The findings however give us a broad picture of the trend of people's affective attachment, hence allegiance, to government that includes parliament.

⁷⁷ Recent Afrobarometer findings that emerged at the time of writing this thesis actually show that more Africans than in 2002 consider government as an employee of the people, suggesting that Africans are shifting from being mere voters to becoming citizens who demand accountability from their governments. This in a way is further evidence for the erosion of familial affective attachment to government (see Logan and Bratton on <http://africaplus.wordpress.com/africa-demos-forum-2/claiming-democracy-are-voters-becoming-citizens-in-africa/>, website accessed on 1 January 2014)

On the face of it, one would argue that the decrease in proportion of people considering government as their parent does not necessarily imply loss of government legitimacy as this may indicate a mere shift from familial attachment to bureaucratic attachment as a legitimacy umbilical cord – a common Weberian phenomenon that often occurs as societies get modernized (Wolin 1984). The qualitative research that I conducted however qualifies the Afrobarometer data and suggests that Malawians still value and use these familial symbolisms to describe their relationship with government, including parliament. On the whole, using this mode of evaluation, many Malawians feel that parliament is not acting as a parent who takes care of his children and this has shaken the people's trust and allegiance to the parliament.

Unlike the quantitative evidence that did not disaggregate the branches of government, the qualitative evidence analysed focused on parliament and MPs as well, in line with the scope of this study. As can be noted from the qualitative evidence below, using the symbolic legitimacy lens, Malawi parliament is losing its legitimacy. This becomes more pronounced when we see the link between the symbolic legitimacy and instrumental legitimacy in that respondents indicated that people in Malawian communities are living like they do not have a parent to look after their socio-economic needs:

...our MP doesn't come here and we don't know much about parliament. We are like orphans here⁷⁸

We are like people who are living in the bush;... we don't know most of these issues... we only rely on the (traditional) chief that's all⁷⁹

The qualitative evidence suggests that Malawi government, as a collection of institutions and officials, is slowly losing its status as a parent in Malawian societies:

I feel government doesn't take into consideration the kind of life that we live here in the villages, because government was supposed to be the parent of the poor but it doesn't take good care of its people, so we are asking you to please, talk on our

⁷⁸ FGD with mixed gender group, Rural Central Region, Lilongwe, 30 May 2011.

⁷⁹ FGD with mixed gender group, Rural Central Region, Lilongwe, 30 May 2011.

behalf to government that it should start taking good care of its people especially in the villages because we have a lot of challenges. We are so worried here.⁸⁰

The main reason for parliament and government in general losing their status as a parent in Malawian societies was the fact that parliament and its MPs had failed to address people's socio-economic needs at the local level. These needs as observed elsewhere include local constituency services such as schools, roads and water.

From what I know, the duty of an MP is to look after his constituency which has voted him to take up that seat and be able to know the problems that people are experiencing in his constituency. When he does that he takes up all such issues to the parliament when they open for discussions and he presents all such issues but our MP does not mention of such issues even though he goes there and I have not even heard him talk on the radio, it's like we don't have a parent to look after us.⁸¹

Here do we find the link between symbolic legitimacy and instrumental legitimacy. The evidence above suggests that, as a parent, parliament is supposed to cater for the needs of its constituents. As soon as it fails to do so, it loses its status as a parent as the people now consider themselves as orphans. This is a huge dent on parliament legitimacy from the symbolic perspective. Thus, lack of satisfactory performance on the part of parliament that leads to loss of instrumental legitimacy seems to further lead to loss of symbolic legitimacy as well, and can ultimately be said to erode the overall legitimacy of parliament.

5.6 Malawian's knowledge of Parliament

As people evaluate the authority of their political systems and institutions, it is important to ascertain the extent to which this popular evaluation is based on some objective knowledge, and not ignorance; or whether it stems from distortion or manipulation of the people by those who govern (Connolly 1984; Habermas 1984; Schaar 1984). Is

⁸⁰ FGD with illiterate female group, Rural Central Region, Lilongwe, 30 May 2011.

⁸¹ FGD with mixed gender group, Rural Southern Region, Blantyre, 6 June 2011.

Malawians' simultaneous acceptance of the legal basis of parliament, dissatisfaction with its performance, and dissatisfaction with its 'parental' status, based on some objective knowledge and truth or on ignorance and/or manipulation? The answer to this question will enable us to objectively assess whether people's evaluation of the relationship between parliament and the constituents is superficial or substantive, and we will be in a position to begin to understand whether or not parliament is enjoying substantive legitimacy.

Generally, evidence suggests that many Malawians know the key roles of parliament especially at macro level and thus their evaluation of parliament at macro level is made against relatively objective basis. People for instance indicated correctly that parliament is legally required to represent the people at the National Assembly and pass laws and policies for the country. The evidence presented below illustrates this finding.

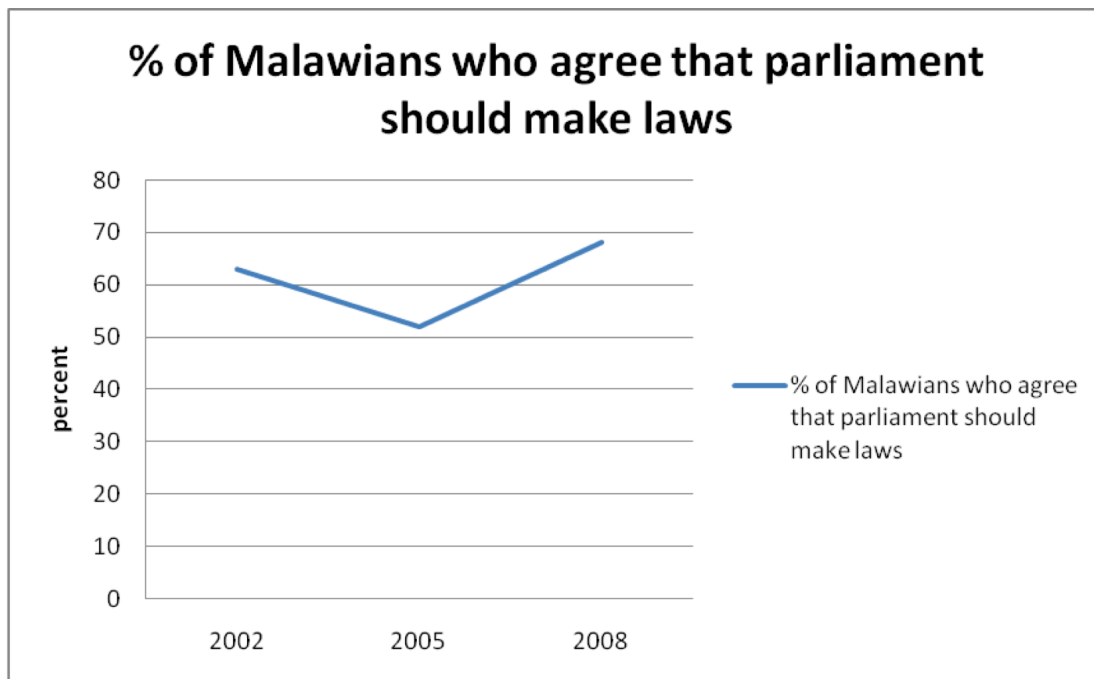


Figure 8: Proportion of Malawians who agree Parliament should make Laws

Using Afrobarometer data, quantitative analysis in figure 8 shows that on average since 2002⁸², over 50% of Malawians agreed that, being the representative of the people, parliament, and not the President, should make the laws⁸³. This indicator shows that the majority of Malawians have had correct knowledge of the representative and legislative roles of parliament at least since 2002.

Figure 8 also shows a general average growth of popular knowledge of parliament roles from 63% to 68% from 2002 to 2008. This symbolizes an informed citizenry whose evaluation of parliament is bound to be more objective. In this context, most Malawians' evaluation of parliament, at least at macro level, can be said to be objective.

The dip in 2005 saw about 48% of Malawians wishing that the President rather than the parliament should make laws. This retrogression from the constitutional democracy point of view comes at the same time when there were growing public mistrust of parliament during a period where the opposition had the majority in parliament. Using its majority, the opposition pushed government to debate political and constitutional issues that would benefit the opposition for long periods of time at the expense of debating and passing socio-economic development issues such as national budget. This resulted in public demonstrations against parliament and growing public mistrust of parliament (HRCC 2008). In this context, the drop in proportion of people who wanted parliament to make laws as opposed to the president should not be interpreted as 'lack of knowledge' but rather public disillusionment with parliament.

Qualitative evidence from responses that I got from community members consulted in all regions of Malawi supports the finding that people know some key roles of parliament especially representation and law making:

⁸² Indicator not measured in 1999 survey

⁸³ The Afrobarometer indicator read: Which of the following statements is closest to your view? Choose statement 1 or statement 2:

Statement 1: Members of Parliament represent the people; therefore they should make laws for this country, even if the President does not agree

Statement 2: Since the President represents us all, he should pass laws without worrying what the Parliament thinks

Parliament is relevant because that's where laws are made in a country, without parliament there can be no laws and there can be chaos in a country even in a democracy. But because of the laws that are passed in parliament that's what is used to govern the country and because people are afraid of going against the law, that's what builds a nation and that's why we are able to say that democracy is relevant. Otherwise without parliament there can be anarchy, no regard to authorities whether chiefs or anybody. So parliament is very relevant because of the role it plays in making laws.⁸⁴

...the MP is the one who takes any bill to the people and find out whether the people are in favour of the said law or not before he debates on it. So that is where an MP becomes more relevant and appropriate.⁸⁵

However, there are some over-expectations of the roles of parliament at the local level emanating from poor performance of local government, ignorance, and misinformation spread by MPs during political campaign periods. It came out prominently for instance that people at local level expected MPs and parliament to bring local developments such as schools, roads, and water – roles that fall within the local government ambit (Patel & Svasand 2007). This over-expectation to a large extent resulted in the public rating parliament's performance low and hence, losing trust in the parliament. Chapter 6 unpacks the implications of this trend on parliament legitimacy.

Analysis of 2008 quantitative data also shows that, people's knowledge of roles of parliament notwithstanding, when they are assessing parliament on its own, law making ranks low on the expected job list of an MP, and constituency service ranks among the top expected roles of an MP. The evidence shows that 39% of Malawians felt that the most important job of an MP is constituency service, against 53%, 5% and 2% who cited representation, law making, and oversight respectively. Thus, the constitutionally provided law making role ranks below constituency service role which ironically is not legally provided for as a role of parliament in any legal or policy framework in Malawi.

⁸⁴ FGD with literate mixed gender group, Central Rural Region, Lilongwe, 30 May 2011

⁸⁵ FGD with literate mixed gender group, Southern Urban Region, Blantyre, 6 June 2011

Constituency service has however turned out to be the expected role of parliament upon which people evaluate parliament, and ironically, upon which the legitimacy of Malawi parliament largely rests. This again is unpacked in chapter 6.

5.7 Manifestation of Brewing Legitimacy Crisis among MPs in Malawi

The decreasing popular trust in parliament reported above can clearly be noticed in the decreasing trend of retained MPs in the three successive parliamentary elections in 1999, 2004 and 2009. Parliamentary elections results suggest that, since the re-introduction of multi-party democracy in 1994, there has been decreasing retention rate among MPs in each successive election year despite the law not placing any limit on the tenure of MPs.

In 1999 parliamentary elections, 72 MPs out of 177 MPs were re-elected; in 2004, 59 MPs out of 187 were re-elected; whereas in 2009, 53 out of 193 were re-elected. In 2004, 6 seats were not contested due to death of one MP in one constituency and administrative hitches such as misprinted ballot papers and legal contestations in the others. In 2004, one MP was re-elected but not consecutively. It should also be noted that some MPs were re-elected based on different political affiliation and that parliament has been characterized by shifts in political allegiance and affiliation by MPs. Table 8 below summarizes these trends:

Table 8: Dwindling Retention Rates among MPs⁸⁶

	Elections		
	1999	2004	2009
Re-elected MPs	41%	32%	27%

As can be noted from table 8 above, the retention rate of MPs is getting lower as democracy in Malawi ‘matures’ with time. This may suggest dwindling trust and

⁸⁶ Data sources: Interviews with MPs; Alister C. Munthali, Wiseman Chijere Chirwa and Peter Mvula, The Political Cost of AIDS in Africa: Malawi, <http://www.idasa.org/media/uploads/outputs/files/3.gapmalawi.pdf> (accessed 18 Feb 2013)

confidence in incumbent MPs, which implies low legitimacy of parliament in each successive period. On the other hand, it may suggest the maturity of democracy in that the electorate are successfully using the elections to weed out non-performing MPs. In the context of the findings from different indicators presented above however, there are strong indications of the electorate being dissatisfied with and losing trust in the MPs and parliament as an institution. In this context, the dwindling retention rates of MPs in successive election years shown in table 8, that cuts across political parties, unequivocally indicate brewing legitimacy crisis of Malawi parliament.

It should be noted that, apart from occasional public demonstrations against the conduct of Malawi parliament (HRCC 2008), parliamentary elections seem to be the only remaining credible accountability mechanism that the public has effectively used to get rid of non-performing MPs. As the retention rate dwindles towards zero, chances are that more people will start questioning not only the non-performing MPs, but the relevance of the whole institution of parliament itself as some evidence have shown above. This is consistent with Dogan's (2003) observation that the more people lose trust in the officials of a particular institution, the more they lose trust in the institution itself, the more the institution loses legitimacy.

5.8 Juridical, Symbolic, and Instrumental Legitimacy Interface

As demonstrated above, evidence suggests that, much as in democratic regimes the existing legal and procedural basis of an institution such as parliament lay the foundation of civil legitimacy, the perceived performance of the institution and the public affective attachment to the institution play a critical role in creating sustainable legitimacy of a specific institution in the medium to long term. Figure 9 below shows the Malawian trend in public trust of parliament which is treated as a general proxy of parliament legitimacy. This is juxtaposed with trends in public perception of procedural fairness⁸⁷, public approval of MPs' performance⁸⁸, and public affective attachment to parliament⁸⁹, which

⁸⁷ Percent of Malawians who think elections ensure MPs reflect voters' views.

⁸⁸ Percent of Malawians who approve of MPs' performance.

⁸⁹ Percent of Malawians who agree government is like a parent. The Afrobarometer data that we used here did not specifically have an indicator for parliament. Therefore government here is considered to include

are proxies for juridical, instrumental, and symbolic legitimacy respectively. The rationale is to ascertain whether the three legitimacy anchors had a bearing on overall legitimacy of Malawi parliament during the study period as the theoretical perspective in chapter 2 suggests.

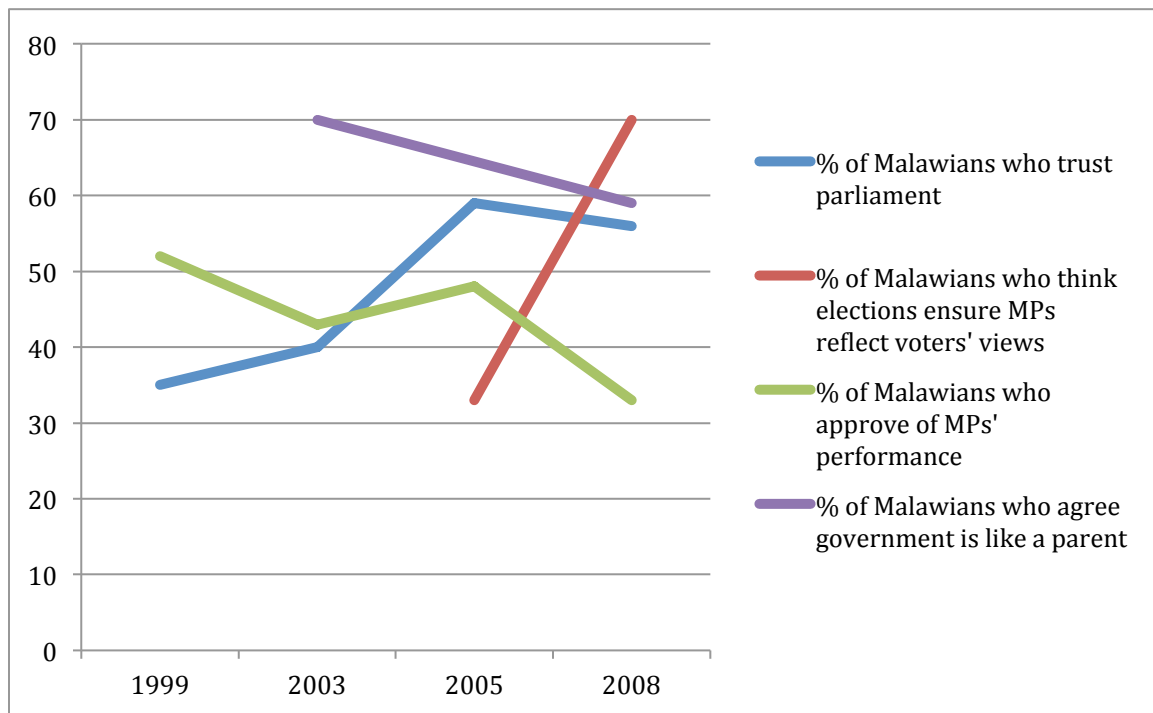


Figure 9: Juridical, Symbolic, and Instrumental Legitimacy Effect

Given the available quantitative data, the period that is comparable among all four juxtaposed proxies is between 2005 to 2008. This is coincidentally the period when people's trust of parliament started dwindling after an initial period of increasing trust (1999 to 2005). Figure 9 above shows that the proportion of Malawians who thought that elections ensure that MPs reflect voters' views increased remarkably from 33% in 2005 to 70% in 2008. It would therefore appear that, since 2005, there has been growing public confidence in parliament election procedures in as far as they ensure representativeness

parliament. The qualitative data presented in this chapter above buttress the fact that Malawians have symbolic familial attachment to parliament as part of government.

of the MPs. Since perception of procedural fairness contributes to people's trust of a specific institution, one would expect that between 2005 and 2008 public trust of parliament would have increased. However, as figure 9 above shows, public trust of parliament during this period actually decreased from 59% in 2005 to 56% in 2008. Reading this irony together with trends in the same figure between 2005 and 2008 showing decreasing Malawians' approval of parliament performance and decreasing familial attachment to government, reveals that the pull factor of procedural fairness perception on public trust of parliament hence legitimacy is weaker than that of public satisfaction with parliament performance and public affective attachment to parliament. Public satisfaction of parliament performance and public symbolic familial attachment to parliament seem to carry more weight in predicting the level of public trust in parliament hence parliament legitimacy than public perception of parliament procedural fairness. This makes sense if we also consider the qualitative evidence presented in this chapter above where people, having been disillusioned with parliament performance, started questioning the legal basis of parliament accountability and representativeness.

Thus, juridical legitimacy as a foundation of substantive legitimacy notwithstanding, symbolic and instrumental legitimacy are critical for maintaining and sustaining substantive legitimacy of parliament, and, by extension, legitimacy of any government institution, and of the state itself. This finding begins to explain why some regimes in history, such as in South Korea between 1960 and 1987, that seized power through unlawful and unprocedural means, such as *coup de etats*, became legitimate in the long run due to public satisfaction with their performance in satisfying people's wellbeing, a factor that also strengthened people's affective affinity to the regime. Further, in the long run, failure to satisfy people's needs, or in other words loss of instrumental legitimacy, has in many regimes such as Soviet Union led to loss of instrumental and symbolic legitimacy which in turn shook the legal basis of the regimes, in other words, eroded the juridical legitimacy of the regimes (Dogan 2003; Gill 2011).

The case of Malawi shows that parliament's failure to satisfy people's socio-economic needs at the local level seems to have diminished the 'parent-like' status of parliament,

and as a result, there is a demand for institutional reforms of parliament itself. It would therefore seem that, in Malawi, brewing legitimacy crisis of parliament largely emanates from crumbling parliament instrumental legitimacy that in turn negatively affect symbolic legitimacy and subsequently the foundational juridical legitimacy.

5.9 Conclusion

Quantitative trends and qualitative evidence suggests that people's perception of the rightfulness and acceptability of parliament conforms to the three dimensional legitimacy discussed in the theoretical perspective in chapter 2. The public perception of acceptability of parliament as rightful authority depends on the legal institution of the authority, the performance of the authority in addressing people's needs, and, related to the performance dimension, the people's perception of the authority as their 'parent' who must provide for the 'children'. The evidence further suggests that Malawi parliament, much as it is generally recognized and accepted as outlined in the Malawi Constitution, has largely failed as a 'parent' to take care of the local needs of the people. This has led to people losing trust in MPs and subsequently perceiving parliament as irrelevant to their lives. In some cases, people have suggested institutional reforms to tighten accountability mechanisms of parliament and provide for alternative representation avenues such as through traditional leaders. This is a case of brewing legitimacy crisis of Malawi parliament.

Chapter 6 begins to unpack the factors and dynamics behind the shaky legitimacy trends of Malawi parliament.

Chapter 6

6.0 UNDERSTANDING MALAWI PARLIAMENT LEGITIMACY TRENDS: DOMINO LEGITIMACY CRISIS OF LOCAL GOVERNMENT AND PARLIAMENT

But in the absence of a (local) councillor, all things that we should have gotten from him we have shifted them to MPs – FGD participant, Urban Southern Region, Blantyre, 3 June 2011

6.1 Introduction

Chapter 5 presented trends of Malawians' ratings, feelings and perception about parliament, and the implication of these trends on parliament legitimacy. It is clear from chapter 5 that, since the re-introduction of multi-party democracy in the early 1990s, the legitimacy of Malawi parliament initially was going up, but started to nose-dive especially around 2005.

What can possibly explain this trend? Given the instrumental role of perceived MP performance in public evaluation and trust of parliament as highlighted in the theoretical framework in chapter 2 and as confirmed by evidence in chapter 5, this chapter begins to unpack the factors behind the shaky parliament legitimacy by analysing the performance of MPs at local level within the local government structural context.

Representative institutions in a democracy, such as parliament and local government, are indispensable cogs in the machinery of democratic states. As such, they are expected to work harmoniously to satisfy the needs of the people and engender the belief that they are the rightful public institutions.

In reality, however, based on evidence from Malawi, representative institutions seem not to work in sync. As a result, the malfunction of one institution seems to affect the public trust in another institution within the public perceived representation hierarchy.

This chapter presents and discusses evidence from Malawi that shows that a dysfunctional local government has a negative effect on the legitimacy of parliament. As people's local socio-economic needs are not met by essentially non-existent local government, people put the blame squarely on parliament which they perceive as the next institution in the perceived representation and accountability hierarchy. The chapter argues that this sets a domino effect that spreads the brewing legitimacy crisis to other institutions in the perceived hierarchy, and ultimately to the state as a collection of institutions. This problem is compounded by expectations raised during political campaigns by MPs who, through ignorance or manipulation, promise people local development despite the fact that MPs are not institutionally or financially supported to carry out this role. The chapter therefore exposes the potential for strengthening parliament legitimacy hence state legitimacy through building effective local institutions that satisfy the needs of the people at the local level.

This chapter begins with an exposition of Malawi local government since the re-introduction of multi-party democracy in 1994. This will lay a firm foundation upon which to analyse the interaction between local government and parliament and the implication this has on parliament legitimacy.

6.2 Malawi Local Government during the Democratic Era: 1994 to 2011

Chapter XIV of the 1995 Malawi democratic constitution provides for the establishment of local government authorities that shall represent the people at local level and, among other things, be responsible for

...the promotion of infrastructural and economic development, through the formulation and execution of local development plans and the encouragement of business enterprise;... (and) the presentation to central government authorities of local development plans and the promotion of the awareness of local issues to national government;... (Malawi Constitution 2002, sec (146)(2)).

It is clear from the above constitutional provision that local development issues are in the realm of local government jurisdiction.

The operationalization of this constitutional provision however only started in 1998, when the Malawi Government formulated the National Decentralisation Policy. The hallmark of the policy was the shift in emphasis of local government from being solely an administrative and service provision structure, as was the case during the 30 years of one party rule, to being an instrument of local participation, empowerment, and local service delivery (Chiweza 2007; Malawi Government 1998). The National Decentralisation Policy formulation was followed by the passing of an enabling Act, The Local Government Act No. 42 of 1998, that provided the framework for the establishment of the structure of local government authorities, their composition, powers, functions, and financing (Malawi Government 1998).

Following the Malawi Local Government Act of 1998, Malawi was divided into 40 local authorities called Assemblies, and now known as Councils after the passing into law of the Local Government Amendment Bill in 2010. The 40 Councils were made up of 28 District Councils, 3 City Councils, 8 Town Councils, and 1 Municipal Council, depending on rural, urban or sub-urban location of the Council. The administrative district, or the Council in local government terms, is further divided into parliamentary constituencies that are the basic geographical units for the single-member constituency based parliamentary system that Malawi follows. The parliamentary constituencies are further divided into wards that form the basic geographical local development unit represented by a ward councillor. Wards are therefore the smallest geographical local development units.

The Council is the key development forum of a district. The 1998 Local Government Act empowers the Council to coordinate and oversee all local development activities in a district. The Council is the hub of resource generation for local development within a district. It is also responsible for making by-laws and policies for local development and governance in a district, that includes collection of local fees and rates.

According to the Local Government Act of 1998, the Council is composed of elected ward councillors who represent wards as the voting members of the council; elected MPs representing geographical parliamentary constituencies, who however are non-voting ex-

officio members of the Council; traditional leaders who are also non-voting *ex-officio* members; and five non-voting representatives from civil society appointed by elected members of the Council.

According to the Malawi Local Government Elections Act (1996), the electorate from each ward elects a ward councillor every 5 years. The ward councillors in a district form the District Council (or City/Town/Municipal Council) and they elect a chairperson of the Council, called a Mayor in City Councils.

As key voting members of the Council, ward councillors are therefore expected to represent governance and development needs of their wards at the Council, facilitate and make decisions at the Council on local development plans and policies, and mobilise resources for local governance and development. In this regard, facilitation of such local development activities as projects on clinics, roads, schools, and water at ward level falls within the job description of a ward councillor and not an MP (Chiweza 2007).

In Malawi local development therefore, a ward is the closest development coordination unit to the people, and a ward councillor is the key local development coordinator who is accountable to the electorate at the ward level.

However, since 1994, Malawi only had local government elections in 2000, with ward councillors elected for a five year term that ended in 2005. Since the second quarter of 2005, Malawi has had no ward councillor⁹⁰. Thus, Malawians have had no development representation at local level since 2005. This resulted in government administrative officials in districts acting as both decision-makers and implementers of local development. This situation compromised local development and governance especially in the areas of transparency, accountability, participation, representation, policy making and the rule of law (Chasukwa & Chinsinga 2013; Tambulasi 2011). From the legal point of view, without ward councillors, there was essentially no Council in Malawi that could legally carry out any Council duty. A case in point is Civil Cause Number 61 of 2007 where the High Court of Malawi ruled that the Mzuzu City Council should give back a

⁹⁰ At the time of writing this thesis in 2013, there were plans to hold tripartite elections in Malawi in May 2014 to elect the President, Members of Parliament, and Ward councillors.

house it confiscated for failure by the owner to pay city rates. The Court reasoned that, by performing duties of a Council in the absence of ward councillors, Mzuzu City Council contravened the Malawi Constitution and the Malawi Local Government Act, hence the Council's actions were null and void. Thus, the Malawi local government, from mid 1990s to 2000 and from 2005 to the time of this study, lacked juridical legitimacy⁹¹.

6.3 Malawi Parliament Institutional set up

As presented in chapter 4 of this thesis, chapter VI of the Malawi Constitution provides for the institution of Parliament where all legislative powers are vested. The Parliament is made up of directly elected members from geographical constituencies in Malawi, and the President as the Head of State. The key roles of Malawi Parliament are legislation, representation of the people at the National Assembly, and overseeing the executive branch of government (Malawi Government 2002). A point to emphasize here is that the Malawi institutional set up does not provide for the Parliament to engage in local service delivery. This role, as shown above, is the responsibility of the local government authorities.

6.4 The Primacy of Local Service Delivery in the Relationship between Society and Parliament

Chapter 5 shows in detail that, from around 2005, public trust hence legitimacy of parliament started waning. The evidence suggests that Malawi parliament, much as it is generally recognized and accepted as instituted in the Malawi Constitution, has largely failed as a 'parent' to take care of the local needs of the people. This failure has led some people to suggest impeaching non-performing MPs and finding alternative representation avenues – suggestions that seem to shake the very foundation of Malawi Parliament's legal mandate. This development signifies brewing legitimacy crisis of Malawi parliament on all fronts – the symbolic, the instrumental, and the juridical dimensions.

⁹¹ Mtika, Collins "Malawi Court Orders Mzuzu Council to give back Widow her House: It was sold after failing to pay City Rates" in *Nyasa Times* 9 May 2013, <http://www.nyasatimes.com/2013/05/09/malawi-court-orders-mzuzu-council-to-give-back-widow-her-house-it-was-sold-after-failing-to-pay-city-rates/> (Accessed on 9 May 2013).

There is strong evidence that suggests that the sustainability of the legitimacy of parliament representatives and parliament as an institution largely depends on their performance, especially in satisfying the socio-economic needs of the people at the local level. It seems that, people's perception that parliament has not satisfied their socio-economic needs, affects their affective attachment to parliament, and as a result, they start questioning the legal mandate of parliament. This shakes the legitimacy of parliament.

6.4.1 By Public Demand: Constituency Service/Local Service Delivery as Additional Role of Parliament

Despite the Malawi laws not allocating constituency service role to MPs, evidence suggests that Malawians consider constituency service, defined synonymously to local service delivery, to be among the top two important jobs of an MP. Figure 10 below illustrates this finding:

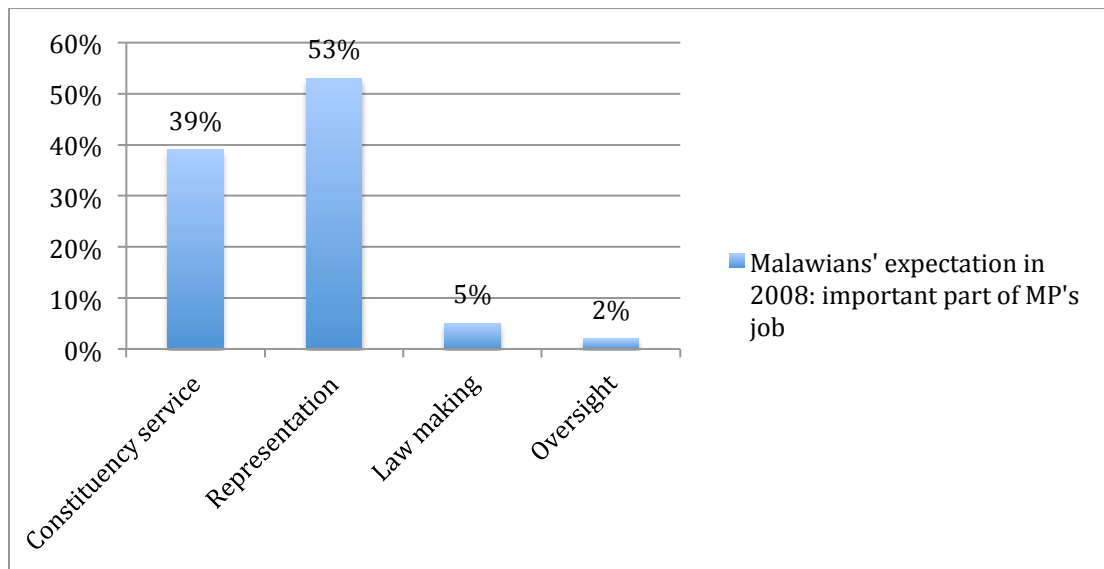


Figure 10: Malawians' Expectation: Important part of MP's Job

Despite the Malawian laws designating legislation, representation, and executive oversight as the key roles of parliament, constituency service, defined synonymously to local service delivery, has emerged as an additional expected role of an MP, far above the designated law making and oversight functions. It should however be noted that the fact that constituency service comes second to representation role suggests that people's expectation of MPs' roles does not come out of complete naivety of the designated roles of parliament. This emerging constituency service expectation is embedded within public knowledge of the required roles of parliament and hence is worth investigating why people add this role.

Recent studies show that the emergence of constituency service expectation can be attributed to demographic dynamics, especially poverty at the local level, and the single member constituency system (Barkan et al. 2010).

Poverty at local level raises public expectation that representative institutions – whether local government authorities, parliament, or presidency - need to address this poverty problem as a matter of priority. This is consistent with Lumumba-Kasongo's argument that, in poor democratic Africa, concrete socio-economic rights will always take precedence over abstract political rights (Lumumba-Kasongo 2005). This implies that, in poor African democratic societies, public evaluation of the power and authority of democratic institutions will largely be hinged on the institutions' performance in the satisfaction of these concrete socio-economic rights more than the abstract political rights. As Lumumba-Kasongo (2005) notes, the primacy of concrete rights over abstract political freedoms in African democracies is markedly different from the aspirations of liberal democracy, that was embraced by most African countries in early 1990s, that emphasize individual and civil liberties.

The primacy of socio-economic rights, as can be observed, fits with our conception of instrumental legitimacy. However, as evidence in this thesis shows, the instrumental legitimacy can only be realized if people (individually and collectively) have the chance to participate in the choice of representatives and in policy input, and if they can demand accountability from those entrusted with the responsibility of addressing people's socio-

economic needs. In this context, people's demand for concrete socio-economic rights as a matter of priority is not intrinsically removed from the tenets of liberal democracy.

On the other hand, single member district parliamentary representation makes the MP to be directly accountable to his constituents that voted the MP into power. This raises the electorate expectation of the MP to address the people's problems directly especially where socio-economic needs feature prominently in the context of poverty.

The evidence below however suggests that, in Malawi, the dysfunctional local government is the main trigger factor that prompted people to expect local service from MPs. Poverty and direct accountability of MPs in a single member constituency system as advanced by Barkan et al. (2010) indeed apply to Malawi but are merely preconditions and not trigger factors to people expecting constituency service from MPs. This implies that, if the local government system that is responsible for local development was effective, Malawians would not have such high expectations of constituency or local service from the MPs. This would have eroded the weight of constituency service as a key determinant in the debate on instrumental legitimacy of MPs in Malawi.

Qualitative evidence suggests that people use the terms constituency service, local development, or local service delivery interchangeably to mean public services such as public clinics, schools, roads, water kiosks, and boreholes, as illustrated below:

They (MPs) should get developmental projects to the people... They should listen to the needs of their constituents and take them to parliament. Since we have relayed them to the MP, ... [f]or instance we are in need of a police station here⁹²

I think she (the MP) must concentrate on roads, boreholes and health as some suggested already. Also schools because they are located in far places and it is difficult for young children to reach...⁹³

⁹² FGD with mixed gender literate group, Rural Northern region, Mzimba, 16 November 2011.

⁹³ FGD with mixed gender group, Rural Central Region, Lilongwe, 30 May 2011.

But he (the MP) has of course drilled some boreholes... We hear that he has brought some boreholes but it is in Mpingwe otherwise this side there is really none.⁹⁴

Interestingly, many MPs seem to have embraced constituency or local service delivery as part of their job description. Much as the MPs interviewed seemed to understand their roles as per the Malawi Constitution and Parliament Standing Orders, they indicated that they were also cognizant of the fact that their position as an MP for a specific constituency made their roles inseparable from the local needs and welfare of the people in their geographical constituencies, just like the roles of the President are inseparable from the development needs of the people in a country. In this regard, they felt that constituency service was part of their responsibility. The following quotations from MP respondents illustrate this finding:

My opinion is that the MP should be involved in (local) development... Because an MP is a leader, I think an MP is the president of his constituency, right, and I think he needs development. I think he needs to do development. This (the view that MPs should not be involved in local development) will be like saying the president should not take part in development, he should just do other things. But I believe an MP as a president for their own constituency, I think he should take a very serious, take an active part in developing their constituencies, infrastructure, whether it is academically whether it is health wise, whatever. I think the MP needs to take a very active part.⁹⁵

Well, generally, what I have discovered is there are areas like in education; if you (as an MP) improve may be school blocks; in the area of roads, if you improve the bridges; in the area of health, if you improve the clinics and so forth; these are the basic things that people want. Particularly also in the area of water,... So these are the basic issues that people look for. And also you must be seen that you are

⁹⁴ FGD with mixed gender literate group, Urban Southern Region, Blantyre, 6 June 2011.

⁹⁵ Interview with Member of Parliament from a constituency in Rural Northern Region, Mzimba, 14 November, 2012.

closely bringing in, you know development projects, may be from donors, from NGOs and from government. So you must be active.⁹⁶

There is therefore an implicit contract between constituents and MPs, albeit not supported by formal law, where constituency or local service delivery is one of the key deliverables by MPs. The failure by MPs to deliver on constituency service therefore constitutes a breach of contract and undermines the legitimacy of the MPs.

Some MPs however indicated that constituency service is not part of their roles, but rather an ‘overflow’ of their responsibilities that arises due to rampant poverty in communities, the absence of ward councillors, and MPs’ manipulation of the situation and subsequent promises they make during political campaigns to the people to address such local socio-economic problems.

Most of the people out there, most of the people will tell you that the roles of a member of parliament is to bring development in the villages. We are not supposed to do that, in fact it is just an overflow of our responsibilities based on probably the campaign promises we make out there. Legislating and oversight are those roles that I would say are the core roles of parliament.⁹⁷

Overall however, the weight of evidence suggests that MPs seem to have embraced constituency service as a significant role of an MP, in addition to their traditional roles. This is true not only in Malawi, but in other African countries as well. The graph below illustrates this commonality:

⁹⁶ Interview with Member of Parliament from a constituency in Rural Central Region, Dedza, 3 May 2011.

⁹⁷ Interview with Member of Parliament from a constituency in Rural Southern Region, Mangochi, 16 November 2011.

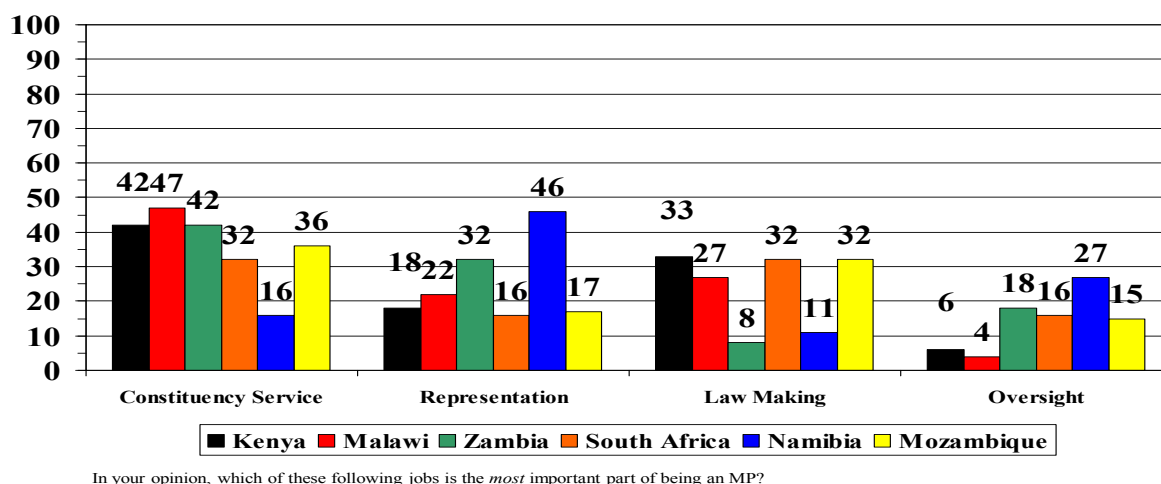


Figure 11: MP Role Orientation: Most Important Part of Job⁹⁸

As can be seen from figure 11, except for Namibia, MPs from Kenya, Malawi, Zambia, South Africa, and Mozambique consider constituency service as the most important part of their job. The traditional roles of representation, law making, and oversight, on average, come second, third and fourth respectively on the MPs' priority list. Interestingly, even in countries where there is no direct MP accountability to specific geographical constituencies, such as South Africa where MPs are voted through party listing following the proportional representation (PR) electoral system, constituency service is still considered top on MP's job list.

6.4.2 Constituency Service: Fictitious Parliament Role and Unrealistic Public Expectation?

The Malawi institutional set up, as discussed in section 6.2 and elsewhere in this thesis, locates local development and local service delivery within the ambit of local government. This implies that the District Councils, where ward councillors, and not MPs, have decision-making power, are the ones that are responsible for local service

⁹⁸ Source: Barkan, Joel; Mattes, Robert; Mozaffar, Shaheen; & Smiddy, Kimberly, 'The African Legislatures Project: First Findings', *African Legislatures Project*, 7 January, 2010, http://www.africanlegislaturesproject.org/sites/africanlegislaturesproject.org/files/First_Findings.pdf (accessed January 2012); p. 7

delivery (Malawi Local Government Act 1998). As such, MPs in Malawi, despite being expected by the public to be responsible for local developments and service delivery, and despite many of the MPs perceiving local developments and service delivery as their responsibility, are not institutionally and financially supported enough to carry out this role.

It should be noted however that in the 2006/2007 parliamentary budget session, the Malawi government introduced the Constituency Development Fund (CDF) where each parliamentary constituency was allocated MK1,000,000 per year, an equivalence of US\$3,000. The District Commissioners at the District Council level were mandated to administer the CDF, but MPs were responsible for managing the fund that included identifying projects in their constituencies to benefit from the CDF (Government of Malawi, 2006).

The CDF however is ambiguous in the context of local development institutional set up because councillors, and not MPs, are supposed to be development representatives and decision makers at local level. Further, the CDF is far from being enough to cater for local service delivery in a constituency and cannot compare with the local government institutional set up that has budget allocation from the government Treasury and has the mandate to pass by-laws and collect fees and rates to fund local service delivery. It is therefore not surprising that the CDF, just like many local development initiatives, has failed to provide meaningful services at local level and has instead become, at worst, a tool for political patronage (Chinsinga 2008).

The people's expectation and the MPs' orientation of parliament to carry out constituency service are therefore, at best, over-ambitious and, at worst, misplaced. Preliminary analysis would easily show that public expectation of the MPs to be responsible for constituency service or local development is bound to lead to public disappointment.

6.4.3 MP Performance in Local Development and Parliament Legitimacy

Despite the misplaced expectations of MPs' role in constituency service, from the instrumental legitimacy point of view, evidence from 12 African countries including

Malawi overwhelmingly shows that public approval of parliament performance, defined as constituency service or local development, is positively related to people's trust of parliament, and hence public perception of parliament acceptability. Legitimacy of parliament therefore seems to be overwhelmingly tied to people's perception that their socio-economic needs are met at local level. This is illustrated in the graph below:

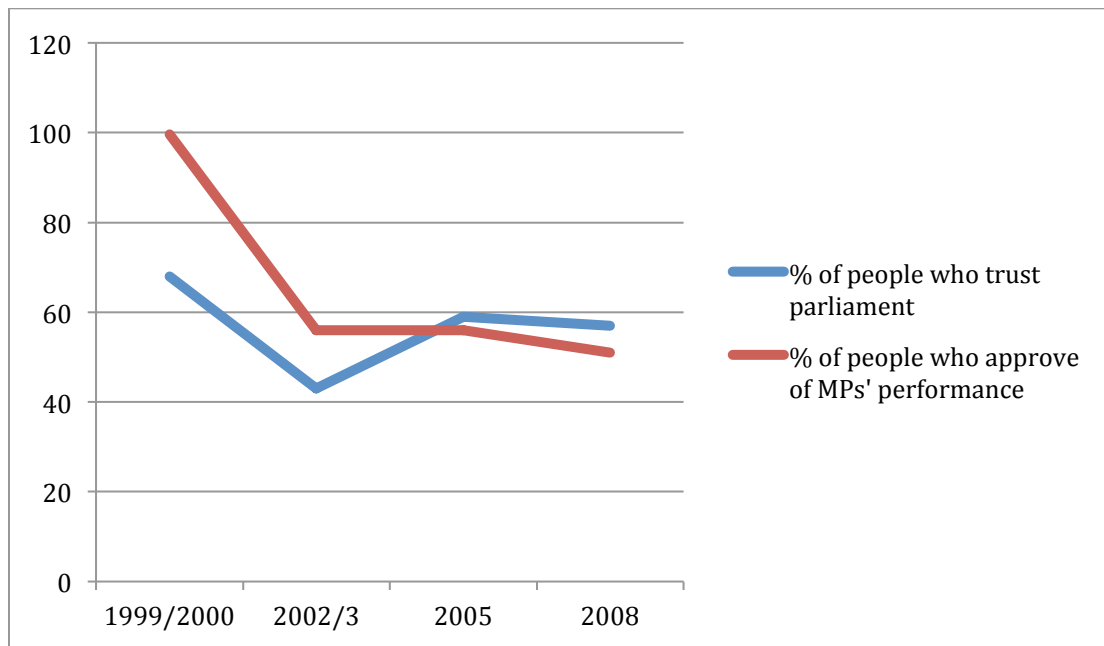


Figure 12: Public Perception of MPs' Performance versus Public Trust of Parliament in 12 African Countries⁹⁹

As can be noted from figure 12 above, public trust of parliament is highly correlated with public approval of MPs' performance; the more people disapprove of MPs' performance the more they lose trust in parliament, and vice versa. As presented in the evidence above, MP performance here is defined in terms of people's perception of their

⁹⁹ The 12 countries are Botswana, Ghana, Lesotho, Malawi, Mali, Namibia, Nigeria, South Africa, Tanzania, Uganda, Zambia, and Zimbabwe.

representation effectiveness, especially with regard to satisfaction with the MPs' role in local development¹⁰⁰.

Much as the above quantitative trends show us the relationship between public trust in parliament and public approval of parliament performance in 12 African countries, it was necessary in this study to get an in-depth qualitative perspective of community members in Malawi regarding this relationship and how it links to parliament legitimacy. The qualitative evidence from Malawi from both rural and urban areas in all regions overwhelmingly confirms that public trust of parliament is strongly associated with the perceived performance of the MPs in local development. The evidence further suggests that parliament legitimacy has been hugely compromised by the people's perception that MPs have failed to satisfy the people's local needs:

...parliament is useless and irrelevant as we speak because it doesn't address our needs. If we say we want portable water here, why should we wait for 5 years, or 10 years for us to access safe water? That's why we are saying parliament is bad. If it were that parliament is swift in addressing our needs, we could not lie to you, we would say they are delivering. Otherwise, there is no beating about the bush on this issue.¹⁰¹

... an MP not visiting us in this area makes him less important to us... we are worried about our own MP because since he got voted to power he has done nothing for us. In this case, we can even say that whether to have an MP or not it doesn't make any difference...¹⁰²

However, on the part of the MP I don't think we can say that we accept his authority wholly. Because there are some things that he promised during

¹⁰⁰ Refer to figure 18 in chapter 8 for ranking of people's expectation of MPs' job in selected African countries; this as well is consistent with representation being ranked first and constituency service being ranked second.

¹⁰¹ FGD with mixed gender group, Rural Northern Region, Mzimba, 16 November 2011.

¹⁰² FGD with mixed gender group, Urban Central Region, Lilongwe, 11 July 2011.

campaign and he hasn't fulfilled them to date. Of course some minor things he has done but the major ones he is yet to do anything substantial on them.¹⁰³

From the foregoing evidence, and given the fact that low and uncertain trust of parliament implies a serious strain on state legitimacy (Afrobarometer 2006b; Dogan 2003), we can conclude that people's disapproval of the performance of MPs in local development and subsequent loss of trust implies brewing legitimacy crisis of parliament as a state institution, and subsequently of the state itself. Evidence thus suggests that the relationship between the MPs and parliament on the one hand, and the society members on the other, is largely defined by the society's approval or disapproval of MPs' performance in local development. This, as has been observed, happens despite the fact that MPs are not mandated, let alone supported, to carry out local development.

6.5 Effect of Malawi Local Government Lacuna on Parliament Legitimacy

As indicated elsewhere in this thesis, the Malawi parliament is responsible for legislative, executive oversight, and representation roles; and not local development. The ward councillors within the local government set up are the ones legally mandated, institutionally and financially supported to facilitate local development. In this context, the people's expectation that MPs should address the people's local socio-economic needs is therefore *prima facie* misplaced. This however is understandable in the context of a dysfunctional local government where there have been no ward councillors since 2005; and where manipulative and/or ignorant aspirant MPs campaign on the platform of bringing local development to their constituency even when the institutional set up does not effectively support MPs to carry out this role.

6.5.1 Dysfunctional Local Government and Parliament Legitimacy Crisis

As reported in this thesis, Malawi has had no ward councillors at local level since 2005, with local government elections only planned for 2014. Malawi government reportedly

¹⁰³ FGD with mixed gender group, Urban Southern Region, Blantyre, 6 June 2011

failed to hold local government elections in 2005 because, in the face of famine that hit the country in that year, Malawi government had no resources to fund the elections. In December 2009, the Minister of Local Government told parliament that Malawi would again postpone the local government elections scheduled for early 2010 because there was need to review the Local Government Act to clarify the relationship between councillors and MPs, and that government still did not have enough resources to hold the elections. He however committed to hold the elections by December 2010 (*Mail and Guardian* 1 December 2009)¹⁰⁴. However, by the time of writing this thesis (2013), there were revised plans to hold the local elections in 2014, together with Presidential and Parliamentary elections in a tripartite election. It would therefore seem that, since 2005, electing local government representatives, the ward councillors, was never a Malawi government priority.

The absence of ward councillors at ward level and the absence of legally constituted councils at district level left local governance and development in disarray with some local people confused regarding where to channel their local development needs and grievances, and lamenting lack of local development due to the absence of ward councillors:

...we would channel our needs through the (ward) councillor, unfortunately we don't know our councillor I don't know what is happening¹⁰⁵

We do nothing; we just stay because there is no other place where we can go to... So the problems about the maize that we are talking about, we would love if they had established an ADMARC¹⁰⁶ depot nearby so that we should be able to buy maize from within but we keep all these within ourselves just because we don't know where we can report to...¹⁰⁷

¹⁰⁴ <http://mg.co.za/article/2009-12-01-malawi-postpones-2010-local-polls> (website accessed 19 September 2013)

¹⁰⁵ FGD with mixed gender group, Rural Central Region, Lilongwe, 30 May 2011.

¹⁰⁶ ADMARC stands for Agricultural Development and Marketing Corporation – an agricultural produce market.

¹⁰⁷ FGD with mixed gender illiterate group, Rural Southern Region, Blantyre, 6 June 2011.

...we are saying we don't know where to report our problems. Recently they were saying that they would like to choose councillors and immediately they have changed that we will not choose the councillors, we will choose them in 2014. So what are we going to do now since they are the councillors who take our problems and bring developments in the villages like these. At the moment we are like people who have been tied together like a bundle having nowhere to go. So there are many problems in this democratic rule some of which we cannot talk ... when they said we should choose councillors we were happy that these councillors will help us but now they are saying they have postponed that, we choose them in 2014, then what are we going to do? These are some of the bad things that we are experiencing in a democratic government.¹⁰⁸

The absence of ward councillors from 2005 to the time of this research resulted in the government administrators acting both as decision makers and implementers (Chasukwa & Chinsinga 2013). Though the administrators sometimes used some local development structures such as Village Development Committees (VDCs) and Area Development Committees (ADCs) to source people's views on local development needs and priorities, the people consulted during the fieldwork made no mention of these structures as credible avenues through which they could channel their development needs. Instead, the respondents overwhelmingly cited traditional leaders as local agents whom they consulted when they had local challenges, and whom they expected to forward the grievances to either MPs or the District Commissioner who is the government head of administration at the district council offices. This was true even in townships that were considered urban or sub-urban areas as the illustrative quotations below show:

At the moment we are working with the chiefs (traditional leaders) and when we are faced with a crucial problem we go to the Group Village headmen and ask for few trees to carve timber to use to maintain the bridge, so we can say that kind of help is provided.... To be honest we now only rely on our Group Village Headmen for help in case of development matters then the Group Village Headmen calls for a village meeting and explain the problems on the ground for

¹⁰⁸ FGD with mixed gender literate group, Rural Southern Region, Blantyre, 6 June 2011.

solutions and the way forward. Upon the outcome the chief then appoints a person who collects from each and every household K200.00, which aids us cater for some of the needs of this community.¹⁰⁹

Yes especially when it comes to roads, they (traditional leaders/chiefs) are there. They are the ones who call the whole village to clear the roads. It can as well be the maintenance of bridges or clearing of the cemetery. They also do that... We go to the chief only that sometimes the chief will need to report that to the city Assembly officials but the responses from the city Assembly are not all that encouraging. They will just be promising us in vein that they are going to come to help us. But the issue of insufficient teachers was reported but we were told that teachers were not enough in Malawi.¹¹⁰

It is just like what we said that chiefs should be the ones doing this, village chief will inform the Group Village Headman, the Group Village Headman will inform the TA (Traditional Authority) and the TA will take it to the DC (District Commissioner) and up until it reaches parliament. But the issue must be stressed to the MPs that their constituents want them to share with them directly. So if they get that message they can be coming to their areas.¹¹¹

Despite the people's trust in traditional leaders as development representatives at fora with district administrators or MPs, the legal provisions in Malawi show that traditional leaders are merely non-voting *ex-officio* members in the local development structure (Malawi Local Government Act 1998). This implies that the government administrators who illegally acted both as decision makers and implementers themselves were not legally bound to consider the traditional leaders' input in local development plans. Similarly, the traditional leaders and the people had no legal and institutional basis to directly demand accountability from the government administrators who operated in the absence of district councils and who reported to the Ministry of Local Government as their line ministry. Similarly, the people at the local level showed no interest to hold

¹⁰⁹ FGD with mixed gender group, Urban Central Region, Lilongwe, 11 July 2011.

¹¹⁰ FGD with mixed gender literate group, Urban Northern Region, Mzuzu, 24 November 2011.

¹¹¹ FGD with mixed gender literate group, Rural Central region, Lilongwe, 30 May 2011.

traditional leaders to account especially on issues of local development. This accountability chasm in local development is understandable in the context that traditional leaders are not elected representatives in local government set up, neither are government administrators.

The absence of the ward councillors and hence the absence of legally instituted district councils therefore resulted in the paralysis of local development and governance especially in the areas of transparency, accountability, popular participation, representation, policy making, and the rule of law (Chasukwa & Chinsinga 2013; Tambulasi 2011). It is therefore not surprising that there seemed to be not only a disjuncture between local development plans and activities on the one hand, and people's local needs on the other, but, in most cases, lack of satisfactory service delivery at the local level. This came out clearly when respondents overwhelmingly expressed dissatisfaction with the state of local development facilities. They gave a litany of local needs that they thought Malawi (local) government ought to have addressed but had failed, and this thesis only reports on the prominent reported concerns. Malawi being an agricultural based economy, respondents bemoaned lack of farm input and farm produce markets at the local level; and poor transport infrastructure such as roads and bridges that meant poor access to agricultural markets and health facilities that were often located very far – often at the centre of the district. They also bemoaned poor and inaccessible health facilities; poor and inaccessible school facilities; and poor and inaccessible water facilities. These local services are supposed to be provided by the local government (Local Government Act 1998). The quotations below give a few examples of people's concerns with the state of local service delivery:

We are indeed facing different challenges, there are some er, let me say that the main problem is lack of a shed (agricultural market), a shed where we could access fertilizer, because we travel long distances to access fertilizers. So this is one of the problems we are facing. There are still some but may be my colleagues can contribute too.¹¹²

¹¹² FGD with mixed gender literate group, Rural Northern Region, 16 November 2011.

The main challenges in this community are lack of health care in our hospital, lack of bridges to cross to connect to the other side. There are a lot of things that are vital for a person's day-to-day living and these are the main things that we lack here. There are not enough schools in this area, more especially secondary schools. So whenever a person passes primary school, he has to travel a long distance to attend secondary education, and the same applies to primary schools, the only schools that the children attend are across the river, and the river has no bridge which makes it difficult for them when they need to cross to reach the schools. So we also have a very big problem with lack of schools in this area.¹¹³

Yes, the issue of roads. Our road here is impassable because tarmac ends at the church and from there going upwards it is in bad shape, it is full of potholes... On the same issue of roads, we have several streams (small rivers) here and yet we have no bridges in such places. As such all our roads are not in good condition particularly during rainy season. It is very difficult to move during rainy season here from up there going down the road.¹¹⁴

The poor public service delivery in Malawi's local government is validated by other independent studies that show that in many communities in Malawi, there is under-provision of public services. For instance, people continue to use unsafe water due to shortage of safe water provision even in peri-urban areas where water kiosks are left dilapidated (Cammack 2012; Cammack & Kanyongolo 2010).

The institutional and performance gap in local governance and development left local people with no option but to transfer the local development responsibility squarely to MPs.

However, since we don't have councillors now, I think it is the duty of the MP to come into the constituency to appreciate the plight of his people so that he can personally take those issues and present to parliament so that when the budget is

¹¹³ FGD with mixed gender literate group, Urban Central Region, Lilongwe, 11 July 2011.

¹¹⁴ FGD with mixed gender group, Urban Southern Region, Blantyre, 6 June 2011.

being discussed he can see to it that all the issues that he got should be included in that budget.¹¹⁵

What is confusing is that people are used to MPs as the ones who interact with people and bring development at local level. This is so because of the way MPs campaign for their positions and that's why a lot of issues that we are talking about here require the presence of a councillor. But in the absence of a councillor all things that we should have gotten from him we have shifted them to MPs.¹¹⁶

...(in the absence of councillors) our needs can only be channeled through parliament, there is no any other avenue¹¹⁷

The shifting of local development responsibility to MPs often came with disastrous results regarding the MPs' delivery and subsequently the MPs legitimacy especially given the fact that the institutional set-up does not effectively support the MPs to carry out local development role on their own. The public shifting of local development responsibility to MPs in the absence of ward councillors is however intelligible if we first understand the public perceived representation and reporting hierarchy in representative institutions from the local level, meso-level, to the national level. The findings show quite prominently that people at community level had their own understanding of local development and representation institutional hierarchy that, much as it might have overlapped with the formal institutional set up, was not congruent to the formal institutional framework. Findings show that community members generally perceived their interests and socio-economic grievances to pass first through the ward councillors or alternatively the traditional leaders who then reported the grievances to MPs and/or the District Commissioner, who then took the issues for debate in parliament and then present their resolutions to the president who then authorized resource allocations to address the problems. They perceived that, the higher one went through this representation hierarchy, the more powerful the representatives one would meet at each higher level to the extent that the councillors were thought to report to the MPs and the

¹¹⁵ FGD with mixed gender group, Urban Southern Region, Blantyre, 6 June 2011

¹¹⁶ FGD with mixed gender literate group, Urban Southern Region, Blantyre, 3rd June 2011

¹¹⁷ FGD with mixed gender group, Rural Central Region, Lilongwe, 30 May 2011.

District Commissioner, who in turn were thought to report to the President. In some instances, this hierarchy actually implied that MPs delegated development facilitation to councillors. The quotations below illustrate this popular perception:

Because under normal circumstances a councillor is the one who should have been taking all the problems faced by people to the MP and the MP takes these problems to parliament especially during budget session where he narrates what development projects are required in his constituency.¹¹⁸

They (MPs) should listen to the needs of their constituents and take them to parliament. Since we have relayed them to the MP, when he presents them in parliament, the president should listen and help us... For instance we are in need of a police station here and when our MP presents that the president should listen to us... When the MP says people want school, that should be provided, may be the health centre needs an ambulance he (the MP) should be given the resources to do these projects.¹¹⁹

I can say an MP is very important to us but cannot work alone he needs the help of a councillor for when there is no councillor the development can't come at the right time. In the previous government,... when an MP went to parliament and asked for development in his constituency and it was granted he allocated to the councillors what is needed to be done and the areas were being developed that way.¹²⁰

This perception defined the expected local development accountability chain. Using this public logic, the people could hold ward councillors accountable for poor local service delivery. However, the MPs bore the higher responsibility for the poor local service delivery, and the ultimate responsibility rested with the President. Interestingly, traditional leaders, much as they were deemed important in the local development 'reporting' chain, were not held accountable because they were deemed to be part of the

¹¹⁸ FGD with mixed gender group, Urban Southern Region, 6 June 2011.

¹¹⁹ FGD with mixed gender literate group, Rural Northern Region, 16 November 2011.

¹²⁰ FGD with mixed gender group, Urban Central Region, 11 July 2011.

society that is ‘begging’ development from the government, that essentially starts with the councillors all the way up to the MPs and ultimately to the President.

Much as this hierarchical perception of representative institutions may be true in broader sense, the community members seemed to have a centralized hierarchy perception of representation especially on local development and they missed the decentralized framework encapsulated in the 1996 National Decentralisation Policy and the 1998 Local Government Act. In these pieces of legislation, most local development decisions, for instance, would be made at district level by councillors.

The people’s perception had accountability implications in that, in the absence of ward councillors, poor service delivery at local level was blamed on MPs and District Commissioners, and ultimately on the President. This may sound logical in that, for instance, one would argue that the MPs and the president are responsible for poor local service delivery because they are not facilitating local government elections and providing enough resources at local level. A critical analysis however shows that, in the absence of councillors, people actually expected the MPs to carry out the roles of the councillors to facilitate local development, and not necessarily to facilitate the elections of the councillors. This explains the blame shifting from non-existent local councils to ‘non-performing’ MPs. It was only when the people were frustrated by the non-performance of the MPs in local development that they called for the elections of councillors or the use of traditional leaders. Further, the councillors or traditional leaders would come in not as decision makers on local development, but purely as channels of public development grievances to the MPs to whom they report, and all the way up to the President.

In this context, respondents felt that the performance and legitimacy of MPs could improve if ward councillors were elected to assist, report to, and/or work together with the MPs in local development. The quotations below illustrate this public perception:

Firstly, this country should choose councillors... The MP is very important because he is the one who take problems of the people to parliament while the

counselors are not like that. He takes the problems of the people to the MP. So it's like the counselor is there to help bring community development therefore for us to sort this problem there has to be a councillor and that will enable the MP to do his work well and he cannot be lazy because he has a friend to compete with.¹²¹

It is really difficult to trust an MP. This is because the only time that we see him it's during campaign, he doesn't avail himself here at any other time other than during campaign time and once he wins the election that becomes the end of the relationship. So as I already said, MP's effectiveness is seen when there is a councillor. Now, all this is happening because there is no councillor who could have acted as his partner in his work.¹²²

... there seems to be lack of a link between the people in villages and the law makers like MPs. I think there is need that we should have councillors because most of the times MPs are not resident in the community, they stay in Lilongwe so that they are close to parliament whereas a councillor is resident in the community and he knows the problems on the ground. He is the one who communicates with the MP because people on their own cannot meet the MP. So there is need for communities to have councillors who can bridge this gap, because although we have traditional leaders these leaders have too much on their plate. We need a councillor so that he should be linking us up with the MP so that our problems are brought to the attention of the MP always.¹²³

It can therefore be said that people's need for ward councillors was rooted in an inaccurate understanding of the role and authority of ward councillors and the role and authority of MPs. This notwithstanding, the driving factor seemed to be the need to have the local development grievances addressed. It would seem that as long as the people's local needs are addressed by government, representative institutions, be it local government or parliament, would enjoy people's trust hence legitimacy.

¹²¹ FGD with mixed gender literate group, Rural Southern Region, 6 June 2011.

¹²² FGD with mixed gender group, Urban Southern Region, Blantyre, 6 June 2011.

¹²³ FGD with mixed gender literate group, Urban Southern Region, Blantyre, 6 June 2011.

Quantitative evidence from 1999 to 2008 confirms the potential for strong parliament legitimacy when local government is working effectively, and the potential for parliament legitimacy crisis when local government is in disarray. Figure 13 below illustrates this finding:

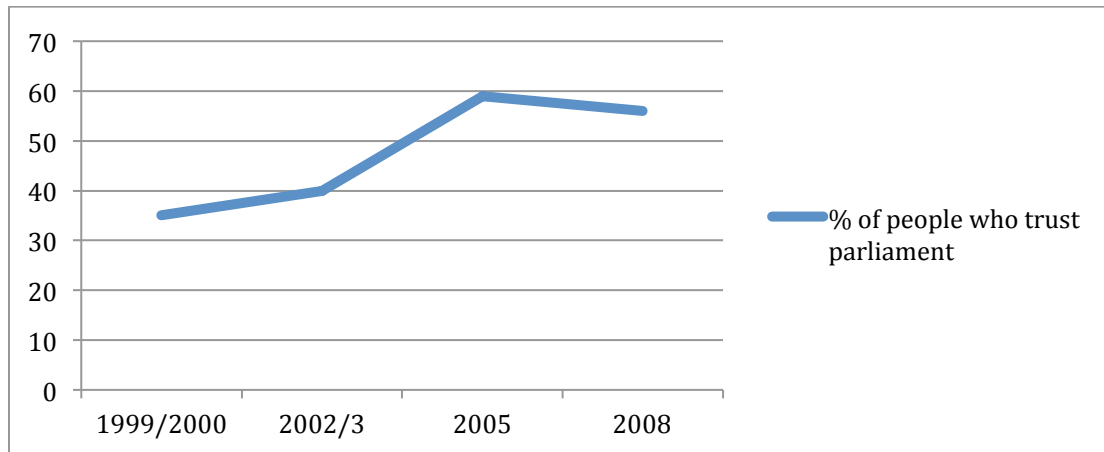


Figure 13: Trend of Public Trust of Parliament between 1999 and 2008 in Malawi

Figure 13 shows rising public trust in parliament from 1999/2000 to 2005, and declining trust from 2005. The gain in people's trust hence legitimacy of parliament from 2000 to 2005 coincides with the period when local governance system was operational at least in the sense that there were elected ward councillors working at local level and legally instituted District Councils. The drop in people's trust in parliament hence drop in legitimacy from 2005 to 2008 coincides with the period when there were no ward councillors at local level, hence no development representation and accountability at the local level. This trend, read together with the qualitative evidence presented above, suggests that the legitimacy of parliament, at least from the instrumental perspective at the local level, is dependent on vibrant local government. If local government is operational as was the case between 2000 and 2005, public trust in parliament seems to rise, and the vice versa. The crumble of local government from 2005, hence instrumental

legitimacy crisis of local government, affected the legitimacy of parliament hence triggering possible domino legitimacy crisis in representative institutions as the people look up to the next representative state institution in the perceived hierarchy to address their needs.

Evidence further suggests that there were complicating factors to people's lack of trust of parliament from 2005 onwards apart from the dysfunctional local government at the local level. As indicated elsewhere in this thesis, there seemed to be representation dysfunction at the national level. Intense political squabbling between government MPs and opposition MPs characterized the Malawi 2004-2009 parliament sessions. This often happened at the expense of development debates such as the passing of the national budget, and this led to many people losing trust in parliament during this period as people's needs were not well represented in parliamentary debates (HRCC 2008). This factor is expounded in chapter 7 when I unpack parliamentary representation as another factor explaining Malawi parliament's loss of legitimacy.

6.5.2 Manipulative and/or ignorant Promises by aspirant MPs

Evidence further suggests that people's expectation of MPs to facilitate local development activities is heightened by aspirant MPs who, during political campaign period prior to parliamentary elections, promise the electorate that they would 'bring' local development to their respective constituencies. The aspirant MPs seemed to campaign on local development platform to capitalize on people's poverty and desperation, and on the ineffective local government in the absence of councillors. In some instances, the aspirant MPs were said to promise local development due to their ignorance of the MPs' role. This finding cuts across responses from both MPs and the general public, as the quotations below illustrate:

...it is confused in Malawi. Most of the people out there, most of the people will tell you that the roles of a member of parliament is to bring development in the villages. We (MPs) are not supposed to do that, in fact it is just an overflow of our responsibilities based on probably the campaign promises we make out there.

Legislating and oversight are those roles that I would say are the core roles of parliament.¹²⁴

The most surprising thing is that during the campaign period he was full of promises on the things he would do for this area but now after winning, he has completely forgotten about us... He promised clean water, bridges, good roads and even good education for our children. That's why we were encouraged to vote for him hoping that he would deliver on his promises. But now since he won he completely stopped coming.¹²⁵

He also promised to extend a tarmac road from the school down there all the way to Mpingwe because a lot of the population resides there; he also promised to build a house of the group village head here. All these he hasn't fulfilled up to now.¹²⁶

Civil society organizations that monitor Malawi parliament that I consulted also made a similar observation, further indicating that many MPs become elusive from their constituents because they made local development promises they could not fulfill:

The MPs then quickly run away from their constituencies and stay in towns because maybe they might have promised many wrong things but at the same time they want to survive that's why they stay in town.¹²⁷

It is therefore evident from the foregoing that, the dysfunctional local government, in the context of poverty at local level and public expectations raised by MPs' promises during political campaigns, and the MPs' failure to satisfy the expectations, affects the legitimacy of parliament. From the public perspective, in the absence of a working local government, parliament emerges as an obvious next level of local development accountability. In this context, from the public assessment therefore, parliament has failed to fulfill their local needs and has become irrelevant.

¹²⁴ Interview with Member of Parliament, Mangochi, 16 November, 2012.

¹²⁵ FGD with mixed gender group, Urban Central Region, Lilongwe, 11 July 2011.

¹²⁶ FGD with mixed gender literate group, Urban Southern Region, Blantyre, 6 June, 2011

¹²⁷ In-depth interview with a civil society representative, Lilongwe, 20 October 2010

6.6 Conclusion

This chapter has shown that the legitimacy of parliament is greatly undermined by the dysfunctional local government that fails to satisfy the socio-economic needs of the people at grassroots level. This makes sense in the context that, from the local level, the people consider parliament as a next institution in the representation, accountability, and development institutional hierarchy of government. Thus, failure of local government puts the responsibility squarely on the doorstep of parliament and its MPs. In this case, failure of MPs and parliament to address the local socio-economic needs of the people constitutes loss of legitimacy of parliament. This is despite the fact that institutionally parliament is not mandated let alone supported to perform local service delivery. From the instrumental legitimacy point of view therefore, we can easily trace the brewing legitimacy crisis emanating from the non-performance of representative institutions that spreads from local government to parliament, and by extension to the President. This domino effect has the potential of affecting the legitimacy of other state institutions and ultimately the legitimacy of the state itself as a collection of institutions.

As discussed in chapter 2, people's loss of trust in an institution due to their disapproval of the institution's performance can result in people questioning the legal basis of the institution and losing affective attachment to the institution. Further, as legitimacy trends and dynamics in chapter 5 show, Malawi parliament is essentially losing legitimacy on instrumental level, affective level, as well as some evidence pointing to loss of legitimacy at juridical level. This chapter has therefore shown that the dysfunctional local government, in the context of community needs that remain unsatisfied, and public perception of development representation and accountability hierarchy that stretches from the local government to parliament, has a negative effect on parliament legitimacy.

The evidence therefore suggests that, if local government was operational and vibrant, if local government was able to provide local services to the people's satisfaction, constituency service would wither away as a yard stick for public evaluation and trust of parliament. Thus, the evidence shows that the emergence of constituency service and local development as an expected role of MPs seem to come about because of

dysfunctional local government, in the context of community poverty and direct accountability of MPs in single-member constituency based systems. Poverty and direct accountability of MPs as advanced by Barkan et al. (2010) seem to fit as preconditions, and not trigger factors, to this misplaced public expectation. Dysfunctional local government seems to be the trigger factor. Therefore, there seems to be a potential to strengthen parliament legitimacy, and by extension state legitimacy, by addressing the local needs of the people through creating robust and effective local government system.

The next chapter discusses the lack of responsiveness of Malawi parliament representation as another crucial factor that evidence shows is contributing to Malawi parliament brewing legitimacy crisis.

Chapter 7

7.0 UNDERSTANDING THE MALAWIAN PARLIAMENT LEGITIMACY TRENDS: UNRESPONSIVE REPRESENTATION

...the legitimacy of parliament has to do with whether that parliament really does what people aspire outside parliament... - Member of Parliament, Rural Southern Malawi

7.1 Introduction

Political representation has for centuries been seen as a key prerequisite for political legitimacy. Political representation has been portrayed as the guarantor of people's allegiance to the government running the state. The American Revolution rallying cry succinctly articulated this link when it was declared, 'taxation without representation is tyranny' (Pitkin 1967, p. 3).

In modern democracies where popular participation is crucial for the quality and sustainability of democracy, representation offers mass participation an avenue in the governance of the state through elected representatives. Parliament, being one of the key arms of government, is the ultimate forum where elected representatives meet and deliberate issues affecting the people. Thus, parliament is the epitome of representation, and by extension, legitimacy, in modern democracies.

As discussed in chapter 4, the Malawian parliament has three main functions, namely, legislation, oversight, and representation. However, unlike legislation and oversight functions, representation function is only provided for in the Malawi Constitution, but not operationalized in any parliament governing document such as the Parliament Standing Orders. There is essentially no guide, no rules, and no budget to support the

representation function of the MPs; the MPs are left to their own devices in as far as representing the people is concerned.

In this context, evidence also suggests that MPs and their political parties have neither enough resources nor the political will to meaningfully consult their constituents, and this makes the representation function of parliament a sham. It is against this background that this chapter unpacks the trends and quality of the Malawian parliament representation, and their implications on parliament legitimacy. The chapter starts by discussing the concept of political representation and its link to political legitimacy, before applying the concept to assess representation in the Malawian parliament and its implications on parliament legitimacy.

7.2 The Concept of Political Representation

Representing in politics means ‘...acting in the interest of the represented, in a manner responsive to them’ (Pitkin 1967, p. 209). Much as this definition captures the essence of political representation, the operationalization of the concept calls for a multi-dimensional conception. Hanna Pitkin (1967) therefore proceeds to give four dimensions of representation that are key to understanding the concept:

- *Formal representation* – this type of representation happens through institutional rules, procedures and processes through which representatives are selected or removed. In contemporary politics, an election is one key procedure that operationalizes this representation dimension (Schwindt-Bayer & Mishler 2005). In Malawi therefore, the parliamentary elections that happen every five years ensure formal representation of the electorate by the elected MPs.
- *Descriptive representation* – this type of representation refers to the extent to which the representatives resemble those represented. This type of representation can therefore refer to such attributes as cultural, class, economic, or geographical proximity of the representative to the represented. In the Malawi case, it is interesting to note that Malawi follows a single-member district electoral system

where the electorate directly elects an MP from their respective geographical constituencies that happen to be the MP's residence location or home of origin. In this case therefore, it can be claimed that Malawian parliamentary representatives resemble the constituencies they represent due to, at least, their geographical and cultural proximity.

- *Substantive representation or responsiveness* – this type of representation refers to the extent to which the actions of the representatives respond to the interests of those being represented. This is a crucial dimension especially in the Malawian case where, as evidence has shown in chapters 5 and 6, the performance of MPs is the hallmark of their representation role and legitimacy.
- *Symbolic representation* – this refers to the extent to which those represented feel fairly and effectively represented. This dimension is directly linked to the substantive representation in that the actions of the representatives are evaluated by those represented. The extent to which those represented feel their interests are reflected in the judgments and actions of the representatives therefore define symbolic representation. Symbolic representation is therefore directly linked with legitimacy of the representatives to the extent that legitimacy entails the extent to which those represented feel that the representatives have the right to exercise authority (Lipset 1960; Smith 2009). As shown in chapters 5 and 6, this evaluation is often based on the satisfaction of those represented with the performance of the representatives.

A critical analysis shows that the above representation dimensions are however not mutually exclusive - they interact with each other (Schwindt-Bayer & Mishler 2005). For instance, formal representation is incomplete if elected MPs do not in any way resemble the people they are representing. Even if they do, representation is still incomplete if their decisions do not respond to the people they represent and if those said to be represented do not feel that they are fairly and effectively represented. In other words, formal representation, to be complete, should meaningfully overlap with descriptive, substantive,

and symbolic representation. In this thesis, we adopt this multi-dimensional meaning of representation. Thus, parliament representation entails the formal election of the MPs, their responsiveness to the needs of the electorate, the extent of their resemblance to the electorate, and the electorates' feeling of being adequately and effectively represented in parliament deliberations and decisions.

In the Malawian case, since the electorate directly elects MPs from their respective geographical constituencies every five years, it can be claimed that the Malawi parliament reasonably achieves the formal and descriptive representation. The big question is therefore focused on whether the Malawian parliament achieves the substantive and symbolic representation, that is, whether the MPs individually and parliament as a collective respond to the interests and needs of the people and whether the people feel their interests and needs are fairly and adequately represented. Given that effective representation is one prerequisite for the legitimacy of any government (Schwindt-Bayer & Mishler 2005), the legitimacy of the Malawian parliament can therefore be understood if we unpack its substantive and symbolic representation patterns and quality.

Much as Pitkin's conception of political representation captures the essence of representation in contemporary representative democracies, there are some key questions about representation that need to be addressed before we proceed to apply this concept: in the course of representatives acting in the interest of the represented, to what extent should the representatives use their judgment? To what extent should the judgment and actions of the representatives be (in)dependent of the opinion of the represented? To what extent should the judgments and the actions of the representatives consider other (relevant) factors not directly linked to the input of the represented?

These questions constitute the practical dilemma faced by representatives as they carry out their duties of representation. In the case of MPs, these challenges include prioritizing and striking a balance between the people's interests and needs; the interests of the MPs'

respective political parties; the needs of other interest groups; and the MP's own conscience.

To begin to understand and address the above dilemmas and challenges, it is worth briefly discussing four key models of representation, namely: Trustee, Delegate, Mandate, and Resemblance Models. This format is influenced by Heywood (1997). Much as the MPs' representation in reality may not neatly conform to these models, the models will give us the necessary analytical framework to understand the representation and implications for political legitimacy.

7.2.1 Trustee Model of Representation

The Trustee model of representation suggests that, by electing a representative, people entrust the representative with the responsibility of making decisions using his or her mature judgment on behalf of the people. Using enlightened judgement, the representative is deemed to have the responsibility to decide what is best for the represented, and the decisions can be made independent of the views of those represented. Edmund Burke succinctly articulated this model on 3 November 1774 when, in his speech to the electors of Bristol, he said:

...Your representative owes you, not his industry only, but his judgment; and he betrays, instead of serving you, if he sacrifices it to your opinion... (The University of Chicago Press 1987, p. 391)

It should be noted that this Burkian model of representation does not necessarily discourage consideration of the opinion of those represented in the decision making process of the representatives. This was emphasized when Burke said:

...To deliver an opinion, is the right of all men; that of constituents is a weighty and respectable opinion, which a representative ought always to rejoice to hear; and which he ought always most seriously to consider... (The University of Chicago Press 1987, p. 391)

However, Burke made it clear that in this model of representation, the opinion or input of the constituents is subject to the final judgment of the representative, and not the other way round (The University of Chicago Press 1987, p. 391).

This model of representation is based on the belief that the elected representatives are competent enough to use their discretion to make decisions for the good of those represented. This elite competence conception in essence espouses the rule of one or a few on behalf of the masses (Krouse 1982), a leadership position advanced by James Mill in his *Essay on Government*, and in the early political essays of John Stuart Mill (Gray 1991; Mazlish 1975).

In a democratic set up however, a critical analysis shows that if, acting on the basis of Trustee model, representative decisions compromise the opinions and interests of those represented, the legitimacy of the representative is undermined. This loss of legitimacy is often manifested through the people voting out the representative who ignores their opinions and interest. It is therefore not surprising to note that Edmund Burke, who was an elected representative during the period when he was advocating the Trustee model of representation both as an idea and in practice, subsequently lost his seat in 1780 after making unpopular decisions such as supporting free trade with Ireland (Simms 2007).

7.2.2 Delegate Model of Representation

In the Delegate model of representation, representatives are elected to act on behalf of the electorate based on clear guidance or instructions from those represented. Acting as a conduit for the views of others, the representative therefore has little or no room for his own judgment or preferences (Heywood 2007). Thomas Paine (1776), who is one of the renowned proponents of the delegate model of representation emphasized that ‘...the elected might never form to themselves an interest separate from the electors...’ (Paine 1776, p. 5) and that there is need for ‘frequent exchange’ (Paine 1776, p. 5) between the representatives and the electors to establish common interest. He proposed frequent elections as one way of establishing this frequent exchange.

As can be observed, this model incorporates the theory of accountability ‘...which refers to rules and procedures allowing the represented to sanction representatives, ex post, who fail to act as the represented desire...’; and the theory of authorization ‘...which refers to the ability of the represented, ex ante, to provide mandates to representatives’ (Schwindt-Bayer & Mishler 2005, p. 408). The accountability measures such as frequent elections and the right of recall; and the authorization measures such as policy consultations and public meetings, are attempts to bind the representatives to act in line with the interests and needs of those represented. In this regard, this representation model comes as close as possible to realizing the ideal of mass participation (Krouse 1982) and popular sovereignty (Heywood 2007).

7.2.3 Mandate Model of Representation

The trustee and delegate models of representation were conceived and developed before the emergence of modern political parties (Heywood 2007). In the modern political party system, aspiring representatives often belong to specific political parties that attempt to articulate the public interests and needs, and adopt ideologies, policies and programmes to realize the public interests and needs. In this context, the representatives are required to reflect their party ideology and policy position in their debates and decisions as a matter of priority. This is on the basis that the party, and not the individual representative, is the agent of representation. Thus, by consulting the people and winning elections, the party gains popular mandate to implement whatever policies and programmes that it outlined in its manifesto (Heywood 2007; Manin, Przeworski & Stokes 1999). This model fits well with a parliamentary system that follows proportional representation (PR) electoral system where the electorate votes for political party lists. In a single-member district electoral system like Malawi however, much as aspiring representatives stand for elections on their respective political party tickets (except in the case of independent representatives), there are often electorate considerations of the representative as both an individual and as a party member, and sometimes individual characteristics of the aspiring MP can be influential in his or her election more than his or her party ideology or policy position.

7.2.4 Resemblance Model of Representation

The gist of resemblance model of representation is that representatives should reflect the social characteristics of those represented. The logic behind this model is that values, opinions and interests are assumed to follow socio-demographic traits. Thus, if all societal traits were represented, it would imply that all opinions are heard (Bengtsson & Wass 2009).

The resemblance model of representation seems to work well at the representative body collective level. The representative body, such as parliament, should be a microcosm of the society if it is to be truly representative (Heywood 2007). Thus, parliament should fairly represent the societal make-up in terms of socio-demographics such as class, gender, age, region, religion, ethnic group, and race. To truly represent, the representatives are therefore supposed to be the ones who have first hand experience of and therefore relate to the specific groups that they are representing. The single-member district electoral system that Malawi follows seems to guarantee resemblance representation more than other electoral systems such as PR due to its direct election and direct accountability set up. In Malawi parliamentary elections, an aspiring MP normally stands for direct election in a geographical parliament constituency where s/he originally comes from, where s/he resides, and/or where s/he has other strong social ties. This makes the MPs in Malawi to have some initial social resemblance to their constituents. This can be said to strengthen representation as MPs are close to the experiences of the people they represent.

7.3 The Puzzle of Representation and Political Legitimacy

Given the above meanings and models of representation, representatives in modern democracies are often faced with the dilemma of choosing an ideal model of representation to adopt and use. Should an elected representative use his discretion independent of the opinion of the electorate to decide what is best for the electorate or should he be guided by the opinion of the electorate? Should an elected representative decide and act according to his party ideology and manifesto irrespective of the interests

of the electorate that may be at variance with the party position? Should an elected representative be preoccupied with advancing the identity of his constituents? Should an elected representative combine his discretion, the opinion and identity of the represented, and his party position? What should be the weighting of each aspect of this combination; and what should be the permutation of the weighting; and at which instance? This constitutes the dilemma of representation.

In contemporary representative democracies, there are often a mix of different levels of trustee, delegate, mandate, and resemblance models of representation. The representatives are faced with the challenge of balancing their competent judgment; the interests of those represented as expressed by the represented themselves; the position of their political parties; and the identity of those represented. The judgement and actions of the representatives are therefore expected to reflect these dimensions in a manner that is approved by those represented.

To balance the demands of trustee, delegate, mandate, and resemblance models in a comprehensive contemporary representation is not an easy task. There are many challenges ranging from institutional, behavioral, to financial challenges that affect this balance as exemplified by the Malawi case in this chapter. These challenges notwithstanding, representation, in as far as it reflects parliament responsiveness to the concerns and needs of those represented, has a bearing on perceptions of legitimacy (Schwindt-Bayer & Mishler 2005). In this case, the legitimacy of parliament is based on the acceptable mix (at least from the popular perspective) of representative competence and judgement on the one hand, and popular participation in or influence on the representative's judgement and competence on the other. The balance between elite competence and mass participation is the hallmark of acceptable representation in modern representative democracies. This position was emphasized by John Stuart Mill's mature theory of representation propounded in his later writings (Krouse 1982; Mill 1948). The more people feel that their representatives are making competent judgments reflecting their interests; the more legitimate the representatives and the representative institutions.

7.4 Malawi Electoral System and Parliament Representation

In this section, we analyse the structural factors in Malawi affecting parliament representation hence the legitimacy of parliament. Our main focus will be the Malawi electoral system. This analysis is done given the fact that the structure of an electoral system has significant influence on representation (Schwindt-Bayer & Mishler 2005), hence legitimacy.

In PR electoral system for instance, voters predominantly vote for political parties and the number of parliamentary seats of a particular political party is proportional to the number of votes won by a political party (Heywood 2007). In this electoral system, the political party becomes the clear agent of representation more than an individual MP. As such the mandate model of representation carries more weight than the other models of representation.

This is in contrast to such systems as the first-past-the-post (FPTP) electoral system as implemented in the single-member district parliament systems where voters from a particular electoral district directly elect an individual, who may or may not belong to a political party, to represent them in parliament. In such systems, the MP's individual judgments, resemblance, and responsiveness to his or her respective geographical constituency have higher implications on the quality of representation and hence legitimacy than political party ideologies and positions. The individual MP becomes a more significant representative agent than his or her political party if he or she belongs to any.

Malawi follows the FPTP electoral system and the single-member district parliament system. Thus, each of the 193 parliamentary districts (called constituencies) of Malawi directly votes for a parliament representative. The winner of the parliamentary elections in each constituency is the one who gets more votes than the other candidates in the constituency. In this electoral system, the MP's resemblance to the constituency (in terms of, for instance, home of origin and ethnic group) and his or her individual judgment (in

view of people's interests) in parliament defines the quality of representation, the legitimacy of the MP, and collectively the legitimacy of parliament. Much as political parties to which the MPs may belong often put more weight on the mandate model of representation through such mechanisms as political party manifestos and political party parliament caucuses, this model has often failed to represent the people in the manner the people want to be represented. This development is expounded and supported by evidence in the sections below.

7.4.1 Single-Member District Electoral System and Direct Accountability

Evidence suggests that in FPTP single-member district electoral system, MPs are bound to be influenced more by their constituents than their political parties especially on issues concerning the local constituents. In other words, FPTP single-member district electoral system has a bigger potential to promote delegate representation than mandate representation. This is because FPTP system promotes direct accountability of an MP to his or her constituency. This is in contrast to such systems as the PR electoral system that seem to promote political party accountability (mandate representation) more than direct or individual accountability.

The graph below in figure 14 compares factors that influenced MP positions in parliament in 2008. The data is taken from six countries namely Kenya, Malawi, Zambia, South Africa, Namibia, and Mozambique. Kenya, Malawi, and Zambia follow the single-member district electoral system while South Africa, Namibia, and Mozambique follow the PR electoral system.

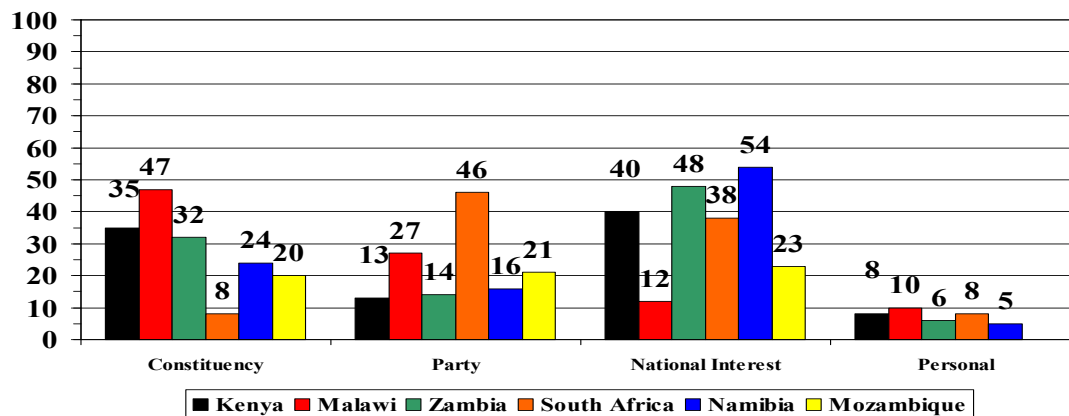


Figure 14: Influences on MP Positions (Most important influence) - Comparative

Source: Barkan, Joel et al. (2010), p. 14

As can be noted from figure 14 above, MPs from Kenya, Malawi, and Zambia indicated being influenced by their constituencies more than their political parties. On the other hand, MPs from South Africa and Mozambique indicated being influenced by their political parties more than their constituencies. The national interest influence is ambiguous at least on comparative perspective and may need further research. There is however a discernible pattern where MPs from countries following the single-member district electoral system (that includes Malawi) were influenced by their constituencies more than by their political parties on their positions in parliament. By implication, there is a set direct accountability between MPs and their constituencies in single-member district electoral system than the PR system.

In the FPTP single-member district electoral system, a system to which Malawi subscribes, the fact that the electorate directly elects MPs in their respective constituencies sets the context for direct representation and accountability of the MPs to their respective geographical constituencies. It is therefore not surprising when people, as have been shown in other findings presented in this thesis, expect their MPs to be directly accountable for their role in contributing to the development of their constituencies. Thus, the electoral system affects the mode of parliament representation in that it sets the rules of MP selection, and public expectations of MP mandate and accountability. This

influences the substantive dimension of representation in that MPs actions or inactions are directly influenced by the needs of their respective geographical constituencies.

Similarly, the symbolic dimension is also influenced in that people's evaluation of MP performance is based on the set direct mandate and accountability following the direct elections. The electorates' expectation of MP performance is also based on the MP's social, economic and geographical proximity to the specific constituency hence the MP's resemblance to the constituency. In this regard, it can also be said that the descriptive representation of MPs in Malawi is also influenced by the electoral and constituency-based institutional set up.

7.4.2 First-Past-The-Post Electoral System Distortionary Effect on Formal Representation

Evidence further suggests that the FPTP electoral system has some distortionary effect on formal representation of parliament in Malawi. Table 9 below presents an analysis of parliament formal representation patterns emerging from the four elections since the re-introduction of multiparty democracy in Malawi in 1994:

Table 9: First-Past-The-Post Distortionary Effect on Representation

Year / Party with plural seats	% Votes of party with plural seats	% Seats won	Artificial Representation %¹²⁸
1994 / UDF	46.39	48.02	1.63
1999 / UDF	47.30	48.44	1.14
2004 / MCP	24.85	30.48	5.63
2009 / DPP	39.97	58.85	18.88

Source: Calculated and compiled using data from Malawi Electoral Commission (MEC) and Electoral Institute for Sustainable Democracy in Africa (EISA)

¹²⁸ Difference between % votes and % seats won.

Statistics in table 9 above shows that in 1994, using FPTP, the ruling UDF got 48% of the parliamentary seats with only 46% of the votes. This represents a 2% artificial representation in that the UDF proportionally got more seats than the votes. The artificial representation is however arguably low and insignificant. This is because 1994 was the year when multiparty democracy had just been re-introduced in Malawi after 30 years of one party dictatorship, and there were few competitors and therefore less ‘vote spreading’ among the competitors. More significantly, UDF won their majority votes in the densely populated Southern region hence gaining more popular votes than the other competing parties; and the votes almost matched the parliamentary seats won.

In contrast, in 2009, again using FPTP, the DPP got 59%¹²⁹ of the parliamentary seats with only 40% of the votes, thereby getting about 19% artificial representation. Thus, the ruling DPP had less than half of the electorate support but got more than half of electoral representation in parliament. This is a clear case of FPTP distortionary effect on representation that breeds artificial representation and, by extension, artificial legitimacy. In this case, we notice one disadvantage of FPTP electoral system as compared to PR electoral system. If Malawi was following PR electoral system, the 40% votes won by the DPP in 2009 would have translated into 40% seats in parliament, hence no artificial formal representation and no artificial legitimacy.

The increasing artificial representation from 1994 to 2009 can be explained by the increasing political competitors in parliamentary constituencies (both political parties and independent politicians) hence ‘vote spreading’. For instance, the Malawi Electoral Commission data show that, in 1994, eight political parties contested the elections while in 2009 17 political parties contested. As Malawi politics moved from 1994 to 2009, it experienced the emergence of more political parties and independent aspirant MPs and in the context of single-member district parliament system with diverse constituency populations, the FPTP electoral system became more and more distortionary. People were presented with more choices in terms of candidates and political party affiliations than in early stages of democracy hence election victory determined by a simple plurality

¹²⁹ 113 seats out of the contested 192 seats. Elections were not held in Blantyre City Centre due to the death of one candidate and were postponed to July (MEC, 2009).

of votes in the FPTP system meant that the victor might in fact have minority votes, as the other votes are thinly spread among the other candidates.

Similarly, Malawi follows FPTP presidential system where the electorate in a presidential election directly votes for presidential candidates and the candidate who amasses more votes than the rest is declared the winner. This means that the winning presidential candidate can in fact have less than 50% of the votes. For instance, in 2004, Bingu wa Mutharika won the presidential elections by 36% of the votes because the rest of the votes were spread among the other presidential candidates who got less than 36%. This in effect meant that 64% of the electorate did not vote for Bingu wa Mutharika yet he was made President on the basis of FPTP electoral system. This illustrates another instance of FPTP distortionary effect on representation.

The FPTP distortionary effect on representation seems to make a mockery of representative democracy. For instance, in 2004, Malawi had a president who won by only 36% of the votes and whose ruling party only had 30% of parliament seats. This implied that about 64% of the electorate did not vote for the winning president and about 70% of the parliament seats were won by opposition political parties. This distortionary effect has the potential to breed artificial legitimacy, hence brew legitimacy crisis especially when the majority of the electorate is not proportionally and effectively represented, and when the majority starts feeling dissatisfied with the status quo.

Thus, guided by Pitkin's (1967) representation integrated model and the models of representation discussed above, it can be noted that representation and hence legitimacy of Malawi parliament is hugely influenced by the electoral system and rules guiding the relationship between parliament and the electorate. The Malawi FPTP electoral system has the potential to distort formal representation in parliament and the single-member district electoral system sets the context for direct accountability of the MPs to their respective constituencies. These structural factors have a bearing on parliament legitimacy. The more distorted the formal representation, the more alienated the majority of the electorate will feel, and the less legitimate the parliament will be. Similarly, if, in a single-member district electoral system, an MP is not directly accountable to his

constituency, chances of him losing legitimacy are high, and if this tendency is spread among the majority of MPs, chances of parliament as a collective losing legitimacy are also high.

7.5 Representation in the Malawian Parliament: a Meta-function

Lacking Institutional Support

Despite representation function manifesting in all other parliament functions and thus carrying the status of a meta-function, evidence from the Malawi parliament case shows that representation function is neither institutionally nor financially supported as is the case with the other functions of parliament.

7.5.1 Representation as a Meta-function of Parliament

Representation is one key function of parliament. The physical presence of elected MPs and their contribution at the National Assembly are supposed to represent the presence, views, and needs of those they are representing. Thus, representation is a parliament function in its own right.

However, representation is also manifested in the other functions of parliament. As discussed in chapter 4, parliament has three main traditional functions, namely: legislative, oversight, and representation functions. Of these functions, representation function cuts across the other two functions. As MPs make laws in parliament, they are supposed to make sure that the laws reflect the views and values of the people they represent. Similarly, as MPs oversee and check the actions of the executive branch of government, their aim is to make sure that the government actions are responsive to the people's views and needs in accordance with the set rules of the game. This shows that representation is a meta-function that cuts across, and in many ways manifests through, the other functions of parliament. The following case illustrates how the representation function manifests through oversight function of parliament:

During the fieldwork, as indicated in chapter 3, one method that was used to collect data was observation. I observed one National Assembly meeting and four

Parliamentary Committee meetings. A Parliamentary Committee is essentially a sub-committee of the whole parliament assembly that is mandated to carry out specific tasks especially involving oversight of the executive branch of government.

During my observation of the Parliamentary Committee on Agriculture and Natural Resources proceedings, one government official that was invited to make a presentation was the national coordinator for the Green Belt Initiative (GBI) located in the Office of President and Cabinet. The GBI is a national irrigation scheme aimed at boosting agricultural production nation-wide of selected crops including maize and rice. After the presentation by the national coordinator of the GBI, MPs constituting the Parliamentary Committee on Agriculture and Natural Resources asked questions and sought clarification from the coordinator on the progress of the initiative. It was clear from the MPs' questions that, as part of the oversight function, they were trying to reflect and represent their constituents' views and concerns regarding the progress of the agricultural initiative. For instance, one MP asked the coordinator when and whether the GBI initiative would reach a perennial river in his constituency. He asked this because, as he put it, '...we have a responsibility to our constituents to tell them that "hold on, the Green Belt Initiative is coming to this area"' ¹³⁰.

This case shows that MPs use the oversight function to represent the needs of their constituents and push them on government agenda.

Similarly, during my observation of the National Assembly meeting from 12 to 16 November 2012, MPs kept referring to the interests of their constituents as they contributed to Bills in the House.

This evidence shows that representation function is in essence largely manifested in the legislative and oversight functions of parliament.

¹³⁰ Comment by MP in a Parliamentary Committee meeting, 26 April 2011.

The following quotation by the Malawi Parliament staff member, further illustrates how representation manifests in law making and oversight functions:

Representation... can take so many dimensions... Representation, what it means is that these (MPs) are the ambassadors; the people sent by their people; these are the representatives of the constituents. So the representation could be either a matter to do with law making; for example, if there is a Bill proposed by the government, what we expect or what we mean by representation is that they (MPs) have to consult with their people, to say that, 'here, government is proposing a law here, about this, what are you saying,'; so as representatives, they go to the people and get the views of the people. So that kind of representation, they will represent and they are supposed to present the views of the people in parliament... That's the first context of representation. They are representatives of the people on issues to do with legislation. The issue of oversight in the context of representation also would be in the matter of action... Now in the course of that (oversight), as the representatives of the people they have to make observations in terms of whether government's action is in line with what their people want. So in that context,... we... say, they are doing the oversight, but the oversight must be done or has to reflect what the people they are representing are interested in...¹³¹

Analysis of the above observations and professional views indicates clearly that representation is a meta-function of parliament. Apart from being a function in its own right, it is also implemented within the defined ambit of the other two functions namely legislation and oversight. This weaving of representation function in the other functions of parliament makes representation a meta-function. If representation is a *sine qua non* in the analysis of political legitimacy, and if representation is a meta-function of parliament as shown above, then we can confidently claim that understanding the quality of parliament representation is a crucial step towards understanding parliament legitimacy.

¹³¹ In-depth interview with Malawi Parliament staff member, Lilongwe, 19 October 2010

7.5.2 Representation as the Perceived Most Important Job of an MP

Evidence overwhelmingly suggests that representation is not only a meta-function but also the perceived most important job of an MP. In-depth interviews with Malawi MPs and parliament staff members; focus group interviews with community members; and quantitative analysis of Afrobarometer data all yielded consistent results in this regard.

Amongst the MPs, representation was considered the most important job of an MP largely because MPs are elected to represent their electors, and the electors' evaluation of the MPs' performance is often based on the perceived fairness and effectiveness of the representation. The following quotation from a Malawian MP with over 10 years experience as an MP illustrates this finding:

According to my experience, the first important role is representation. You must represent the people of your constituency. You must represent the people, the general public as a member of parliament because when you go to parliament you don't represent only the people of your constituency but there are also some interested parties like civil society; any person in Malawi would approach you to say 'I have this problem, can you present it in parliament'. We have done that; it can be presented through private members Bill, or maybe through debate and there are various ways of presenting those issues in parliament. So representation to me is very, very important. That's where you are judged.¹³²

Thus, representation to MPs is the hallmark of their acceptability and authority hence their legitimacy.

Similarly, Malawi parliament technical staff members prominently indicated that representation is the most important part of an MP's job. The National Assembly was in fact said to be a sub-set of the Malawi population set up to deliberate issues affecting the

¹³² In-depth interview with Malawi Member of Parliament, Lilongwe, 19 October 2010

people. In this regard, representation function was the key link between the representatives and the Malawi population.

In my opinion, I would rank representation as the first function, because these MPs are supposed to be the mouthpieces of the people¹³³

Quantitative analysis of Afrobarometer survey data in 2008 in Malawi also shows that most Malawians consider representation as the most important part of an MP's job as shown in Figure 15 below:

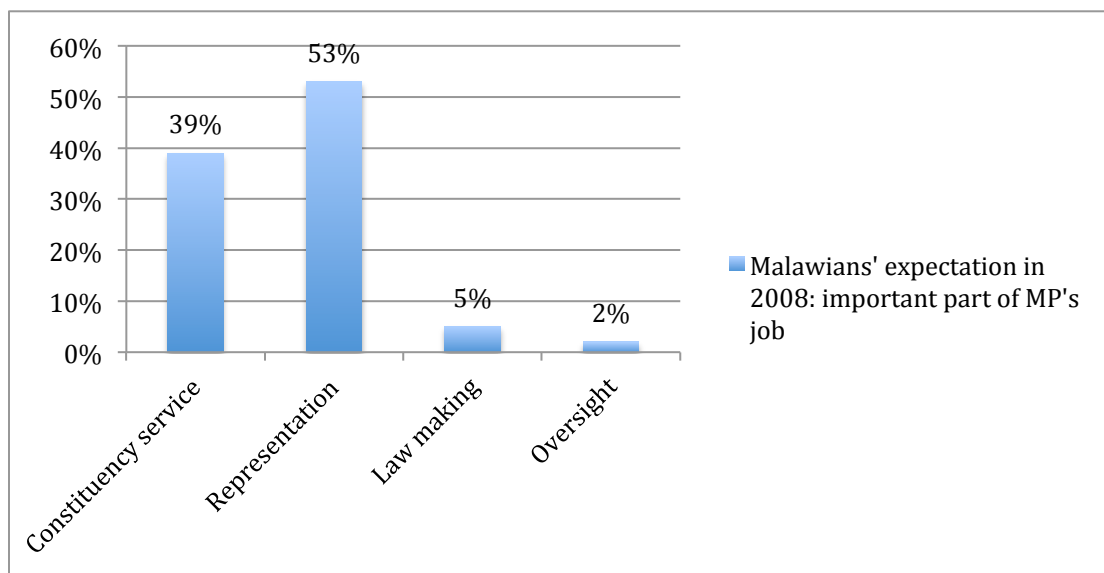


Figure 15: Malawians' Expectation: Important part of MP's Job

As can be noted from figure 15 above, 53% of Malawians in 2008 considered representation as the most important part of an MP job, compared to 39% who considered constituency service, 5% who considered law making, and 2% who considered oversight as the most important job of an MP respectively.

¹³³ In-depth interview with Malawi Parliament staff member, Lilongwe, 18 October 2010

These results are consistent with qualitative evidence collected in 2010/11 where respondents overwhelmingly indicated that, since not every Malawian can go for deliberations in parliament, it is the MPs' role to represent the Malawians. The referred deliberations were often said to involve budgeting for community development and law making.

An MP is very important to us because we may not all go to parliament ourselves to present the issues. But an MP does that, he represents us in the parliament. He is our servant and we are the bosses and we send him there. That is why we need to tell him what we need and then he goes to parliament to ask for the developments we need and bring it back to us here.¹³⁴

We know an MP as a representative of the people of the constituency he is coming from, taking the problems and concerns of the people and present them in parliament, for the government to budget for the constituency in question. We rely on him to take our needs to parliament, ... So, basically that's the role of an MP.¹³⁵

The evidence presented above supports the fact that, not only is representation a meta-function of parliament, it is also a perceived most important job of an MP. This therefore buttresses the fact that parliament representation is at the heart of parliament legitimacy; that the legitimacy of parliament is closely tied to people's perception that they are fairly and effectively represented by the MPs.

7.5.3 Representation: A Meta-Function Lacking Institutional Support

Despite the significance and perceived importance of representation function of parliament, analysis shows that the Malawi parliament institutional framework does not (effectively) support this function as it does the other parliament functions of legislation and oversight. As a result, how an MP represents the people is largely left to his or her discretion.

¹³⁴ FGD with mixed gender group, Urban Central Region, Lilongwe, 11 July 2011

¹³⁵ FGD with mixed gender group, Urban Central Region, Lilongwe, 11 July 2011

Chapter 4 outlined the institutional framework and functions of Malawi parliament. The chapter showed that the legislative function of Malawi parliament is regulated by the Malawi Constitution that bestows legislative authority solely on parliament¹³⁶; and the Malawi Parliament Standing Orders that detail the processes and rules of debating public and private Bills before they are forwarded to the President for assent¹³⁷. The Malawi government also funds the parliament to effectively implement the legislative role through such mechanisms as the sittings of parliament and maintenance of parliament support staff.

Similarly, the oversight function of the Malawian parliament is guided by the Malawi Constitution¹³⁸ and the Malawi Parliament Standing Orders¹³⁹. These instruments empower parliament to scrutinize executive actions through such parliamentary mechanisms as Parliamentary Committees that are funded through approved parliament budgets.

Despite challenges faced by Malawi parliament to effectively carry out the legislative and oversight functions, such as executive dominance and party politics, these two parliament functions seem to be reasonably supported institutionally and financially.

In contrast, apart from the Malawi Constitution laying down the foundation for the representative role of Malawi parliament¹⁴⁰, analysis of Malawi parliament governing documents and procedures shows that the representation function has neither institutionalized guidelines that are well-articulated nor financial support from the Malawi government. Interviews with Malawi parliament technical staff verified this lack of support for representation role:

¹³⁶ Government of Malawi (2001), The Constitution of the Republic of Malawi, section 48

¹³⁷ Malawi Parliament Standing Orders (2003), sections 108 - 138

¹³⁸ Government of Malawi (2001), The Constitution of the Republic of Malawi, section 66

¹³⁹ Malawi Parliament Standing Orders (2003), part XXXI

¹⁴⁰ Government of Malawi (2001), The Constitution of the Republic of Malawi, section 62

In terms of the consultations between MPs and their people, we don't have benchmarks to say, 'I think for us to be satisfied that you have consulted your people, we expect you to have done ABCD', those guidelines are not there. So it's ... just an expectation to say that members of parliament will have consulted. On how he or she has done it, and on who exactly, on the formality of consultation, there are no benchmarks for that. So it's left to individual MPs to determine the mode of consultation so that, he or she is reflected as a true representative of the people. That is left to them... assessment of that kind of representation on consultation with the people with us is not there... there are no objective guidelines for us to follow for each one of the members.¹⁴¹

Thus, MPs are expected to consult their constituents and represent them in parliament as part of their traditional role. Regarding how they should consult and represent and where to get resources and technical support, that is left to their discretion. Senior parliament technical staff actually indicated that the Malawian parliament as an institution is, as a matter of policy, not interested in what happens outside parliament presumes such as consultations as part of representation. The quotation below illustrates this position:

...we are mainly interested in what the member of parliament does in parliament, whatever happens in the constituency is rather peripheral to our interest, because when a member is here, they will be assisting in the passage of laws, and then through parliamentary committees, they oversee government policies, and so on. But I think the representation function can also be implied in the work of parliament in the house as well as in committees. Because we take it that the member performs those functions as a representative of the people. So really what happens in the constituencies, how the member handles himself, whether he consults his constituents or not, whether the member is resident in his constituency or not, is really not of interest to us. What the member does in parliament is what is of interest to us. Is the member able to speak in the house; is

¹⁴¹ In-depth interview with Malawi Parliament staff member, Lilongwe, 19 October 2010

the member able to express his views on certain issues that come before parliamentary committees? That is what we observe.¹⁴²

Thus, the lack of support for the representation role of the Malawian parliament seems to be a matter of policy. However, the policy position that parliament as an institution is only concerned with what takes place within parliament premises and has nothing to do with such functions as public consultations and other representation strategies that happen outside parliament premises does not conform to modern trends in parliamentary engagement with the public. The 2012 Global Parliamentary Report discusses a range of initiatives that many parliamentary institutions worldwide are employing to provide information and improve public understanding of parliament, and consult and involve the public in parliament work (Power 2012). These public engagement initiatives include such strategies as Open Days, Visitors Centres, Constituency Offices, Parliament Broadcasting, websites, and a range of public consultation mechanisms directly supported by parliament professional staff and administrative services. Zambia, Malawi's neighbor, has constituency offices in all parliamentary districts, and holds Open Days - all aimed at providing an avenue for citizens' input and participation in parliament¹⁴³. In view of these developments, it would appear that the Malawian parliament is lagging behind, more so that the senior parliament professional staff members, who are supposed to articulate the vision and progress of the Malawian parliament, are holding on to the view that public consultation and representation are peripheral to parliament procedures. In this context, it is not surprising if levels of public trust go down as shown in chapters 5 and 6, and if people question the relevance of parliament.

Despite senior parliament officials feeling that public consultation and representation are peripheral to parliament procedures, a position that in a way reflects the Malawian parliament policy though not presented formally, MPs strongly indicated that not having financial or any institutional support on representation function poses a big challenge. It was observed that most MPs find it hard to consult their constituents due to resource and

¹⁴² In-depth interview with Malawi Parliament staff member, Lilongwe, 19 October 2010

¹⁴³ http://www.parliament.gov.zm/index.php?option=com_content&task=view&id=1866&Itemid=34 (accessed on 24 December 2013)

technical constraints. Political parties were said to provide some resources for public engagement during election campaign period only. These resources were however far from being adequate, and the fact that they were limited to election campaign period meant that MPs were left with neither resources nor technical support for public engagement in between elections – a period that is crucial for public consultation and representation. Though some MPs were forced to use their personal resources to consult the people, it emerged that this was largely insignificant to effect meaningful consultation in their geographical constituencies let alone among other interest groups.

The following interview extract illustrates how MPs felt about the challenges they encountered due to lack of financial and technical support in public consultations and representation:

This (representation) is the most important thing. You see, our parliament has not developed to an extent that it can give the member of parliament the tools to carry out representation. Why am I saying this? Because we don't have offices. To really gather peoples' opinion on a particular issue, it involves money. We don't have constituency money to be able to carry this. For example, if we are to invite, you know in Malawian culture, if I happen to invite chiefs to my house, to ask their opinion about a particular issue, at the end of the day I am supposed to give them something, you know, it goes without saying that this is the culture here. Now, for example in my constituency, we have 45000 voters, even if I were to sample the opinion of the people, I need to employ certain people to go to different corners of the constituency, take opinion from these people, and that takes a lot of money. So we are saying that our parliament has not reached a point where the representation part of it is going to be institutionalized in a sense that a member of parliament is given tools in order to be conducting surveys, assess the opinions of his or her constituents. Now that becomes a problem especially when you (an MP) on your own assumes that people in my constituency are thinking about this. Because when you are going to a rally, you go there to speak, but you don't really get instant feedback. It is difficult to get instant feedback from the people right at the rally, and mind you, this is a political rally where party

loyalists are probably the ones that will come to the rally. You are leaving out other sections of the society. Now the most effective way is probably use people to go out and seek opinions on a particular issue in a non-partisan manner. My experience has been that of desperation, because I don't have a way honestly of really consulting people. And you can see that when people cross from one political party to another, they claim that they have consulted people, really? But how? And when and where? All these things tie in to the fact that our democracy has not reached a point where we will have, like in other countries, I studied in the United States, I did Political Science, I could see that offices of elected leaders have a number of staff. They have people who just sit on the phone, trying to call each and every registered voter to try to get their opinion on a certain issue, things like that. ...(Whereas) we just go out and campaign and assume that people like what we stand for. This is the challenge that I have.¹⁴⁴

The above extract illustrates the challenges faced by Malawian MPs in their representation role. As can be read from the extract, it is extremely difficult for Malawi MPs to meaningfully consult and represent their constituents in the absence of resources and technical support. This results in MPs deliberating and making decisions in parliament based on very little and insignificant input from their constituents. This begins to explain the unresponsiveness of parliament to people's needs as discussed in chapters 5 and 6, and as emphasized in this chapter below.

Due to this lack of institutional and financial support, the *modus operandi* of representation function is largely left to the discretion of individual MPs. Even regarding the setting of parliament agenda, it would seem that MPs are hardly given time to consult their constituents on proposed parliament agenda. For instance, the Business Committee sets the agenda for parliament sitting a week before the sitting. This set up hardly gives the MPs time to consult their constituents on the agenda. And again, even if there is a 28 days provision for consultations before a Bill is tabled in parliament, experience has

¹⁴⁴ In-depth interview with Malawi Member of Parliament, 16 November 2012

shown that these Standing Orders are often waived to table Bills and Motions without consultations¹⁴⁵.

Due to these constraints, the MPs interviewed in this study admitted that, when it comes to issues affecting their specific constituencies, they deliberate and make decisions in parliament based on their conscience and assumptions regarding what they think their constituents want. On the other hand, when it comes to issues of national interest, many MPs deliberate and make decisions based on their political party position as agreed in respective political party caucuses. However, evidence suggests that the political parties themselves do not have enough resources and political will to consult the people. Despite having constitutions that provide for member consultation and participation, the concentration of power in party presidents and national executive committees, and the failure to translate participation provisions into real member participation has resulted in many political parties lacking real intra-party democracy (Chinsinga & Chigona 2010). Many party deliberation fora are therefore mere rubberstamps of party leadership positions. As a result, political party positions are often political leaders' positions that lack meaningful input from party members, let alone input from the public. The extract below illustrates some challenges faced by MPs in parliament deliberations that lack meaningful public input:

Basically... (I use) my conscience; I would say that; because, I will give you a scenario, and I have even been fighting this even in parliament, as a chief whip..., and I have said that we come here in parliament, usually we have what we call a Business Committee, which you know basically sets the agenda for the whole sitting of parliament a week before parliament... This is where we get all the agenda that a particular sitting is going to have. For example, let us say we have 21 Bills that we shall tackle at this sitting of parliament. In just a week, can you go out in the villages and try to convince people or to consult the people that what should my views be on those 21 Bills? That's a non-starter. So I have been fighting even in parliament, that why don't we have the agenda of parliament

¹⁴⁵ In-depth interview with Malawi Parliament staff member, 19 February 2013

even three months before we go to parliament, so that we know exactly what is coming and members of parliament are briefed of what is coming so that they can go straight to the villages and try in whatever means they are going to use? Because I have said we don't have tools to be able to at least gather the little that we can and on a particular study on a particular issue. I have found it very difficult because at the end of the day we go there (in parliament) and do what our conscience is telling us¹⁴⁶

Most decisions made in the Malawian parliament are therefore either political party leaders' positions masquerading as political party caucus positions, or individual MPs' conscience devoid of public input. Juxtaposing this outcome with the representation models discussed above, it would seem that Malawi parliament representation follows distorted forms of mandate and trustee models of representation. The Malawi mandate representation is distorted to the extent that the political party positions in parliament are often a product of undemocratic intra-party decision-making processes. The political party in this case can hardly be considered a representation agent as there are hardly any consultations between the party and the people and thus the party can hardly claim public mandate.

On the other hand, the trustee model of representation is distorted in that, as the MPs deliberate and make decisions based on their conscience, they do so out of desperation given the lack of information and input from those represented. This is a departure from the Burkean trustee model of representation where a representative uses his judgment but having considered seriously the input and opinion of those represented.

This distorted representation begins to explain the Malawian parliament representation that is hardly responsive to the needs of the people. The more people recognize this unresponsiveness, the more they perceive parliament as irrelevant and this contributes to the waning of parliament legitimacy. This distortion is expounded in section 7.6 in this chapter below.

¹⁴⁶ In-depth interview with Malawi Member of Parliament, Lilongwe, 16 November 2012

It should however be noted that the lack of institutional support for parliament representation function is not unnoticed by the Malawian parliament. The need to enhance and support the representation role of the Malawian parliament has been discussed at different fora and documented in some strategic documents of the Malawian parliament. In the Malawi National Assembly Strategic Plan for 2010 to 2015 for instance, strengthening ‘...the leadership and representative roles of MPs’ and increasing ‘...the outreach work of Parliament in order to bring Parliament to the people’ were highlighted as strategic objectives 4 and 5 respectively (Malawi National Assembly 2010, pp. 20-22). These strategies would among other things involve developing a handbook and training MPs on representation; developing the National Assembly’s interaction with the civil society; increasing the capacity of women caucus; and establishing constituency offices in each parliamentary constituency. However, at the time of writing up this thesis in 2013, little to nothing under these objectives had been done. Besides, the proposal to establish constituency offices was mooted in 2004 – 2009 parliament, and was piloted in two constituencies, only to be abandoned due to poor funding and poor logistics. By 2013, therefore, 19 years into democracy, the parliament role of representation was largely left to the discretion of individual MPs, with no institutional or financial support.

This lack of institutional or financial support to the representation function has resulted in MPs or their respective political parties hardly consulting their constituents resulting in community members’ dissatisfaction with parliament. This dissatisfaction has huge implications on public trust of parliament and hence parliament legitimacy.

7.6 Unresponsive Representation

A critical analysis of parliament representation in Malawi suggests that it is unresponsive to people’s opinion and needs. Parliament deliberations and decisions seem to be made based on individual MP judgments that hardly take into consideration the constituents’ views and needs, or on political party positions devoid of popular voice let alone intra-party consultations and debate. Using the models of representation as analytical lens, and supported by empirical evidence, the sections below show that the type of parliament

representation that is practiced by the Malawian MPs and their supporting structures is hollow because it is largely removed from the people it seeks to represent.

7.6.1 The Failure of The Delegate Model of Representation

As discussed above, the Malawi FPTP single-member district electoral system sets the context for direct mandate and accountability between MPs and their respective constituencies. The people in the electoral district expect the elected representative to be a messenger carrying their views and needs for deliberations in parliament. The qualitative evidence below illustrates people's perception of the type of representation they expect from their MP:

You know, when we elect an MP, he is like our messenger whom we can send to go to parliament to speak on our behalf.¹⁴⁷

An MP is like the watchdog for the constituency, because we all look up to him as a messenger who can take all our development needs to government. But if we don't have an MP that means we are useless but if we have an MP we know that all our needs will be met.¹⁴⁸

This indicates that people consider the MP as a delegate who must behave according to specific instructions given to him by those who elected him. This is typical of the delegate representation model.

This is consistent with quantitative evidence that indicates that the majority of Malawians prefer the delegate model of representation to the trustee model of representation. In 2005, most Malawians indicated that they would prefer representatives to make decisions guided by their constituents; as opposed to the representatives making decisions following their own (and not constituents') ideas in deciding what is best for the country. Table 10 below shows the statistics for Malawi and 18 African countries:

¹⁴⁷ FGD with mixed gender group, Rural Northern Region, Mzimba, 16 November 2011

¹⁴⁸ FGD with mixed gender group, Urban Southern Region, Blantyre, 3 June 2011

Table 10: Views on Democratic Representation (n=1200 for Malawi; n=25397 for 18 African countries) ¹⁴⁹

	Agree very strongly elected officials should listen to constituents	Agree elected officials should listen to constituents	Agree elected leaders should follow their own ideas	Agree very strongly elected leaders should follow their own ideas	No opinion
Malawi	75%	8%	4%	13%	1%
18 African Countries	50%	34%	9%	6%	2%

As can be noted from table 10 above, a remarkably high 83% of Malawians strongly agreed or agreed that elected officials should listen to constituents' views and do what they demand. This is an overwhelming endorsement of mass participation through delegate model of representation in Malawi's democracy.

¹⁴⁹ Afrobarometer asked this question in 2005 only. Question 59:
Which of the following statements is closest to your view? Choose statement 1 or statement 2:
A: Our elected officials should listen to constituents' views and do what they demand
B: Our elected leaders should follow their own ideas in deciding what is best for the country

It is interesting to note that the need for delegate representation is not unique to Malawi. Table 10 also shows a calculation of responses from 18 African countries on the same indicator. As the table shows, a remarkably high 84% of Africans from 18 African countries in 2005 strongly agreed or agreed that elected officials should listen to constituents' views and do what the constituents demand as opposed to the officials making their own decisions. This implies that many Africans prefer delegate representation to trustee representation.

In reality however, as discussed above, evidence suggests that there is neither institutional or financial support nor political will to facilitate meaningful consultation between MPs and their respective constituencies. This has resulted in many MPs using limited information and their conscience to guess the needs of the people they are representing.

Despite popular demand for delegate representation therefore, there is a failure of this type of representation in practice as the MPs hardly consult their constituents, and hence deliberations and decisions in parliament are not meaningfully reflecting and are not responsive to the opinion and needs of the constituents. The civil society organizations aimed at monitoring parliament in Malawi echoed this development:

...there's minimal consultation and feedback provision... the interaction between the MPs and the subjects is very minimal... some of the issues discussed in parliament are not issues that show there has been thorough consultations. Let me be honest; by looking at the current scenario; there was a Marriage Age Bill that was discussed in parliament and was stopped so the president didn't assent to that. How, when, (did they consult)? From nowhere, a number of MPs were convinced that this is okay. It means there was a gap (no consultation). Let us talk about the National Flag modification Bill; everybody was championing it in parliament when there wasn't any agreement that people indeed were consulted.¹⁵⁰

¹⁵⁰ In-depth interview with Malawi Civil Society Organization representative, Lilongwe, 20 October 2010

The lack of consultation with the constituents, and the subsequent lack of reflection of people's views in parliament deliberations begin to explain people's dissatisfaction with parliament. Since the re-introduction of multi-party democracy in Malawi in 1994, there is actually an increase in the number of people believing that MPs do not listen to their opinion as shown in figure 16 below:

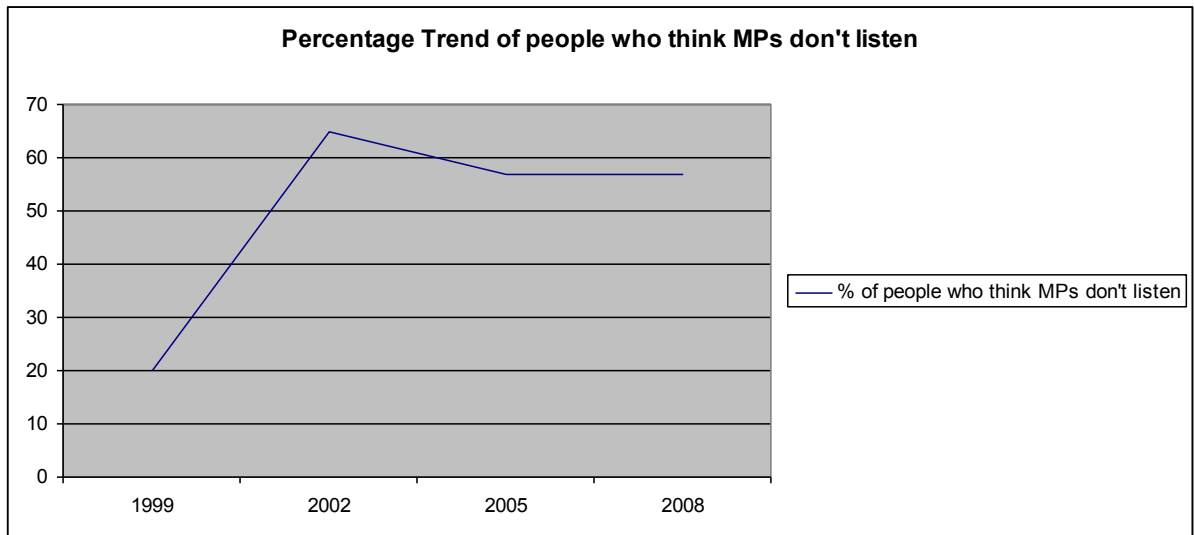


Figure 16: Proportion of Malawians who think MPs do not listen

As can be noted from figure 16 above, the proportion of people who think MPs do not listen to people's views and interests shot from 20% in 1999 to 65% in 2002, before levelling off at 57% in 2005 and 2008. This is a sign of people's frustration that their interests are not taken into consideration. The 20% in 1999 may be a sign of optimism regarding parliamentary representativeness after the 1994 re-introduction of multiparty democracy. But this optimism soon turned into frustration.

This trend is consistent with qualitative evidence from community members that suggests that MPs do not consult their constituents, as such, MPs' deliberations in parliament do not reflect people's opinion and needs:

The problem is that when these MPs are elected into office they don't come to their constituencies to conduct meetings. That's why you will see that when they

go to parliament they speak different things not in line with what their subjects want. But chiefs know a lot because they are the ones who stay with us. MPs should be in touch with their people. For example, if our MP here doesn't conduct any meeting, what do you think he will speak when he gets to parliament?¹⁵¹

In my case I feel like there should be a way of supervising these MPs when they have been elected because when they go to the parliament, they take their own issues there, they don't even think of the people who had voted for them.¹⁵²

This popular frustration with parliament representativeness begin to explain the low levels of parliament legitimacy reported in chapters 5 and 6. And, as reported elsewhere in this thesis, evidence suggest some growing demands for alternative avenues of representation to compliment, or even replace, the non-functional MPs:

...maybe there should be a provision that if parliament fails, we have (traditional) chiefs here, probably they should also be allowed to go there (at parliament) and present the needs of the people...¹⁵³

Since 1994, the only potential avenue through which tradition chiefs and other civil society representatives would have played a representative role at national level was through the Senate as part of parliament as provided for in the 1995 Constitution (Malawi Government 1995). However, the Senate provision was repealed in 2001 on the basis that it would be too expensive to maintain. The Senate was however abolished against civil society outcry to maintain the house (Patel & Tostensen 2007). The MPs' defiance of the civil society position and the findings in this study indicating peoples' wish for such alternative representation avenues buttresses the thesis of this chapter that parliament representation of peoples' views in Malawi has largely been artificial, unresponsive, and only done to the benefit of individual MPs and their political parties. This explains the loss of public trust in parliament and diminishing parliament legitimacy. Given the

¹⁵¹ FGD with mixed gender literate group, Urban Northern Region, Mzuzu, 24 November 2011.

¹⁵² FGD with mixed gender illiterate group, Rural Southern Region, Blantyre, 6 June 2011.

¹⁵³ FGD with mixed gender group, Rural Northern Region, Mzimba, 16 November 2011.

waning public trust in Malawi parliament, it remains to be seen whether and how people will demand with significant impetus the alternative representation avenues.

7.6.2 The Failure of Trustee Model of Representation

One would however argue that, in as far as Malawian MPs fail to behave as true delegates of the people and use their judgment in parliament deliberations and decisions, they are in effect following the Burkean model of representation, the trustee model, which is the most practical mode of representation given the constraints. However, a critical analysis shows that many Malawian MPs hardly follow the trustee model of representation because the judgement or ‘conscience’ that they use when making decisions in parliament does not substantially and meaningfully take into consideration the views and needs of the people as the people themselves express them. Much as Edmund Burke in the trustee model of representation emphasizes the representative’s judgment, he qualifies that by saying:

...[t]o deliver an opinion, is the right of all men; that of constituents is a weighty and respectable opinion, which a representative ought always to rejoice to hear; and which he ought always most seriously to consider... (The University of Chicago Press 1987, p. 391)

However, the judgment and conscience of the Malawian MPs seem not to seriously consider the opinion and needs of their constituents. This therefore can be said to constitute the failure of the trustee model of representation, if at all it was followed in the first place.

7.6.3 The Failure of Mandate Model of Representation

In 1994, Malawi re-introduced multi-party democracy after 30 years of one party dictatorship. Since then, party politics have taken centre stage with political parties trying to articulate their ideologies and identities, and contesting public positions with different levels of success. Since 1994, Malawi has seen the mushrooming of over 40 political

parties the majority of which remain inactive. By 2009 elections, only six political parties made it to the parliament¹⁵⁴.

In political party politics, political parties are supposed to mobilize people, articulate their interests, and present the interests in governing fora; groom leaders; and stand for public offices (Patel & Svasand 2007). In modern politics therefore, political parties are the social mobilization and representation agents. In this context, it is expected that MPs should advance their party positions in parliament because the party positions are expected to be well articulated and representative of the public constituents being represented by the political parties. The political parties are thus considered to have the mandate of the constituents being represented.

In Malawi, evidence suggests that, on many issues of national interest that are debated in parliament such as national budget or Constitutional matters, MPs toe their political party lines as agreed in political party caucuses. The following quotations from MPs and parliament staff illustrate this tendency:

... in most cases, we would toe the party line. Before we make a very big decision, we usually have a (political party) caucus, and usually during that caucus, because as a party, you know, like ...(our party), we say we are liberals, pretty much on the centre liberals. And we are guided by the ideologies of the liberals, so to an extent we use that as a measuring yardstick.¹⁵⁵

Most MPs debate parliamentary Bills following their party caucus positions. Of course when the bill is too technical, they would consult some stakeholders and experts, otherwise, most MPs follow their respective party caucus guidelines¹⁵⁶

¹⁵⁴ Malawi Parliament, <http://www.parliament.gov.mw/parliament.php?mode=pp> (website accessed on 27 December 2013)

¹⁵⁵ In-depth interview with Malawi Member of Parliament, Lilongwe, 16 November 2012

¹⁵⁶ In-depth interview with Malawi Parliament staff member, Lilongwe, 20 November 2012

In modern political party politics, this is expected and in fact encouraged as the political parties are expected to have the mandate of those being represented (Heywood 2007).

A critical analysis of the quality of this mandate representation however reveals that Malawi political parties represented in parliament have questionable mandate from the people they claim to represent. The analysis further shows that the Malawi political parties represented in parliament display intra-party undemocratic tendencies and have unclear ideological positions to base their strategic positions on. This undermines the status of most political parties in Malawi parliament as representative agents.

The questionable mandate of most political parties in Malawi largely emanates from the lack of public consultations before political parties take a stand on an issue. For instance, the Human Rights Consultative Council (HRCC), an umbrella organization for over 80 civil society organizations in Malawi, conducted a study on Malawi parliament for the parliament period 2004 to 2009. In the report titled '*Malawi Independent Political Situation Report 2008: The Fight of the Elephants and the Suffering of the Grass*', HRCC highlights the primacy of power politics in parliament at the expense of the needs of the people (HRCC 2008). The period 2004 to 2009 was characterized by political squabbling in parliament between the government and opposition MPs. These squabbles came from the background where the ruling party had minority number of MPs (again from the distortionary effect of FPTP and single-member district electoral system) and when the incumbent president resigned from the political party that sponsored him into power. The ensuing squabbles ranged from the opposition MPs pushing through a motion to impeach the President, to the opposition MPs boycotting debate on national budget to force the Speaker to apply a constitutional provision that would declare vacant seats of the majority of government MPs deemed to have crossed the floor. However, despite the opposition political parties and their MPs claiming they were acting on the mandate from the people, it eventually became clear that many people in Malawi wanted the MPs to prioritise such developmental and socio-economic debates as the national budget as this was deemed to have direct impact on their well being as opposed to impeaching the president or declaring vacant seats of some MPs. The people's dissatisfaction was

expressed through the media and public demonstrations against parliament as people felt that their well being was being compromised by political bickering (HRCC 2008).

Referring to this case, community members felt that parliament is not useful because MPs spend time fighting in parliament instead of addressing the needs of the people:

We just hear the parliamentarians always fighting in parliament. So the goodness of parliament, we don't really know it. Each time we tune in to the radio, all we hear are stories of disagreements and fights amongst parliamentarians. We can't say we have seen the benefits of parliament because all we get from there are fights always.¹⁵⁷

This case illustrates the failure of mandate model of representation in Malawi. Much as the majority of MPs toed their political party line on the basis that they had the mandate of the people, it turned out that their position was in fact contrary to what many people wanted. Thus, taking a party position did not guarantee having a mandate from the people. Some parliament professional staff members actually indicated that it is a problem if MPs toe the party line on an issue when the party position is contrary to the wishes of the people and the MPs' conscience:

The problem is that they (the MPs) toe party lines; meaning that they can be personally against the idea, or their constituencies may be against it, but they would opt to go with the position of their political party.¹⁵⁸

This adoption of political party position by MPs despite the fact that the position does not reflect the wishes of the people, does not only reflect political parties that are unresponsive to people's needs, but is also indicative of undemocratic practices within many political parties in Malawi, including those represented in parliament. For instance, it is a common phenomenon in Malawi for political party members, including MPs, to be suspended or dismissed from their political parties if they hold views contrary to the

¹⁵⁷ FGD with mixed gender literate group, Rural Central Region, Lilongwe, 30 May 2011.

¹⁵⁸ In-depth interview Malawi parliament staff member, Lilongwe, 26 April 2011

dictates of the party leaders. The MPs interviewed for this study admitted ‘political repercussions’ of disagreeing with one’s political party position:

...I got suspended from my political party because I was perceived to speak... against... (my party) policy, in this case it was the quota system¹⁵⁹. I was suspended from the party. I had gone further in my speech to say that Malawi needed rotational presidency, because we have regions, so we should have rotational presidency; one time from the south, this other time from the north and this other time from the central. And this was perceived as against the policies of my political party, so I was suspended.¹⁶⁰

You know at the end of the day, the only compromise to come up is that as a member of the party, you are free to speak up about that issue contrary to what your party says but usually that has repercussions as well.... Well, usually if (the party) insisted on a particular issue, if you depart, you are seen as a party rebel and things like that...¹⁶¹

Given that the views of the party leaders that are often adopted as political party positions are themselves made without consulting party constituents, let alone openly debated within the party, it can be claimed that many political parties in Malawi do not have the mandate of the people let alone intra-party democratic credentials, and the whole supposed mandate representation is a sham.

Coupled with this lack of consultation and intra-party democracy, most political parties in Malawi seem to have no discernible ideologies let alone clear policy proposals. Daniel Young (2008) in his study reports that many Malawian politicians do not have ideological sense of why they belong to one party as opposed to the others, other than basing on their opposition to authoritarian regime. In the same study, the majority of the

¹⁵⁹ During the 2004 – 2009 period, the ruling DPP party introduced the education quota system where public university places would be allocated partly following district quota allocations.

¹⁶⁰ In-depth interview with Malawi Member of Parliament, Lilongwe, 14 November 2012

¹⁶¹ In-depth interview with Malawi Member of Parliament, Lilongwe, 16 November 2012

voting age Malawian citizens interviewed were said to be failing to show programmatic difference between two prominent political parties. As a result of this ideological and policy deficit among political parties, the basis for political party choice among the electorate is limited to such superficial characteristics as personality of party officials and regionalism (Kalipeni 1997; Patel 2005). This has also contributed to political debates both inside and outside parliament lacking substance and constituting predominantly of political bickering.

Thus, despite the primacy of party politics and claims to mandate representation, where political party position determines the MPs' position on many issues of national importance, there is a lot of dissatisfaction among Malawians with the claimed mandate representation that they feel is not reflecting their interests. The following quotations from community members illustrate the dissatisfaction with political party positions that do not reflect public interest:

The problem is that those leaders who are put in positions of authority do not have the passion to help their constituents. They just think of the party they represent... those people whom we chose know where we are coming from and our problems. But they deliberately just do things contrary to the expectations of the people.¹⁶²

What we see here is that whenever an MP has been chosen, he works as if he is working for the party that he represented, not as the MP of the whole area regardless of political differences. The only people who seem to benefit from him are those of his party, like the chairman and other officials who get handouts from him. Even when death occurs to a member of this community, you won't be helped unless you either are a party official or else they know that you are a member of their party, this is disheartening as he is no longer representing the people of a single party group.¹⁶³

¹⁶² FGD with mixed gender literate group, Rural Northern Region, Mzimba, 16 November 2011.

¹⁶³ FGD with mixed gender literate group, Urban Central Region, Lilongwe, 11 July 2011.

Each time people give their MPs the developmental needs they require in their constituencies, they are taking forever to be implemented. That is why people have lost trust in parliament. We have observed that whatever is happening there is what they (in their party) agree to do and not what the people want.¹⁶⁴

There is therefore diminishing influence of political parties among the electorate in Malawi politics as exemplified by the increase in the number of independent MPs since the re-introduction of multi-party democracy in 1994. An independent MP in this case refers to an MP who does not belong to any political party. Figure 17 below illustrates this development:

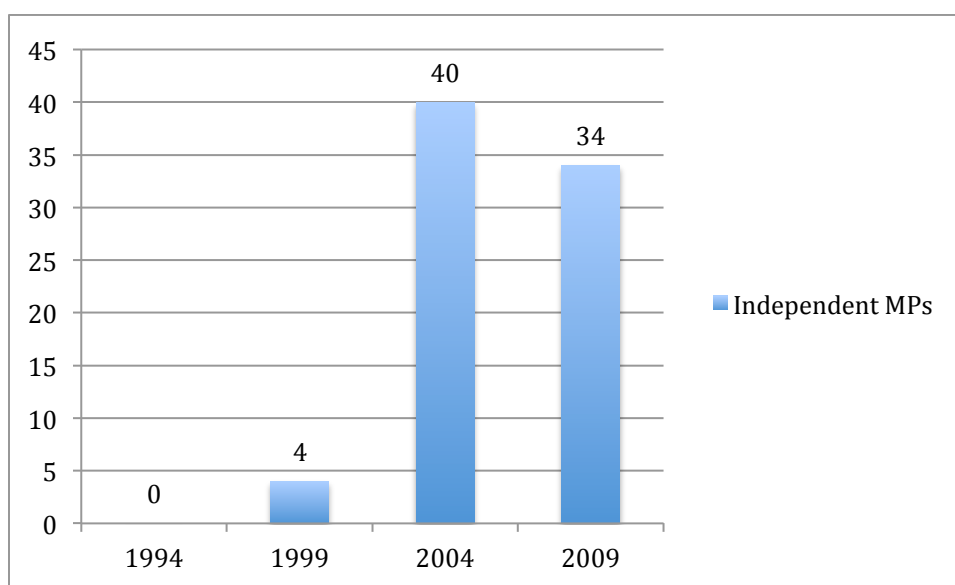


Figure 17: Increase in the number of Independent MPs in Malawi

As can be seen from figure 17 above, in a parliament of 193 MPs, the number of independent MPs increased from zero in 1994, to four in 1999, and then increased tenfold from four in 1999 to 40 in 2004, before slightly dropping to 34 in 2009. The 2004 election period was marked by political leaders imposing MP candidates against the will

¹⁶⁴ FGD with mixed gender literate group, Rural Northern Region, Mzimba, 16 November 2011.

of the constituents during the political party primary elections¹⁶⁵. Thus, the increase in the number of independent MPs seems to be a result of lack of intra-party democracy and people's disillusionment with the mandate and accountability mechanisms of political parties. Similarly, political leadership aspirants who are frustrated with the lack of democracy in their political parties have been quitting the parties and running in parliamentary elections as independent candidates; and many people do not seem to trust political party representation procedures and policies and have resorted to voting for the independent candidates. This development signifies the erosion of political party influence in democratic representation, and hence the failure of mandate representation in Malawi.

It is therefore evident that the mandate representation has failed on two fronts: Firstly, due to lack of resources and political will, Malawi political parties hardly consult the people as they are articulating their policy positions and proposed programmes. As a result, most political party positions in parliament as expressed after political party caucuses through MPs are not reflective of and responsive to the opinions and needs of the people the political parties claim to represent. The political parties can therefore not claim to have the mandate of the people, hence the failure of the mandate model of representation in Malawi.

Secondly, the intra-party democracy in many political parties represented in parliament leaves a lot to be desired. The political party positions that influence decisions in parliament through MPs are often the positions of political leaders that are hardly influenced by the people let alone party members including the MPs within the party. This makes most party positions in parliament undemocratic and constitutes the failure of the mandate representation model.

7.6.4 Mixed Results in Resemblance Representation

There seem to be mixed results in resemblance representation model in Malawi parliament. Given that Malawi follows the single-member district electoral system, the

¹⁶⁵ Pilirani Phiri and Christopher Jimu, <http://allafrica.com/stories/200402240209.html> (website accessed on 27 December 2013)

characteristics of many MPs in Malawi parliament resemble their constituents in many respects. This is because an aspirant MP would only stand in a specific geographical constituency if he or she can claim social or economic proximity to the constituency. As shown in chapter 4, and as pointed out by other analysts (Kalipeni 1997), Malawi voting patterns since 1994 has been predominantly marked by regionalism where the electorate from a specific region votes for a candidate who comes from their region. This criteria, superficial as it may be, in a way enhances the representatives' proximity and hence resemblance to their constituents. In this case, it can be hoped that the constituents' values are represented by the elected representatives who resemble the constituents.

One resemblance dimension worth mentioning is the gender composition of parliament. Since the re-introduction of multi-party democracy in Malawi in 1994, the Malawian parliament has made strides in promoting the role of women in parliament. For instance, the 2009 Parliamentary Elections saw the number of women MPs increasing from 14% in 2005 elections to 22%. This proportion is only 8% short of the 30% threshold agreed by Southern African Development Community (SADC) governments (Phillips 2010).

Despite these structural successes in resemblance of Malawi parliament to the constituents, feedback from the constituents, as indicated elsewhere in this thesis, still indicates overwhelmingly that, in reality, MPs do not reflect the views, values and needs of the people they claim to represent. It would seem that, during parliament deliberations, the MPs' resemblance to their constituents, hence the propensity to reflect the views and values of the constituents, is overwhelmed by their judgment that is made based on little input from their constituents, and by their political party positions that are devoid of public consultations.

7.7 Conclusion: The Unresponsive Representation and Loss of Legitimacy

Using the models of representation as analytical lens, this chapter has shown that the Malawian parliament has failed to represent the people, whether conceived as a delegate, as a trustee, or as a collective of political parties that is supposed to collectively enjoy the

mandate of the people. By failing to consult and articulate the needs of the people they represent in parliament, Malawian MPs have abrogated their role as the delegates of the people in parliament deliberations and decisions. By failing to seriously consider the opinion of the people in their judgments during parliament deliberations, the MPs have undermined their status as the trustees of people's interests. And by failing to consult the public let alone give fair chance to party members to give their input on party positions on issues discussed in parliament, Malawi political parties in parliament cannot claim to have the mandate of the people let alone act as genuine representation agents.

However, in as far as Malawi MPs are directly elected from geographical constituencies to which they have social ties, it can be claimed that the MPs resemble their constituents and thus have the potential to reflect the values of their constituents in parliament deliberations and decisions. Overall however, the weight of evidence reflects a parliament that is largely unresponsive to the interests of the people.

It is therefore clear from the evidence analysed, discussed and presented in this chapter that the delegate, trustee, and mandate models of representation have failed in Malawi parliament, with mixed results on resemblance representation. By and large, what we are noticing is a parliament that is not responsive to the interests of the people. In this context, the evidence, that suggests that many Malawians find the parliament to be largely irrelevant to their lives, therefore makes sense. This begins to explain the loss of legitimacy of parliament in Malawi since the re-introduction of multi-party democracy in 1994.

The evidence analysed in this chapter has also shown that there is lack of institutional and financial support for representation function of parliament in Malawi despite this function being the meta-function that cuts across all other functions of parliament, and despite the fact that the other parliament functions of legislation and oversight are reasonably regulated and financially supported. This is happening in the context of representation being defined by the Malawi FPTP single-member district electoral system that promotes direct accountability between an MP and his or her constituency. Thus, the resultant direct accountability set up raises the constituents' expectation of the representation role

of their MP. In this context, the failure of meaningful representation, as discussed above, is quickly noticed by the constituents, a situation that easily brews legitimacy crisis.

The chapter has also shown that the FPTP electoral system has the potential to distort formal parliament representation where, for instance, a political party can proportionally have more seats in parliament than the votes won. This can create artificial representation with a large number of voters having the feeling of being under-represented. This again can put a strain on parliament legitimacy.

Given this complex and unsupported representation set up, the failure of MPs and their political parties to consult the people both within and outside the political parties, has resulted in Malawians feeling frustrated that they are not fairly and effectively represented. This frustration begins to explain the public detachment from parliament and hence the loss of parliament legitimacy in Malawi.

Chapter 8

8.0 REFLECTION AND CONCLUSION: IMPLICATIONS FOR LEGITIMACY OF REPRESENTATIVE INSTITUTIONS IN AFRICA

8.1 Introduction

Political legitimacy is a central concept in Political Science as it defines state power, authority and capacity. In practice, political legitimacy turns power into authority and thus prevents friction in a political system (Gibson 2004). In modern politics, political legitimacy is a necessary prerequisite for consolidation of any political system including democracy (Leftwich 1997). Thus, theoretically and in practice, political legitimacy is central to understanding power, authority, and regime consolidation.

Political legitimacy is however an elusive phenomenon and therefore needs careful context specific analysis to decipher its implications on political systems.

Considering that different state institutions may enjoy different levels of legitimacy with different implications on state legitimacy (Dogan 2003); that political legitimacy is not a simple black or white phenomenon, but that there is a continuum from legitimacy to lack of legitimacy; and that different countries may enjoy different levels of legitimacy; this thesis used a case of Malawi democratic parliament from 1994 to 2011 for an in-depth analysis of political legitimacy in a specific institution, time, and space. Using the case of the Malawian parliament, this thesis unpacked the concept and practice of political legitimacy to enhance understanding of the phenomenon as it plays out in a democratic regime.

The Malawian parliament case has shown that political legitimacy of parliament is undermined when the local development institutions are weak or dysfunctional. This is because, in emerging democracies, people perceive a chain of representation and accountability hierarchy that stretches from the local level, to parliament level, all the

way to the executive level. Thus, a dysfunctional local government at the bottom of the hierarchy sparks a domino legitimacy crisis that spreads up the perceived hierarchy of representation. The domino legitimacy crisis that starts from the local authorities that fail to address the local needs of the people spreads to parliament as the people put the blame on the doorstep on parliament as the perceived next level of representation. The parliament is made to absorb this blame that compromises its legitimacy despite the fact that parliament is not institutionally or financially equipped to address local development issues.

As discussed in chapter 7, the Malawian parliament case further shows that political legitimacy of parliament is undermined by the artificial representation of the parliament that fails to respond to the opinions and needs of the people thereby eroding public trust in parliament.

The erosion of people's trust in and satisfaction with parliament has therefore triggered demands for institutional reforms in representation some of which are ironically against the very tenets of multi-party democracy.

What then is the implication of these findings on political legitimacy as an analytical concept? What is the implication of the findings on political legitimacy as a democracy consolidation prerequisite? What analytical insights from the Malawian parliament case can we extrapolate to other countries? Is this feasible? What are the areas that need further research to comprehensively understand the political legitimacy phenomenon in a democracy?

This chapter attempts to answer these questions, and concludes this thesis.

8.2 Implications on Political Legitimacy

The findings and discussion from this study have some critical implications on the conception of political legitimacy. The findings also offer explanation for some factors that have a bearing on legitimacy of parliament, and by extension, the legitimacy of representative state institutions.

8.2.1 Political Legitimacy Conception

Evidence from the Malawian case analysed and discussed in this study overwhelmingly supports the minimum three-dimensional understanding of political legitimacy of a representative institution in a democratic set up. This conception is made in the context of sociological understanding of legitimacy in modern politics as opposed to philosophical understanding. From this sociological point of view, the key question to unravel the riddle of political legitimacy is: under what conditions do citizens perceive the existence and rule of a political institution as justifiable? The assumption therefore is that, if we understand the conditions that influence the citizens to accept the power of governors and governing institutions, we will be in a better position to understand what turns power into authority, which by definition is political legitimacy.

Backed by the Malawian parliament evidence, this thesis therefore puts forward three minimum conditions under which citizens in emerging democracies perceive the existence and rule of a governing institution as justifiable, and these are: juridical, symbolic, and instrumental conditions. The thesis further proposes that a full picture of political legitimacy emerges at the intersection of these three conditions.

Juridical condition of legitimacy is when a governing institution is set up and operates according to rules of which the governed perceive as fair and acceptable. In the Malawi parliament case, the parliament institution is provided for in the Malawi Constitution, and MPs are elected directly by people in geographical constituencies. The evidence indicates that people feel that these rules and procedures guiding the constitution of parliament are generally fair and acceptable. However, there are reservations regarding some of the parliament representation and accountability mechanisms. People feel that the deliberations of MPs do not reflect their opinion and needs. As a result, they feel that they need other society representatives such as traditional chiefs to enhance representation in parliament. Further, respondents expressed the need for monitoring of the performance of MPs, and recalling non-performing MPs to enhance accountability.

Juridical condition of legitimacy therefore seems to be the foundation of legitimacy as it sets the rules of the game that, when agreeable by those represented, bestows legitimacy on the representatives and the representative institutions.

However, if those represented do not feel emotionally attached to the representatives and the representative institutions, satisfying juridical condition of legitimacy is not enough to ensure substantive legitimacy. Symbolic condition of legitimacy therefore, that entails the system creating among the governed the feeling of emotional attachment to the system, is needed to bond the relationship between the governing institutions and the governed. This may entail integrating the governing institution in a specific society's historical and cultural institutions, and appealing to cultural and language symbols of cohesion, belongingness, and ownership to define the relationship between the institutions and the governed.

Evidence from Malawi presented in this thesis illustrates how people consider parliament and MPs as their 'parent' who must take care of the people's socio-economic needs and not abandon the people as if they are 'orphans'. The extent to which MPs and parliament act as 'parents' in their constituents determines the people's perception of the extent to which the MPs and the parliament are justifiable and relevant. The weight of evidence from Malawi suggests that, from the symbolic parameter of legitimacy, parliament and MPs are perceived as largely irrelevant as they fail to take care of the socio-economic needs of the people, and many people feel that they are living like 'orphans'.

Thus, symbolic condition of legitimacy seems to be the glue that attaches the governed, on the one hand, to the governors and the governing institutions, on the other. The more people feel that the governors and the governing institutions are part of their tradition, culture and family, the more legitimate the representative institutions become. This symbolic dimension is analytically linked to popular demands under juridical dimension to include as representatives such trusted societal leaders as traditional chiefs in the parliament institutional set up as a way of strengthening popular representation. Much as the symbolic legitimacy that includes calls for traditional modes of legitimacy may *prima facie* signify the failure of the Weberian rational/legal legitimacy, a critical analysis

shows that Malawians are demanding a meaningful synthesis of rational/legal and traditional authority. To the extent that Malawians accept and recognize the legal institution of parliament, demands to include traditional representatives do not necessarily mean getting rid of the legal institution other than strengthening the institution using some traditional representation elements.

As can be noted, symbolic legitimacy is cemented by the feeling that the representatives and the representative institutions do address the needs of those who are being represented. Without the representatives and the representative institutions performing to the satisfaction of those represented, the legitimacy of the representative institutions is undermined. That brings us to the third condition of legitimacy, the instrumental dimension of legitimacy.

Instrumental condition of legitimacy entails a system performing to the satisfaction of the people especially in as far as addressing the needs of the people is concerned. Evidence from Malawi overwhelmingly indicates that people perceive parliament as 'irrelevant' and 'useless' when they feel that it is not addressing their socio-economic needs as expected. It is also interesting to note that the perceived lack of performance by Malawi parliament sparks a feeling of being neglected and living like 'orphans' without 'parents'. The perceived lack of performance by the Malawian parliament also triggers calls for institutional reform of parliament representation and accountability mechanisms such as proposals for alternative means of representation (e.g. through traditional leaders), and re-introduction of the MP recall provision in the Malawi Constitution to get rid of non-performing MPs. This signifies that instrumental condition of legitimacy has serious implications on symbolic and juridical conditions of legitimacy, hence is largely responsible for the sustainability of the overall political legitimacy of representative institutions.

Thus, juridical legitimacy is the foundation without which legitimacy has no anchor; the symbolic legitimacy is the bond without which the governed are detached from the governing institutions and the governed have no ownership of the institutions; and the instrumental legitimacy is the fuel and oil without which the overall legitimacy is not

sustainable. Political legitimacy therefore entails a confluence of popular perceptions of acceptable procedures and rules pertaining to a governing institution; popular perceptions of a system's affective affinity to the people; and popular perceptions of the system's satisfactory performance of its duties of promoting the welfare of the people. A comprehensive conception of political legitimacy is therefore located at the interface of the juridical, symbolic, and instrumental legitimacy. In this context, to fully understand the intricacies of political legitimacy in representative institutions in emerging democracies, this thesis proposes this comprehensive multi-dimensional conception and application of political legitimacy. Any analysis of political legitimacy of representative institutions in emerging democracies that ignores any one of these dimensions risks being incomplete and risks missing the full picture.

8.2.2 Instrumental Legitimacy and Perceived Representation Hierarchy

This thesis posits that, in emerging democracies like Malawi, people have a perception of a representation hierarchy of institutions that stretches from the local government, through the parliament, and up to the executive. They therefore attach perceived bureaucratic and democratic duties, responsibilities, and reporting lines to this hierarchy that may overlap with the formal institutionalized procedures, but may not be congruent to the formal institutionalized procedures. This perception and associated expectations determine their evaluation of the representative institutions and hence the legitimacy of the institutions. The fact that all representative institutions are perceived to be linked in a hierarchy makes the institutions located high up the hierarchy to bear (greater) responsibility of the sins committed by representative institutions on the bottom of the hierarchy. This explains the brewing legitimacy crisis of parliament and the executive that emanates from the dysfunctional local government.

As presented in section 8.2.1, instrumental dimension of legitimacy, or rather the public evaluation of the performance of a representative institution, is key to sustaining the overall legitimacy of an institution. Lessons from Malawi show that people are questioning the relevance of parliament because they feel that their socio-economic needs at the local level are not being addressed when they feel that parliament is responsible for

this duty. However, local government, and not parliament, is legally mandated to address local development. People nevertheless blame poor local development on parliament because of their perception of a representation and accountability hierarchy that stretches from the local development authorities, to parliament, up to the President, with each institution bearing greater responsibility for people's welfare as one climbs up the perceived hierarchy.

Further, people seem to perceive parallel reporting lines in this hierarchy. They perceive a bureaucratic reporting line where ward councillors from the local authorities report to MPs in parliament, and MPs report to the President in the executive. In some instances, this actually implies the perception that MPs delegate development facilitation to ward councillors, a perception that is not institutionally supported.

On the other hand, people also perceive a democratic accountability reporting line where all representative institutions should report to the people who elected them. In this context, when local development authorities are dysfunctional and fail to cater for the needs of the people at local level, people push the local development responsibility higher up to the parliament level along the perceived representation hierarchy even if, legally, parliament is not responsible for local development. Elected members of parliament are therefore expected to be accountable to the people in this case. More often than not, parliament fail to fill the gap left by the dysfunctional local government because parliament is neither institutionally nor financially equipped to address local development. However, this failure only breeds popular dissatisfaction with the representative institutions. Thus, failure of local government authorities can trigger a domino legitimacy crisis up to parliament, and by extension to the President. This domino legitimacy crisis becomes inevitable especially when MPs knowingly or unknowingly promise the people local development during election campaigns as an easy way of getting votes. In the case of Malawi, the failure of the local development authorities sparked this domino legitimacy crisis up to parliament. The fact that Malawi parliament was not institutionally and financially equipped to address the local socio-economic needs just worsened the perceived irrelevance hence lack of legitimacy of Malawi parliament to the extent that some people suggested strengthening representation

by including in the parliament set up traditional leaders who were perceived to have first hand information on the plight of community members.

In this context, much as different state institutions may enjoy different levels of legitimacy (Dogan 2003), this thesis suggests that representative institutions in emerging democracies such as local government, parliament, and the executive, are almost always perceived to bear collective responsibility in as far as addressing the socio-economic needs of the people is concerned. However, the President, as the ‘fatherchief’, bears the ultimate responsibility as he sits at the helm of this perceived representation hierarchy. Similarly, parliament bears a higher responsibility than the local government authority. That is why when one local institution such as local government fails to address the needs of the people, people expect the next institution in the hierarchy such as parliament to fill the gap, and if parliament fails to fill this gap, sometimes justifiably on the basis that local development is not within parliament ambit of legal responsibilities, the expectation is pushed further up the hierarchy to the President. Thus, the loss of public trust on local institutions may spread in a domino fashion to parliament all the way to the President. This implies that, in as far as people’s socio-economic needs are concerned, local authorities, parliament, and the executive, all collectively, but in a hierarchy, bear responsibility and if the needs of the people are not addressed the collective legitimacy of the representative institutions is affected as people perceive them to be irrelevant to their lives, and sometimes call for reforms in modes of representation. By extension, given the popular perception of collective responsibility and hierarchy of representative institutions, it would seem that people’s dissatisfaction with local representative institutions can actually affect the legitimacy of the government and the state.

As one way of improving the legitimacy of representative institutions, and by extension that of the state therefore, this thesis suggests the strengthening of local representative institutions that are close to the people such as the local government; and the harmonization of duties and responsibilities of all representative institutions to aim at addressing the socio-economic needs of the people. This is because, it would seem that, at local level, people directly feel the impact of decisions and actions of representative institutions and are quick to evaluate the relevance of the institutions to their lives and

use the same measure to evaluate representative institutions high up the perceived hierarchy. Thus, the legitimacy crisis of local representative institutions makes the legitimacy of the whole system vulnerable. This justifies the need to make local institutions responsive to the needs of the people.

8.2.3 Representation and Responsiveness

Based on the findings from the Malawian parliament case, this thesis posits that, parliament representation, despite being a meta-function as it manifests in all the other functions of parliament, is highly artificial and unresponsive to the needs of those represented. This is largely because the parliament representation function is not institutionally and financially supported, as is the case with legislation and oversight functions of parliament. Further, there is no political will in political parties represented in parliament for public consultations, and the political parties are themselves internally undemocratic. The lack of public consultations and democratic practices in political parties erodes the influence of political parties among the electorate and hence makes a mockery of multi-party democracy. Given that parliament representation has a bearing on perceptions of legitimacy (Schwindt-Bayer & Mishler 2005), the people's dissatisfaction with the fairness and effectiveness of parliament representation is one explanation for the erosion of parliament legitimacy.

Representation in a democracy assumes that the representative has the mandate of and is accountable to those being represented (Schwindt-Bayer & Mishler 2005). In this context, MPs are required to get the mandate of those represented through such mechanisms as elections, public meetings and constant public consultations. MPs are also required to be accountable to those represented through such mechanisms as feedback public meetings and the people's right to recall. However, evidence from Malawi indicates that many Malawian MPs have largely failed as delegates of their constituents as they hardly consult their constituents. As a result, their contributions in parliament hardly reflect the interests of their constituents. Even if we apply the trustee model of representation, the MPs have largely failed as trustees as their judgment in parliament deliberations hardly considers seriously the input of their constituents. Evidence also

suggests that Malawi political parties represented in parliament cannot claim the mandate of the people as, except during election campaign periods, there seem to be no political will nor effective internal democratic procedures to consult the people and effectively articulate their opinion and interests, let alone consider the opinions of party members save those of the political leaders. This has eroded the influence of political parties as representation agents in Malawi as evidenced by the increasing number of independent MPs since 1999.

This representation failure seems to flourish in the context where, unlike the other functions of parliament namely legislation and oversight, the representation function of parliament, much as it is recognized as a key function of parliament by the Constitution, is not institutionally or financially supported. There are no rules and procedures to guide and regulate the representation function of parliament, as is the case with the legislative and oversight functions; neither is there any budget to facilitate this role. In as far as representation is concerned, the MPs are therefore left to their own devices, with undesirable consequences such as MPs' parliament contributions lacking the input and interests of their constituents.

The failure of representation has negatively affected the public trust in parliament hence undermined the legitimacy of parliament. Further, barely 19 years since the re-introduction of multi-party democracy in Malawi, the lack of intra-party democracy in Malawi's political parties is slowly undermining the legitimacy of the multi-party regime as evidenced by the increase in the number of independent MPs.

Institutional and financial support for the representation function of parliament therefore seems to be required to facilitate responsive representation that reflects the people's opinion and interests, and that is accountable to the people.

8.2.4 When Democrats are Dissatisfied

The weight of evidence in this study supports the thesis that, when democrats are dissatisfied with specific representative institutions, they demand institutional reforms.

This implies that the existing institutions have weak legitimacy. The institutional reforms demanded, however, may ironically be against the very tenets of multi-party democracy.

The Afrobarometer (2006b) characterized Malawians, just like Nigerians, Zambians, and Zimbabweans, as deeply dissatisfied democrats. This was after a survey in eighteen African countries that showed that 56% of Malawians supported democracy while only 26% of Malawians were satisfied with democracy¹⁶⁶. The question therefore was whether this paradox was just part of democracy at work where people have a chance to evaluate the institutions but do not demand significant institutional reforms, or whether the dissatisfaction signified potential agitation for institutional reform. Using the case of the Malawian parliament as a representative institution in an emerging democracy, evidence suggests that many Malawians accept parliament as the people's representative forum in a democracy. They however are deeply dissatisfied with the failure of MPs and parliament to address their socio-economic needs to the extent that some people are suggesting significant institutional reforms to parliament to enhance representation and accountability.

The demands for institutional reforms, that include such demands as the inclusion of unelected traditional chiefs in parliament, challenge the very core of representative democracy that is hinged on elections as a credible means of choosing representatives. The form of representative democracy that such emerging democracies as Malawi are following is based on human consent criteria as propounded by such theorists as John Locke where leadership should be an office created by human agreement, and election process is one such acceptable human consent criteria (Ochieng'-Odhiambo 1994; Sternberger 1968). The proposal to include unelected traditional leaders in parliament therefore seems to go against the tenets of representative democracy. This is however intelligible in the context that most Malawians seem to be dissatisfied with the unresponsive representation of elected MPs, and are therefore ready to experiment with a synthesis of traditional and rational/legal modes of representation.

¹⁶⁶ Refer to Figure 1 in chapter 1

Evidence further shows the increase in the number of independent MPs, that is, MPs who do not belong to any political party. The number of independent MPs has been increasing in each successive election period, from zero in 1994, to four in 1999, to 40 in 2004 and then 34 in 2009. By 2009 therefore, about 18% of MPs were voted into the House as independent MPs when the house had no independent MP at the beginning of multi-party democracy in 1994. The increase in the number of independent MPs signifies that the credibility of political parties as representative agents is slowly waning. This further signifies the gradual loss of trust in party politics hence a threat to the legitimacy of the party politics in the multi-party democracy regime.

It is against this background that this thesis posits that, when democrats are dissatisfied, they demand and support institutional reforms that ironically may go against the very tenets of multi-party representative democracy. This effectively undermines the legitimacy of the whole multi-party democracy regime.

8.3 A Word on External Validity: The Utility of the Malawi Parliament Case Study in other Contexts

Are the findings and lessons drawn from the Malawian parliament case study applicable to other cases? How and under what conditions do we apply the lessons to other countries? Technically, these questions are about possible external validity of the Malawian parliament case study. It is necessary to address these questions so that we are clear about the utility of the Malawian parliament case in other contexts. This is from the understanding that the value of a case study does not only lie in understanding a specific phenomenon in a particular case, but also gaining insights to analyse similar cases in other similar contexts (Chima 2005).

Primarily used in experimental research, external validity refers to the extent to which results of a study can be generalized beyond the sampled study units (Neuman 2014). Whereas in a case study it is hard to do an enumerative extrapolation to other cases, the utility of a case study in as far as external validity is concerned is the ability to do an analytical extrapolation to other cases as long as the other cases have reasonably similar

context to the case under study (Chima 2005). Thus, insights learnt from the case under study can be used to analyse similar cases elsewhere.

In the Malawian parliament case, when addressing the issues of external validity, it is necessary to clarify upfront that the aim is not to generalize findings to other parliaments or representative institutions in other countries. Our concern is about attempting to isolate analytical insights from the Malawian parliament case that can be extrapolated to other cases with similar contexts.

8.3.1 Analytical Extrapolation to Understanding the Legitimacy of Representative Institutions

The insights learnt from the study of the Malawian parliament legitimacy have direct applicability to understanding such representative institutions as the local government and its local representatives; and the executive branch of government including the President and the cabinet ministers. This is because these representative institutions operate on similar democratic principles of representation as the parliament. For instance, local government representatives are elected periodically to represent the people at local development fora. This representation, as is the case with parliament, assumes that the representatives get the mandate to deliberate and make decisions from the electorate. It further assumes, just like in the case of parliament, that the representatives need to be accountable to the electorate. Similarly, the President, especially in presidential systems, is elected by the people to represent them in governing the country and thus carries the mandate of the people and is accountable to the people.

However, there are some differences among these institutions, notably, the functions of the institutions. While parliament is predominantly a national legislative body, local government is predominately concerned with local development, and the executive is predominantly concerned with national policy formulation and implementation (Heywood 2007). Despite these functional differences however, it would seem that representative institutions in a democracy have similar representative rules and can be argued to analytically fall in one institutional family. Due to this common institutional

context, insights learnt from the case of the Malawian parliament legitimacy can be applied to understand legitimacy of other representative institutions such as local government and the executive in emerging democracies.

In this context, based on the lessons from our study of parliament legitimacy in a democracy, we can confidently infer that, to comprehensively understand the legitimacy of representative institutions in emerging democracies, analysts should consider three dimensions, namely, the juridical, the symbolic, and the instrumental conditions of legitimacy. Thus, the legitimacy of a representative institution in an emerging democracy is defined by the extent to which those represented perceive the rules and procedures governing the representative institution to be fair and acceptable; the extent to which they feel emotionally attached to the institution; and the extent to which those represented approve of the performance of the representative institution in addressing their needs.

In the same vein, the Malawian parliament case shows that people in emerging democracies have a particular perception of representative institutions hierarchy that stretches from the local level to the President with increasing responsibility at each higher level. The people therefore demand accountability at any level of this representation hierarchy irrespective of which representative institution is responsible for what function. This implies that a loss of legitimacy at a 'lower level' representative institution can easily affect the legitimacy of a 'higher level' representative institution, and by extension the legitimacy of the whole system.

Further, the Malawi parliament case shows that, to be responsive to the opinion and needs of the people, hence to ensure legitimacy, the functions of a representative institution must be institutionally and financially supported. Clear rules must be designed and implemented to guide the functions of representative institutions, and these strategies must be well funded.

In the context of party politics in a multi-party regime, political parties that act as collective agents of representation must enhance their democratic credentials by promoting public consultations and feedback, and internal democratic practices.

It is therefore clear from the foregoing that the Malawian parliament case has brought to the fore analytical insights that can be extrapolated to understanding representative institutions beyond parliament in emerging democracies.

8.3.2 Analytical Extrapolation to Understanding Political Legitimacy in other African Emerging Democracies

The previous section highlighted the possible analytical insights that can be drawn from the Malawian parliament case study and applied to the analysis of the legitimacy of representative institutions beyond parliament. This section will concentrate on the applicability of the analytical insights to other emerging democracies in Africa.

Following the principles of external validity as applied in case studies, the first step before extrapolating insights to other cases is to ascertain whether the context of the original case, on the one hand, and the cases to which we would like to extrapolate the insights, on the other, are reasonably similar (Chima 2005; Patton 1990).

Three contextual characteristics that can act as a beginning point to extrapolate analytical insights on parliament legitimacy in Malawi to other emerging African countries are: the general attitude of the citizens towards democracy that signifies the level of democratic culture consolidation (Afrobarometer 2006b); the electoral system that has an effect on representation and legitimacy (Bayer & Mishler 2005); and the general political system.

One country, whose citizens, just like Malawians, have political attitudes characterized as dissatisfied democrats, is Zambia (Afrobarometer 2006b). It can be said therefore that Malawi and Zambia are still in the process of trying to consolidate their democracies, and in that regard have similar contexts.

Zambia, just like Malawi, also follows a single-member district parliament electoral system. In this regard, one would expect that, just like in Malawi, Zambia has a direct representation and accountability expectation between MPs and their constituents.

Just like Malawi, Zambia also follows a presidential system of government where the president is elected directly by the electorate, and the MPs are also elected directly by the electorate, but separate from the president.

Based on the above three factors, apart from the fact that Malawi and Zambia are neighbours, it can be said that Malawi and Zambia have reasonably similar democratic contexts that can enable analytical insights from the analysis of the Malawi parliament legitimacy to be applied to the Zambian context.

A quick look at the Zambian local government shows that, much as the legal framework for local governance and development is in place, there are reported challenges that are affecting the effectiveness of the local governance such as poor funding and lack of citizen participation (Chikulo 2009). The Malawi case has shown that, popular dissatisfaction that may arise from such local government ineffectiveness has the potential to, in a domino effect fashion, affect the legitimacy of other representative institutions. It is therefore interesting to note that in 2009, only 51% and 45% of Zambians trusted their parliament and President respectively¹⁶⁷. These low percentages of popular trust in governing institutions in democracies have been characterized as ‘...astonishingly low confidence ...(and) a serious strain on legitimacy (of the state)’ (Dogan 2003, p. 122). However, given the insights from the Malawi case, and the reported challenges faced by the Zambian local government, we begin to understand the possible domino effect of weak local government on the legitimacy of representative institutions such as parliament and the executive, and the reported low trust levels in Zambia begin to make sense.

Similarly, a snapshot from selected African emerging democracies of public expectation of the most important part of MPs’ job, confirms that local development is key in public

¹⁶⁷ My calculation based on Afrobarometer data

evaluation of parliaments in African emerging democracies. Figure 18 below illustrates public expectation of the most important part of MPs' job in six African countries.

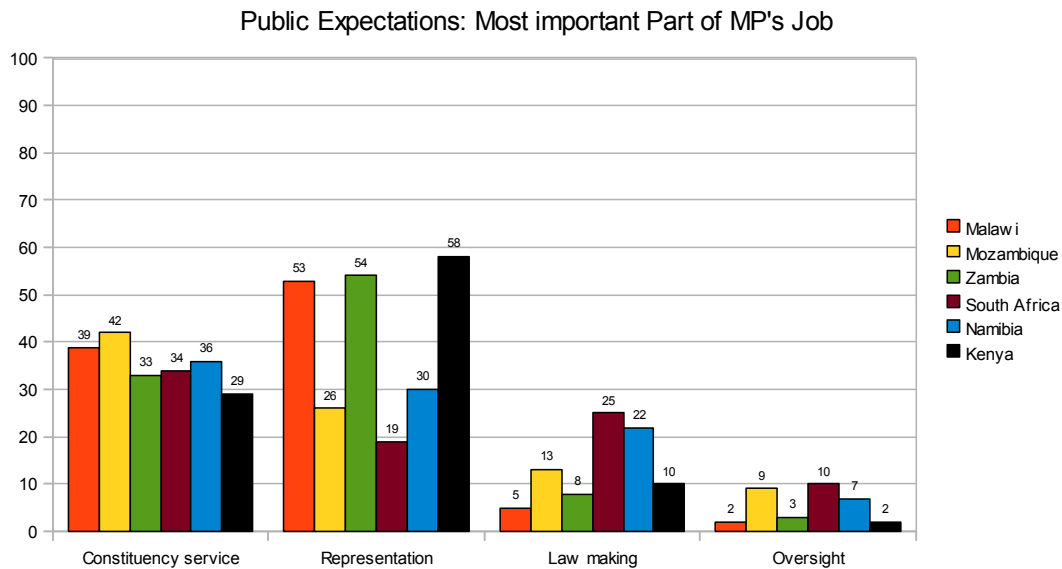


Figure 18: Public Expectation of most important part of MP's Job¹⁶⁸

Figure 18 shows that a significant proportion of people in the six African emerging democracies considers constituency service and representation as the most important part of the MP's job. It seems common for MPs in these African countries to be expected to carry out constituency service at local level and hence get assessed by the public primarily based on this performance. Interestingly, this finding seems to cut across countries that do not follow the direct single-member district electoral system such as South Africa, Namibia, and Mozambique. This public expectation of constituency service is consistent with Andrew Heywood's observation that 'physical distance from government affects the acceptability or rightfulness of its decisions. Decisions made at a "local" level are more likely to be seen as intelligible and therefore legitimate' (Heywood 2007, p. 165). This implies that, if local governments in African countries were

¹⁶⁸ Graph reconstructed from Barkan *et al*, 2010, p. 5.

dysfunctional as is the case in Malawi, the legitimacy of such representative institutions as parliament would quickly and easily be compromised significantly. By extension, the domino legitimacy crisis would affect the executive and ultimately compromise the legitimacy of the state as a collection of institutions.

The above snapshot outlook therefore shows that the analytical insights from the Malawi parliament case can be applied to other emerging democracies in Africa, especially where contexts are similar to that of Malawi.

8.4 Areas for Further Research

The areas explored in this study may not be enough to make conclusive statements on political legitimacy of the state as a collection of institutions. Further, the external applicability of the lessons learnt from this study is limited to only those cases that have similar context to that of the Malawian parliament. This implies that there is need for further research to strengthen the claims that we can make on political legitimacy of the state and widen the applicability of the lessons learnt.

8.4.1 State Legitimacy

This thesis has shown that representative institutions such as local authorities, parliament, and the executive, are perceived to bear collective responsibility in addressing people's socio-economic needs though this responsibility becomes higher as one climbs the perceived representation hierarchy from local government, to parliament, and to the executive. Following the principles of external validity in case study therefore, the analytical insights drawn from the analysis of people's expectation and evaluation of parliament in Malawi can be extrapolated to understanding the legitimacy of representative institutions such as local government and the executive. This is because these institutions operate following similar representation and accountability principles to those of parliament and thus can be said to have a similar context to that of parliament. However, having analysed the legitimacy of these representative institutions, it is hard to make conclusive statements regarding the legitimacy of the state itself. This is because the state is made up of a number of institutions some of which do not follow similar

representation and accountability principles to those of parliament. Such state institutions as the judiciary, the army, the police, and the civil service have different institutional logic to that of parliament. As a result, we cannot easily use analytical insights from the study of parliament to make claims on the legitimacy of these other institutions. This implies that an in-depth analysis and understanding of the legitimacy of the state requires further research in the legitimacy dynamics of the other state institutions, and an analysis of the aggregate institutional legitimacy to assess the combined effect on the legitimacy of the state.

8.4.2 Comparative or Multiple Case Studies

This study was a single case study selected and designed on the basis of critical case study principles (Gerring 2010)¹⁶⁹. As shown in sections 8.2 and 8.3 above when we were discussing the implications of the study on political legitimacy and on external validity, this case study has value in and of itself as it has exposed valuable insights on parliament legitimacy that can also be analytically extrapolated to other cases with similar context in line with the principles of external validity in case studies. This utility notwithstanding, the external validity of the study can be improved by conducting comparative case studies or multiple case analyses.

Notably, it will be interesting to compare the parliament legitimacy dynamics of countries that follow presidential system versus those that follow parliamentary system. Much as this study touched on some lessons pertaining to parliamentary systems, the study was predominantly located in Malawi where the system follows the presidential system of government.

Similarly, it would be interesting to compare the parliament legitimacy dynamics of countries that follow PR electoral system versus those that follow FPTP or other electoral systems.

¹⁶⁹ See chapter 3 on Methodology

Such comparative or multiple case studies have the potential to dig out nuanced insights that can be instrumental in fully comprehending the legitimacy of parliament, of representative institutions, and of the state. Further, the studies can strengthen the applicability of the lessons learnt to a wider set of cases.

8.5 Conclusion

Close to two decades since the introduction of multi-party democracy in many African countries in the early 1990s, it would seem that the legitimacy of democratic institutions, particularly parliament, remains low and volatile. This comes from the background of the promise brought by the ‘wave’ of democratization, of legitimate governments and improvement in people’s welfare. Why, despite the promise of legitimate government, has the legitimacy of democratic institutions remain low and volatile? What have been the consequences? And what is the implication of these developments on democratic institutions in the context of efforts to consolidate democracy?

In a bid to address these questions, this study has attempted to unpack the concept of political legitimacy as it manifests in the relationship between parliament and the people in a democratic set up. This approach was adopted from the appreciation that political legitimacy is a necessary prerequisite to understanding state power, authority, capacity, consolidation, and sustainability. Given the fact that different state institutions may enjoy different levels of legitimacy at different times with diverse implications for political and social development, this study focused its analysis of political legitimacy of parliament as a key representative state institution in a democracy.

Using the case of the Malawian parliament from 1994 to 2011, a period when Malawi was trying to consolidate her young democracy, this study has brought to the fore critical insights that can shed light on the nature and implications of political legitimacy as it plays out in the relationship between parliament and the people in emerging democracies.

Drawing on the evidence from the Malawian case study, this thesis posits that political legitimacy of representative institutions has three minimum dimensions, namely: public

perception of the fairness and acceptability of formal procedures guiding the institution, which I label juridical legitimacy; public feeling of emotional attachment to the institution, which I label symbolic legitimacy; and public perception of the effectiveness of the performance of the institution in addressing their needs, which I call instrumental legitimacy. The thesis therefore posits that deficiency in any one or some of the legitimacy dimensions can compel people who are represented by the institution, who may be self-confessed democrats, to demand institutional reforms that may ironically go against the very tenets of multi-party democracy. In this regard, any effort to comprehensively understand political legitimacy of representative institutions in emerging democracies should involve the analysis of these three political legitimacy anchors. Similarly, any effort aimed at consolidating representative democracy should seriously consider strengthening these three anchors as they apply to specific representative institutions.

The Malawi parliament case further shows that the legitimacy deficiency of parliament often occurs when people feel that parliament has failed to address their socio-economic problems especially at local level. This is despite the fact that local development is formally the responsibility of local authorities and that Malawi parliament is neither institutionally nor financially supported to address local development issues. This however is understandable in the context of public perception of parliament holding a bigger responsibility for addressing socio-economic needs of the people than local government by virtue of parliament occupying a position above local government in the perceived representation hierarchy. This therefore explains the potential domino legitimacy crisis that can spread from dysfunctional local representative institutions, such as local authorities, to parliament, and even up to the executive branch of government. In this regard, strengthening the performance of local representative institutions that are close to the grassroots, especially those that are responsible for people's local needs, seems to be one way of ensuring the legitimacy of not only the concerned local representative institutions, but also other representative institutions such as parliament.

The parliament legitimacy deficit is further explained by the unresponsive representation that happens in the context of lack of institutional or financial support for representation

function of parliament, despite representation carrying the status of a meta-function as it manifests in all the other functions of parliament. In this regard, there seems to be an urgent need in Malawi to design and implement guidelines and programmes for effective parliament representation, and provide adequate resources for the same.

Evidence from the Malawi parliament case further shows that there is lack of public consultation from and lack of intra-party democracy in political parties that are supposed to act as collective representation agents in a multi-party democracy regime. This undermines the legitimacy of the multi-party regime itself as evidenced by the increase in the number of elected independent MPs in Malawi since 1999. There is therefore an urgent need to regulate political parties in Malawi to enhance intra-party democracy and democratic practices in general such as public consultations before political parties articulate their position on issues of public interest.

The Malawian parliament case study has therefore unearthed critical insights in the understanding of political legitimacy of representative institutions in emerging democracies, and their possible implications for democratic consolidation. Following principles of external validity as applied in case studies, the Malawian parliament case study provides insights that can be analytically extrapolated to other emerging democracies that have similar contexts to that of Malawi.

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APPENDICES

Human Research Ethics Committee Clearance Certificate

UNIVERSITY OF THE WITWATERSRAND, JOHANNESBURG

Division of the Deputy Registrar (Research)

HUMAN RESEARCH ETHICS COMMITTEE (NON MEDICAL)

R14-49 Jana

CLEARANCE CERTIFICATE

PROTOCOL NUMBER H100 627

PROJECT

Political legitimacy of parliament in a democratic state; the case of Malawi parliament from 1994-2009

INVESTIGATORS

Mr M Jana

DEPARTMENT

Social Science

DATE CONSIDERED

18.06.2010

DECISION OF THE COMMITTEE*

Approved Unconditionally

NOTE:

Unless otherwise specified this ethical clearance is valid for 2 years and may be renewed upon application

DATE 06.07.2010

CHAIRPERSON

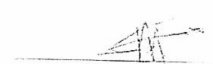

(Professor R Thornton)

cc: Supervisor : Dr S Louw

DECLARATION OF INVESTIGATOR(S)

To be completed in duplicate and **ONE COPY** returned to the Secretary at Room 10005, 10th Floor, Senate House, University.

I/We fully understand the conditions under which I am/we are authorized to carry out the abovementioned research and I/we guarantee to ensure compliance with these conditions. Should any departure to be contemplated from the research procedure as approved I/we undertake to resubmit the protocol to the Committee. I agree to a completion of a yearly progress report.


Signature

PLEASE QUOTE THE PROTOCOL NUMBER IN ALL ENQUIRIES

In-Depth Interviews Discussion Guide for Members of Parliament and Parliament Officials/Staff

(Appropriate introduction – see information sheet and consent forms in appendices below)

Get background info e.g. name; constituency; years of service; political party...etc

- What are the authorities that people in Malawi consult when they want their needs to be catered for? (Attempt to rank the authorities and probe why and why not)
- What would you consider acceptable authority (by the people) in the governance of this country? Probe:
 - At community?
 - At local level
 - Why? Why not?
- What are the key roles of Parliament?
 - How would you rank them?
 - Why that ranking (why role A comes first...etc)?
- What are your views about democratic government in Malawi? Probe:
 - People's knowledge on democratic government
 - Important institutions in a democracy in Malawi
 - Assessment of democratic institutions
 - Extent to which democracy is relevant and appropriate in Malawi societies
 - Suggestions to improve how democracy works if necessary
- How would you assess Parliament since the introduction of multiparty democracy in Malawi in 1994? Probe:
 - Parliament roles and functions
 - Assessment of Parliament roles and functions
 - Extent to which Parliament is relevant and appropriate in Malawi societies
 - How does Parliament articulate people's interests and needs?

- What alternative avenues of articulating and channelling interests and needs do people use? Why?
- How does Parliament and Parliamentarians communicate to the people (what mechanisms are put in place to communicate to the people)? What is the content of such communication?
- Whether they would consider Parliament acceptable authority, why? Why not?
- Suggestions for improvement of Parliament role if necessary
- How Parliament performance compares with other key State institutions
- Check if there have been changes since 1994
- How would you assess Members of Parliament since the introduction of democracy in Malawi? Probe:
 - Knowledge of their roles and functions
 - Assessment of Members of Parliament roles and functions
 - Extent to which Members of Parliament are relevant and appropriate in Malawi societies
 - How Members of Parliament articulate people's interests and needs
 - Alternative gatekeepers that people use to channel their interests and needs, and why
 - Members of Parliament reported levels of corruption
 - How does Members of Parliament communicate to the people? What is the content of such communication?
 - Whether they would consider Members of Parliament as acceptable authority, why? Why not?
 - Suggestions for improvement of Members of Parliament role if necessary
 - Check if there have been any changes since 1994
- What would you say are the key functions of Parliament in Malawi since 1994?
- Why is it that parliament legitimacy is low (enjoy little to no trust from the people) since 1994?
- I have read something about Malawi parliament reform process last year. May you please talk me through that process? Probe:

- What was the rationale?
 - How was/is it implemented?
 - What were/are the challenges?
 - Talk me through the concept of Constituency Offices
 - Please share with me any relevant documentation
- Follow up on Contempt of Parliament – how effective this provision is and how this has been articulated in Standing Orders
- May you please share with me key Parliament documents (e.g. Parliament standing orders; Parliament reviews and assessments; Parliament Committees docs; National Assembly Strategic Plan(s);...etc)

In-Depth Interviews Discussion Guide for Meso-level (Civil Society) organizations officials

(Appropriate introduction – see information sheet and consent forms in appendices below)

- What are the authorities that you (would) consult when you want your interests to be considered? *(Attempt to rank the authorities and probe why and why not)*
- What are the authorities that people at community level in Malawi (would) consult when they want their interests to be considered? *(Attempt to rank the authorities and probe why and why not)*
- What would you consider acceptable authority(ies) in the governance of this country? This community? Why? Why not?
- What are your views about democratic government in Malawi? Probe:
 - Important institutions in a democracy
 - Satisfaction/dissatisfaction with democracy and reasons
 - Support/lack of support for democracy in Malawi and reasons
 - Extent to which democracy is relevant and appropriate in Malawi societies
 - Whether or not they trust the democratic government and reasons
 - Suggestions to improve how democracy works if necessary
- What are your views about Parliament since the introduction of democracy in Malawi? Probe:
 - Democratic Parliament, its roles and functions
 - Assessment of Parliament roles and functions
 - Extent to which Parliament is relevant and appropriate in Malawi societies
 - Satisfaction/dissatisfaction with Parliament and reasons (probe issues of corruption among other things)
 - Support/lack of support for Parliament in Malawi and reasons (also probe regionalism, ethnicity and corruption as factors influencing support or lack of it)

- What alternative avenues of articulating and channelling interests and needs do people use apart from Parliament? Why?
- Whether or not they trust the Parliament and reasons
- Whether they would consider Parliament acceptable authority, why? Why not?
- How Parliament performance compares with other State institutions
- Suggestions for improvement of Parliament role if necessary
- How would you assess the Members of Parliament since the introduction of democracy in Malawi? Probe:
 - Knowledge of the Members of Parliament, their roles and functions
 - Assessment of Members of Parliament roles and functions
 - Extent to which Members of Parliament are relevant and appropriate in Malawi societies
 - Satisfaction/dissatisfaction with Members of Parliament and reasons (probe issues of corruption among other things)
 - Support/lack of support for Members of Parliament in Malawi and reasons (probe issues of corruption among other things)
 - Alternative avenues of articulating and channelling interests and needs that people use
 - Whether or not they trust their Members of Parliament and reasons
 - Whether they would consider Members of Parliament as acceptable authority, why? Why not?
 - Suggestions for improvement of Members of Parliament role if necessary
- What is your role in interaction between the people and Parliament? Probe:
 - Organization's role
 - Channels (mechanisms) the organization(s) use to communicate with Parliament
 - Content of interaction between Parliament and the Civil Society organization(s)
 - Channels (mechanisms) the organization(s) use to communicate with the people

- Content of interaction between the people and the Civil Society organization(s)
- Why is it that parliament legitimacy is low (enjoy little to no trust from the people) since 1994?
- May you please share with me any of your parliament assessment reports since 1994

Focus Group Discussions Guide

NOTE: SEPARATE THOSE WHO HAVE BEEN TO SCHOOL AND THOSE WHO HAVE NOT BEEN TO SCHOOL (AT LEAST IN SOME GROUPS)

(Appropriate introduction – see information sheet and consent forms in appendices below)

- Where and who do you look up to as your leaders/authorities in this community? This country?
- What are the authorities that you and other people (would) consult when you want your needs and interests to be catered for? (Attempt to rank the authorities and probe why and why not)
- What would you consider acceptable authority in the governance of this community? This country? Why? Why not? (Probe the role of culture in this)

*(Note: the gist of (modern) legitimacy discourse hinges on **why** people **do** obey specific institutions. Therefore make sure this comes out clearly, more so when they refer to parliament or members of parliament)*

- What do you mean by ‘acceptable authority’ in this community? In Malawi?
- What are your views about democratic government in Malawi? Probe:
 - Knowledge on democratic government
 - Important institutions in a democracy
 - Satisfaction/dissatisfaction with democracy and reasons
 - Support/lack of support for democracy in Malawi and reasons
 - Extent to which democracy is relevant and appropriate
 - Whether or not they trust the democratic government and reasons
 - Suggestions to improve how democracy works if necessary
- What are your views about Parliament since the introduction of democracy in Malawi? Probe:

- Knowledge of democratic Parliament, its roles and functions
- Assessment of Parliament roles and functions
- Extent to which Parliament is relevant and appropriate; and **WHY**
- Satisfaction/dissatisfaction with Parliament and reasons (probe issues of corruption among other things)
- Support/lack of support for Parliament in Malawi and reasons (also probe regionalism, ethnicity and corruption as factor influencing support or lack of it)
- Alternative avenues of articulating and channelling views and needs
- Whether or not they trust the Parliament and reasons
- Whether they would consider Parliament acceptable authority, why? Why not?
- Suggestions for improvement of Parliament role if necessary
- How Parliament performance compares with other State institutions
- In your opinion, what are the key roles of Parliament?
 - How do you rank them?
 - Why this ranking (why putting x-role first?)
 - Probe whether parliament has satisfied these roles? To what extent?
- How would you assess your Members of Parliament since the introduction of democracy in Malawi? Probe:
 - Knowledge of their Members of Parliament, their roles and functions
 - Assessment of Members of Parliament roles and functions
 - Extent to which Members of Parliament are relevant and appropriate
 - Satisfaction/dissatisfaction with Members of Parliament and reasons (probe issues of corruption among other things)
 - Support/lack of support for Members of Parliament in Malawi and reasons (probe issues of corruption among other things)
 - Alternative avenues of articulating and channelling views and needs
 - Whether or not they trust their Members of Parliament and reasons
 - Whether they would consider Members of Parliament as acceptable authority, why? Why not?

- Suggestions for improvement of Members of Parliament role if necessary
- Why is it that parliament legitimacy is low (enjoy little to no trust from the people) since 1994?
- Do you recognize parliament as a rightful authority? Please explain
 - Why recognize it given the ills you have highlighted?
 - Why not?

Discussion Guide – Interview with Parliament Committee Clerks

(Appropriate introduction – see information sheet and consent forms in appendices below)

- What would you say are the key functions of Parliament in Malawi? Please explain.
- What would you say are the key functions of Parliament Committees in Malawi? Probe:
 - How effective are they?
 - What are the challenges?
- What is your role in the operations of parliament?
- How does your role fit into the functions of parliament?
- How would you say Malawians (people at community level) are involved in committee functions? Probe:
 - Whether there are structures/institutions/procedures in place to ensure this
- How often do Parliament Committees meet? Probe whether this is stipulated in some document (ask to get the document); what are the challenges?
- What are the challenges in carrying out the committee roles and functions? Probe:
 - How easy/difficult is it to summon executive members
 - Follow up on Contempt of Parliament – how effective this provision is and how this has been articulated in Standing Orders
- How would you describe the evolution of Committee functions since 1994? Probe for major turning points.

Information Sheet

Dear participant(s),

My name is Michael Jana and I am a student at the University of the Witwatersrand in South Africa. I am here to conduct a research on the legitimacy of Parliament. I have a couple of questions I would like to ask you. Our discussion will take about one hour.

Before we start our discussion, I would like to assure you that participation is voluntary, and refusal to participate will involve no penalty. If in the course of our discussion you feel like discontinuing, you are free to do so.

I have with me consent forms which I will ask you to fill if you agree to participate.

If you have any question regarding this research, you can ask me now or at the end of the interview, or contact me or my supervisor at the following:

Michael Jana

(27) 84 472 4130

mycojana@yahoo.com

or

Dr. Stephen Louw

(27) 83 383 0011

stephen.louw@wits.ac.za

I therefore invite you to participate in this research exercise.

Thank you.

Michael Jana

PhD student (WITS)

Interview Consent Form

July 20...

I consent to being interviewed by Michael Jana for his research on legitimacy of Parliament. I understand that the research is being conducted as a requirement for his PhD in Political Studies from the University of the Witwatersrand located in Johannesburg, South Africa.

I agree to the following:

- Participation is voluntary
- Participation in the interviews will require about 1 to 2 hours
- I have the right to refuse participation
- I have the right to refuse to answer any question posed during the interviews
- I can withdraw at any time in the course of the interview
- I have the right to be identified as anonymous and all responses are confidential
- I or my organization has the right to review any quotes from the interview that will be used in the final report

Full name.....

Organization (if applicable).....

Signed.....

Date.....

Recording Consent Form

July..... 20...

I..... consent to having my interview tape-recorded by Michael Jana for his study on legitimacy of Parliament. I understand that transcripts or copies of the interview will be made available at request.

Full name.....

Organization (if applicable).....

Signed.....

Date.....

List of selected indicators used from Afrobarometer database

1. Demographic data (e.g. education level (question 89), gender, location, region, education and religion (demographics table, page 2), age (question 1), ethnic group (question 3), employment status) (also check Q101 for gender; Q89 for education level...etc)
2. How often respondents get news from radio, television and newspaper (information sources) – questions 12 A, B and C.
3. Whether respondents think that people are like children and government like a parent; or government is like an employee and people like the bosses (this can measure familial perceptions of government authority often associated with ‘African political legitimacy’ – see Schatzberg, 1993; 2001, and Bayart, 1993) - question 18 (analyzed 2008 data)
4. The likelihood of constituents to influence a Member of Parliament (MP) (collective efficacy to influence MP) – question 24 C
5. How often respondents have contacted an MP in the past year – question 25 B
6. How often respondents contacted religious leaders and/or traditional leaders about some important problem or to give them their views (alternative legitimate avenues of interest articulation) – questions 27 A and B.
7. Whether respondents prefer democracy to other types of governments – question 30
8. Whether or not respondents agree that the President should be accountable to Parliament (testing people’s knowledge of horizontal accountability role of Parliament) – question 33
9. Whether or not respondents agree that the Parliament or the President represent the people and should therefore make laws (testing people’s knowledge of Parliament representation and legislating role) – question 36 (analyzed 2008 data)
10. Whether respondents know their MP – question 41 A
11. Whether respondents are satisfied with democracy – question 43

12. Whether respondents trust their President, Parliament/National Assembly, Police, Courts, traditional leaders – questions 49 A, B, G, H, and I (analyzed Q49B in 2008 data)
13. Perceived corruption of MPs, – question 50 B
14. Respondents' opinion on how much time their MPs should spend in their constituencies and how much time the MPs actually spend in the constituencies (procedural fairness and satisfaction with involvement) – questions 53 A and B (check analyzed data in African Legislatures Project)
15. Respondents' opinion regarding whether MPs and traditional leaders listen to their views and concerns (satisfaction with involvement and that needs are met) – questions 54 A and C (analyzed 2008 data of Q54A)
16. Respondents' perception that government is fighting corruption – question 57 K
17. Whether or not respondents approve of the way their MPs have performed their jobs over the past twelve months (satisfaction with MPs performance) – question 70 B (analyzed 2008 data)
18. Respondents views regarding whether elections ensure that MPs reflect the views of voters (satisfaction with involvement/procedural fairness) – question 72 A (analyzed 2008 data)
19. Respondents views regarding whether elections enable voters to remove from office leaders who do not do what the people want (procedural fairness) – question 72 B
20. Respondents' knowledge regarding who should be responsible for making sure that, once elected, MPs do their job (knowledge of vertical accountability) – question 73 A

Quantitative Analysis: R syntaxes

```
library(foreign)
mlw2008<-
read.spss(file="F:/PhD/stats/rwd/mlw2008.sav",to.data.frame=TRUE,
use.value.label=FALSE) #loading 2008 Afrobarometer Malawi data

#using legitimacy indicators
#trust parliament in Malawi in 2008
trust.parl<-mlw2008[ , "Q49B"]
length(trust.parl)
trust.labels<-c("don't trust","trust a little","somewhat","trust
a lot")
trust.parl[trust.parl==1]<-NA
trust.parl[trust.parl==9]<-NA
trust.parl[trust.parl==998]<-NA
trust.f<-factor(trust.parl,levels=c(0:3),labels=trust.labels)
prop.table(table(trust.f))*100 #percentage of those who trust
parliament
barplot(prop.table(table(trust.f))*100)

#education level
edu<-mlw2008[ , "Q89"]
edu[edu==1]<-NA
edu[edu==9]<-NA
edu[edu==998]<-NA
edu[edu==9]<-7
edu[edu==8]<-7
edu[edu==0]<-1 #blending "no school" into "informal" to make "no
school"
edu[edu==7]<-6 #blending "varsity" into "post-sec"
edu.labels<-c("no school","some primary","primary","some
sec","sec","post-sec")
edu.f<-factor(edu,levels=c(1:6),labels=edu.labels)
prop.table(table(edu.f))*100 #percentage of education level
round(prop.table((table(trust.f,edu.f)),margin=2),digits=2)#compa
ring conditional (relative) frequencies

#dichotomizing trust of parliament
trust.parl2<-vector()
trust.parl2[trust.f=="don't trust"]<-0
trust.parl2[trust.f=="trust a little"]<-0
trust.parl2[trust.f=="somewhat"]<-1
trust.parl2[trust.f=="trust a lot"]<-1
trust.labels2<-c("little to no trust","trust")
trust.f2<-factor(trust.parl2,levels=c(0,1),labels=trust.labels2)
prop.table(table(trust.f2)) #percentage distribution of
dichotomized trust variable
```

```

#dichotomizing edu
edu2<-vector()
edu2[edu.f=="no school"]<-0
edu2[edu.f=="informal"]<-0
edu2[edu.f=="some primary"]<-1
edu2[edu.f=="primary"]<-1
edu2[edu.f=="some sec"]<-1
edu2[edu.f=="sec"]<-1
edu2[edu.f=="post-sec"]<-1
edu2[edu.f=="varsity"]<-1
edu.labels2<-c("no school","been to school")
edu.f2<-factor(edu2,levels=c(0,1),labels=edu.labels2)
prop.table(table(edu.f2))*100 #percentage distribution of
dichotomized variables

round(prop.table(table(trust.f2,edu.f2),margin=2),digit=2)#compar
ing conditional (relative) frequencies

round(prop.table(table(trust.f2,edu.f),margin=2),digit=2)#compari
ng conditional (relative) frequencies with edu dose response

chisq.test(table(trust.f2,edu.f2))

#exposure to radio in Malawi in 2008
radio<-mlw2008[,"Q12A"]
length(radio)
radio.labels<-c("never","less than once a month","few times a
month","few times a wk","everyday")
radio[radio==-1]<-NA
radio[radio==9]<-NA
radio[radio==998]<-NA
radio.f<-factor(radio,levels=c(0:4),labels=radio.labels)
prop.table(table(radio.f))*100 #percentage of those who listen to
news on radio

chisq.test(table(trust.f,radio.f)) #checking the association
between trust of parl and radio exposure in Malawi in 2008

chisq.test(table(perform.f,radio.f)) #checking the association
between perceived performance of MPs and radio exposure in Malawi
in 2008

#exposure to television news in Malawi in 2008
tv<-mlw2008[,"Q12B"]
length(tv)
tv.labels<-c("never","less than once a month","few times a
month","few times a wk","everyday")
tv[tv==-1]<-NA
tv[tv==9]<-NA
tv[tv==998]<-NA
tv.f<-factor(tv,levels=c(0:4),labels=tv.labels)

```

```

prop.table(table(tv.f))*100 #percentage of those who watch news
on TV

chisq.test(table(trust.f,tv.f)) #checking the association between
trust of parl and TV news exposure in Malawi in 2008

chisq.test(table(perform.f,tv.f)) #checking the association
between perceived performance of MPs and TV news exposure in
Malawi in 2008

#exposure to newspapers in Malawi in 2008
newspapers<-mlw2008[ ,"Q12C"]
length(newspapers)
newspapers.labels<-c("never","less than once a month","few times
a month","few times a wk","everyday")
newspapers[newspapers==1]<-NA
newspapers[newspapers==9]<-NA
newspapers[newspapers==998]<-NA
newspapers.f<-
factor(newspapers,levels=c(0:4),labels=newspapers.labels)
prop.table(table(newspapers.f))*100 #percentage of those who get
news from newspapers

chisq.test(table(trust.f,newspapers.f)) #checking the association
between trust of parl and newspaper exposure in Malawi in 2008

chisq.test(table(perform.f,newspapers.f)) #checking the
association between perceived performance of MPs and newspaper
exposure in Malawi in 2008

chisq.test(table(trust.f,edu.f)) #checking the association
between trust of parl and edu level in Malawi in 2008

#Respondents; opinion regarding whether MPs listen to their
views and concerns (satisfaction with involvement and that needs
are met) ;V Q54A
#MPs listen
mp.listen<-mlw2008[ ,"Q54A"]
length(mp.listen)
listen.labels<-c("never","sometimes","often","always")
mp.listen[mp.listen==1]<-NA
mp.listen[mp.listen==9]<-NA
mp.listen[mp.listen==998]<-NA
listen.f<-factor(mp.listen,levels=c(0:3),labels=listen.labels)
prop.table(table(listen.f))*100 #percentage distribution of those
who think MPs listen or not
barplot(prop.table(table(listen.f))*100)

#Respondents; opinion regarding whether MPs listen to their
views and concerns (satisfaction with involvement and that needs
are met) in 2005 ;V Q62A
#MPs listen

```

```

mlw2005<-
read.spss(file="E:/PhD/stats/rwd/mlw2005.sav",to.data.frame=TRUE,
use.value.label=FALSE)
mp.listen05<-mlw2005[ ,"Q62A"]
length(mp.listen05)
listen.labels05<-c("never","sometimes","often","always")
mp.listen05[mp.listen05==-1]<-NA
mp.listen05[mp.listen05==9]<-NA
mp.listen05[mp.listen05==98]<-NA
listen05.f<-
factor(mp.listen05,levels=c(0:3),labels=listen.labels05)
prop.table(table(listen05.f))*100 #percentage distribution of
those who think MPs listen or not - 2005

#Respondents; opinion regarding whether MPs listen to their
views and concerns (satisfaction with involvement and that needs
are met) in 2002 ;V Q50B
#MPs listen
mlw2002<-
read.spss(file="e:/PhD/stats/rwd/mlw2002.sav",to.data.frame=TRUE,
use.value.label=FALSE)
mp.listen02<-mlw2002[ ,"q50b"]
length(mp.listen02)
listen.labels02<-c("never","sometimes","often","always")
mp.listen02[mp.listen02==-1]<-NA
mp.listen02[mp.listen02==9]<-NA
mp.listen02[mp.listen02==98]<-NA
listen02.f<-
factor(mp.listen02,levels=c(0:3),labels=listen.labels02)
prop.table(table(listen02.f))*100 #percentage distribution of
those who think MPs listen or not - 2002

#Respondents; opinion regarding whether MPs listen to their
views and concerns (satisfaction with involvement and that needs
are met) in 1999 ;V Q68
#MPs listen
mlw1999<-
read.spss(file="e:/PhD/stats/rwd/mlw1999.sav",to.data.frame=TRUE,
use.value.label=FALSE)
mp.listen99<-mlw1999[ ,"Q68"]
length(mp.listen99)
listen.labels99<-c("never","sometimes","often","always")
mp.listen99[mp.listen99==5]<-NA
mp.listen99[mp.listen99==97]<-NA
mp.listen99[mp.listen99==98]<-NA
mp.listen99[mp.listen99==99]<-NA
listen99.f<-
factor(mp.listen99,levels=c(1:4),labels=listen.labels99)
prop.table(table(listen99.f))*100 #percentage distribution of
those who think MPs listen or not - 1999

```

```

#20 countries Respondents;| opinion regarding whether MPs listen
to their views and concerns (satisfaction with involvement and
that needs are met) ;V Q54A
#MPs listen
ab2008<-read.spss(file="E:/PhD/stats/rwd/R4-
2008.sav",to.data.frame=TRUE,use.value.label=FALSE) #loading 2008
afrobaro merged data
mp.listen20<-ab2008[ , "Q54A"]
length(mp.listen20)
listen20.labels<-c("never","sometimes","often","always")
mp.listen20[mp.listen20==-1]<-NA
mp.listen20[mp.listen20==9]<-NA
mp.listen20[mp.listen20==998]<-NA
listen20.f<-
factor(mp.listen20,levels=c(0:3),labels=listen20.labels)
prop.table(table(listen20.f))*100 #percentage distribution of
those who think MPs listen or not in 20 countries in 2008
barplot(prop.table(table(listen20.f))*100)

#regionalism based on ethnic identity
region<-mlw2008[ , "Q79"]
region[region==-1]<-NA
region[region==995]<-NA
region[region==998]<-NA
region[region==999]<-NA
region[region==465]<-NA #Ngoni's labeled NA because they belong
to both North and Centre, and partly South
region[region==477]<-NA #same characteristics as Ngonis
region[region==460]<-1
region[region==461]<-1
region[region==462]<-1
region[region==463]<-2
region[region==464]<-3
region[region==466]<-3
region[region==467]<-3
region[region==468]<-3
region[region==469]<-1
region[region==470]<-1
region[region==471]<-1
region[region==472]<-3
region[region==473]<-1
region[region==474]<-1
region[region==475]<-3
region[region==476]<-1
region.labels<-c("north","centre","south")
region.f<-factor(region,levels=c(1:3),labels=region.labels)
prop.table(table(region.f))*100 #percentage of regional belonging
barplot(prop.table(table(region.f))*100)

#relationship between trust of parl and regional belonging
chisq.test(table(trust.f2,region.f)) #checking the statistical
significance of the relationship

```

```

#Comparing conditional (relative) frequencies of trust for
parliament and ethnic-based regional belonging
round(prop.table(table(trust.f2,region.f),margin=2),digit=2)

#whether elections ensure MPs reflect views of voters in practice
in 2008 (Q72A)
elections<-mlw2008[,"Q72A"]
elections.labels<-c("not at all","not very well","well","very
well")
elections[elections==1]<-NA
elections[elections==9]<-NA
elections[elections==998]<-NA
elections.f<-
factor(elections,levels=c(0:3),labels=elections.labels)
prop.table(table(elections.f))*100 #percentage distribution of
those who think elections ensure MPs reflect voters' views in
2008
barplot(prop.table(table(listen.f))*100)

#whether elections ensure MPs reflect views of voters in practice
in 2005 (Q77A)
elections05<-mlw2005[,"Q77A"]
elections.labels05<-c("not at all","not very well","well","very
well")
elections05[elections05==1]<-NA
elections05[elections05==9]<-NA
elections05[elections05==98]<-NA
elections05.f<-
factor(elections05,levels=c(0:3),labels=elections.labels05)
prop.table(table(elections05.f))*100 #percentage distribution of
those who think elections ensure MPs reflect voters' views in
2005

#whether elections ensure MPs reflect views of voters in practice
in 2008 in 18 countries (to compare with 2005 18 countries)
(Q72A)
ab2008<-read.spss(file="E:/PhD/stats/rwd/R4-
2008.sav",to.data.frame=TRUE,use.value.label=FALSE) #loading 2008
afrobaro merged data
elections18.08<-ab2008[ab2008$COUNTRY %in%
c(1,2,4,5,6,7,9,10,11,12,13,14,15,16,17,18,19,20),"Q72A"] #vector
of Q72A excluding Burkina and Liberia to match with 2005
length(elections18.08)
elections18.08.labels<-c("not at all","not very
well","well","very well")
elections18.08[elections18.08==1]<-NA
elections18.08[elections18.08==9]<-NA
elections18.08[elections18.08==998]<-NA
elections18.08.f<-
factor(elections18.08,levels=c(0:3),labels=elections18.08.labels)

```

```

prop.table(table(elections18.08.f))*100 #percentage distribution
of those in 18 countries who think elections ensure MPs reflect
voters' views in 2008
barplot(prop.table(table(elections18.08.f))*100)

#whether elections ensure MPs reflect views of voters in practice
in 2005 in 18 countries (Q77A)
ab2005<-read.spss(file="E:/PhD/stats/rwd/R3-
2005.sav",to.data.frame=TRUE,use.value.label=FALSE) #loading 2005
afrobaro merged data
elections18.05<-ab2005[ , "q77a"]
length(elections18.05)
elections18.05.labels<-c("not at all","not very
well","well","very well")
elections18.05[elections18.05==-1]<-NA
elections18.05[elections18.05==9]<-NA
elections18.05[elections18.05==998]<-NA
elections18.05.f<-
factor(elections18.05,levels=c(0:3),labels=elections18.05.labels)
prop.table(table(elections18.05.f))*100 #percentage distribution
of those in 18 countries who think elections ensure MPs reflect
voters' views in 2005
barplot(prop.table(table(elections18.05.f))*100)

#perceived number of MPs who are involved in corruption - 2008 -
Q50B
corruptmps<-mlw2008[ , "Q50B"]
corruptmps.labels<-c("none","some of them","most of them","all of
them")
corruptmps[corruptmps==-1]<-NA
corruptmps[corruptmps==9]<-NA
corruptmps[corruptmps==998]<-NA
corruptmps.f<-
factor(corruptmps,levels=c(0:3),labels=corruptmps.labels)
prop.table(table(corruptmps.f))*100 #percentage distribution of
those who think MPs are corrupt in 2008

#perceived number of MPs who are involved in corruption - 2005 -
Q56B
corruptmps05<-mlw2005[ , "Q56B"]
corruptmps05.labels<-c("none","some of them","most of them","all
of them")
corruptmps05[corruptmps05==-1]<-NA
corruptmps05[corruptmps05==9]<-NA
corruptmps05[corruptmps05==98]<-NA
corruptmps05.f<-
factor(corruptmps05,levels=c(0:3),labels=corruptmps05.labels)
prop.table(table(corruptmps05.f))*100 #percentage distribution of
those who think MPs are corrupt in 2005

#perceived number of MPs who are involved in corruption - 2002 -
Q51B

```

```

corruptmps02<-mlw2002[ , "q51b"]
corruptmps02.labels<-c("none", "some of them", "most of them", "all
of them")
corruptmps02[corruptmps02== -1]<-NA
corruptmps02[corruptmps02==9]<-NA
corruptmps02[corruptmps02==98]<-NA
corruptmps02.f<-
factor(corruptmps02, levels=c(0:3), labels=corruptmps02.labels)
prop.table(table(corruptmps02.f))*100 #percentage distribution of
those who think MPs are corrupt in 2002

#perceived number of MPs who are involved in corruption - 1999 -
Q71
corruptmps99<-mlw1999[ , "Q71"]
corruptmps99.labels<-c("none", "some of them", "most of them", "all
of them")
corruptmps99[corruptmps99==5]<-NA
corruptmps99[corruptmps99==97]<-NA
corruptmps99[corruptmps99==98]<-NA
corruptmps99[corruptmps99==99]<-NA
corruptmps99.f<-
factor(corruptmps99, levels=c(4,3,2,1), labels=corruptmps99.labels)
prop.table(table(corruptmps99.f))*100 #percentage distribution of
those who think MPs are corrupt in 1999

#perceived number of traditional leaders who are involved in
corruption - 2008 - Q50H
corrupttrad<-mlw2008[ , "Q50H"]
corrupttrad.labels<-c("none", "some of them", "most of them", "all
of them")
corrupttrad[corrupttrad== -1]<-NA
corrupttrad[corrupttrad==9]<-NA
corrupttrad[corrupttrad==998]<-NA
corrupttrad.f<-
factor(corrupttrad, levels=c(0:3), labels=corrupttrad.labels)
prop.table(table(corrupttrad.f))*100 #percentage distribution of
those who think traditional leaders are corrupt in 2008

#Whether or not respondents approve of the way their MPs have
performed their jobs over the past twelve months (2008)
perform<-mlw2008[ , "Q70B"]
perform.labels<-c("strongly
disapprove", "disapprove", "approve", "strongly approve")
perform[perform== -1]<-NA
perform[perform==9]<-NA
perform[perform==998]<-NA
perform.f<-factor(perform, levels=c(1:4), labels=perform.labels)
prop.table(table(perform.f))*100 #percentage distribution of
those who approve or disapprove of MPs' performance in past 12
months
barplot(prop.table(table(perform.f))*100)

```

```

#dichotomize 2008 Malawi MP performance indicator
perform2<-vector()
perform2[perform.f=="strongly disapprove"]<-0
perform2[perform.f=="disapprove"]<-0
perform2[perform.f=="approve"]<-1
perform2[perform.f=="strongly approve"]<-1
perform.labels2<-c("disapprove","approve")
perform.f2<-factor(perform2,levels=c(0,1),labels=perform.labels2)
prop.table(table(perform.f2))*100

chisq.test(table(perform.f,edu.f))

round(prop.table(table(perform.f2,edu.f2),margin=2),digit=2)#comp
aring conditional (relative) frequencies of MP performance and
edu

round(prop.table(table(perform.f2,edu.f),margin=2),digit=2)#compa
ring conditional (relative) frequencies of MP performance with
edu dose response

#Whether or not respondents in 12 countries approve of the way
their MPs have performed their jobs over the past twelve months
(2008)
perform12.08<-ab2008[ab2008$COUNTRY %in%
c(2,5,7,10,11,13,14,17,16,18,19,20),"Q70B"]
length(perform12.08)
perform12.08.labels<-c("strongly
disapprove","disapprove","approve","strongly approve")
perform12.08[perform12.08== -1]<-NA
perform12.08[perform12.08==9]<-NA
perform12.08[perform12.08==998]<-NA
perform12.08.f<-
factor(perform12.08,levels=c(1:4),labels=perform12.08.labels)
prop.table(table(perform12.08.f))*100 #percentage distribution of
those in 12 countries who approve or disapprove of MPs'
performance in past 12 months in 2008
barplot(prop.table(table(perform12.08.f))*100)

#Whether or not respondents approve of the way their MPs have
performed their jobs over the past twelve months (2005)
perform05<-mlw2005[, "Q68B"]
perform05.labels<-c("strongly
disapprove","disapprove","approve","strongly approve")
perform05[perform05== -1]<-NA
perform05[perform05==9]<-NA
perform05[perform05==98]<-NA
perform05.f<-
factor(perform05,levels=c(1:4),labels=perform05.labels)
prop.table(table(perform05.f))*100 #percentage distribution of
those who approve or disapprove of MPs' performance in past 12
months in 2005
barplot(prop.table(table(perform05.f))*100)

```

```

#Whether or not respondents in 12 countries approve of the way
their MPs have performed their jobs over the past twelve months
(2005)
perform12.05<-ab2005[ab2005$country %in%
c(2,4,6,8,9,11,12,15,14,16,17,18),"q68b"] #Q68B vector with 12
original countries
length(perform12.05)
perform12.05.labels<-c("strongly
disapprove","disapprove","approve","strongly approve")
perform12.05[perform12.05==1]<-NA
perform12.05[perform12.05==9]<-NA
perform12.05[perform12.05==98]<-NA
perform12.05.f<-
factor(perform12.05,levels=c(1:4),labels=perform12.05.labels)
prop.table(table(perform12.05.f))*100 #percentage distribution of
those in 12 countries who approve or disapprove of MPs'
performance in past 12 months in 2005
barplot(prop.table(table(perform12.05.f))*100)

#Whether or not respondents approve of the way their MPs have
performed their jobs over the past twelve months (2002)
perform02<-mlw2002[, "q48b"]
perform02.labels<-c("strongly
disapprove","disapprove","approve","strongly approve")
perform02[perform02==1]<-NA
perform02[perform02==9]<-NA
perform02[perform02==98]<-NA
perform02.f<-
factor(perform02,levels=c(1:4),labels=perform02.labels)
prop.table(table(perform02.f))*100 #percentage distribution of
those who approve or disapprove of MPs' performance in past 12
months in 2002
barplot(prop.table(table(perform02.f))*100)

#Whether or not respondents in 12 countries approve of the way
their MPs have performed their jobs over the past twelve months
(2002)
ab2002<-read.spss(file="E:/PhD/stats/rwd/R2-2002-
3.sav",to.data.frame=TRUE,use.value.label=FALSE) #loading 2002
afrobaro merged data
perform12.02<-ab2002[ab2002$country %in%
c(1,2,3,4,5,6,7,8,9,10,11,12),"q48b"]
length(perform12.02)
perform12.02.labels<-c("strongly
disapprove","disapprove","approve","strongly approve")
perform12.02[perform12.02==1]<-NA
perform12.02[perform12.02==9]<-NA
perform12.02[perform12.02==98]<-NA
perform12.02.f<-
factor(perform12.02,levels=c(1:4),labels=perform12.02.labels)

```

```

prop.table(table(perform12.02.f))*100 #percentage distribution of
those in 12 countries who approve or disapprove of MPs'
performance in past 12 months in 2002
barplot(prop.table(table(perform12.02.f))*100)

#Whether or not respondents approve of the way their MPs have
performed their jobs over the past twelve months (1999)
perform99<-mlw1999[ , "Q70"]
perform99.labels<-c("strongly
disapprove", "disapprove", "approve", "strongly approve")
perform99[perform99==99]<-NA
perform99[perform99==5]<-NA
perform99[perform99==97]<-NA
perform99[perform99==98]<-NA
perform99.f<-
factor(perform99, levels=c(1:4), labels=perform99.labels)
prop.table(table(perform99.f))*100 #percentage distribution of
those who approve or disapprove of MPs' performance in past 12
months in 1999
barplot(prop.table(table(perform99.f))*100)

#Whether or not respondents in 12 countries approve of the way
their MPs have performed their jobs over the past twelve months
(1999-2000)
ab1999<-read.spss(file="E:/PhD/stats/rwd/R1-1999-
2000.sav", to.data.frame=TRUE, use.value.label=FALSE) #loading
1999-2000 afrobaro merged data
perform12.99<-ab1999[ , "PFGMP"] #variable name = PFGMP
length(perform12.99)
perform12.99.labels<-c("strongly
disapprove", "disapprove", "approve", "strongly approve")
perform12.99[perform12.99==99]<-NA
perform12.99[perform12.99==5]<-NA
perform12.99[perform12.99==97]<-NA
perform12.99[perform12.99==98]<-NA
perform12.99[perform12.99==99]<-NA
perform12.99.f<-
factor(perform12.99, levels=c(1:4), labels=perform12.99.labels)
prop.table(table(perform12.99.f))*100 #percentage distribution of
those in 12 countries who approve or disapprove of MPs'
performance in past 12 months in 1999-2000
barplot(prop.table(table(perform12.99.f))*100)

#People's knowledge of Parliament's representation and
legislation role in 2008
parl.role<-mlw2008[ , "Q36"]
parl.role.labels<-c("agree strongly parl to make laws", "agree
parl to make laws", "agree president to pass laws", "agree strongly
president to pass laws", "no opinion")
parl.role[parl.role==1]<-NA
parl.role[parl.role==9]<-NA
parl.role[parl.role==998]<-NA

```

```

parl.role.f<-
factor(parl.role,levels=c(1:5),labels=parl.role.labels)
prop.table(table(parl.role.f))*100 #percentage distribution of
those who agree with parl making laws or president passing laws
barplot(prop.table(table(parl.role.f))*100)

#People's knowledge of Parliament's representation and
legislation role in 2005
parl.role05<-mlw2005[,"Q40"]
parl.role05.labels<-c("agree strongly parl to make laws","agree
parl to make laws","agree president to pass laws","agree strongly
president to pass laws","no opinion")
parl.role05[parl.role05==-1]<-NA
parl.role05[parl.role05==9]<-NA
parl.role05[parl.role05==98]<-NA
parl.role05.f<-
factor(parl.role05,levels=c(1:5),labels=parl.role05.labels)
prop.table(table(parl.role05.f))*100 #percentage distribution of
those who agree with parl making laws or president passing laws
in 2005
barplot(prop.table(table(parl.role05.f))*100)

#People's knowledge of Parliament's representation and
legislation role in 2002
parl.role02<-mlw2002[,"q33"]
parl.role02.labels<-c("agree strongly parl to make laws","agree
parl to make laws","agree president to pass laws","agree strongly
president to pass laws","no opinion")
parl.role02[parl.role02==-1]<-NA
parl.role02[parl.role02==9]<-NA
parl.role02[parl.role02==98]<-NA
parl.role02.f<-
factor(parl.role02,levels=c(1:5),labels=parl.role02.labels)
prop.table(table(parl.role02.f))*100 #percentage distribution of
those who agree with parl making laws or president passing laws
in 2002
barplot(prop.table(table(parl.role02.f))*100)

#People's knowledge of Parliament's representation and
legislation role in 16 countries 2002
ab2002<-read.spss(file="E:/PhD/stats/rwd/R2-2002-
3.sav",to.data.frame=TRUE,use.value.label=FALSE) #loading 2002
afrobaro merged data
parl.role16.02<-ab2002[,"q33"]
length(parl.role16.02)
parl.role16.02.labels<-c("agree strongly parl to make
laws","agree parl to make laws","agree president to pass
laws","agree strongly president to pass laws","no opinion")
parl.role16.02[parl.role16.02==-1]<-NA
parl.role16.02[parl.role16.02==9]<-NA
parl.role16.02[parl.role16.02==98]<-NA

```

```

parl.role16.02.f<-
factor(parl.role16.02,levels=c(1:5),labels=parl.role16.02.labels)
prop.table(table(parl.role16.02.f))*100 #percentage distribution
of those who agree with parl making laws or president passing
laws in 16 countries in 2002
barplot(prop.table(table(parl.role16.02.f))*100)

#People's knowledge of Parliament's representation and
legislation role in 16 countries in 2005
ab2005<-read.spss(file="E:/PhD/stats/rwd/R3-
2005.sav",to.data.frame=TRUE,use.value.label=FALSE) #loading 2005
afrobaro merged data
parl.role16.05<-ab2005[ab2005$country %in%
c(2,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18),"q40"]
length(parl.role16.05)
parl.role16.05.labels<-c("agree strongly parl to make
laws","agree parl to make laws","agree president to pass
laws","agree strongly president to pass laws","no opinion")
parl.role16.05[parl.role16.05==1]<-NA
parl.role16.05[parl.role16.05==9]<-NA
parl.role16.05[parl.role16.05==98]<-NA
parl.role16.05.f<-
factor(parl.role16.05,levels=c(1:5),labels=parl.role16.05.labels)
prop.table(table(parl.role16.05.f))*100 #percentage distribution
of those who agree with parl making laws or president passing
laws in 16 countries in 2005
barplot(prop.table(table(parl.role16.05.f))*100)

#People's knowledge of Parliament's representation and
legislation role in 16 African countries in 2008
ab2008<-read.spss(file="E:/PhD/stats/rwd/R4-
2008.sav",to.data.frame=TRUE,use.value.label=FALSE) #loading 2008
afrobaro merged data
parl.role16.08<-ab2008[ab2008$COUNTRY %in%
c(2,5,6,7,9,10,11,12,13,14,15,16,17,18,19,20),"Q36"]
length(parl.role16.08)
parl.role16.08.labels<-c("agree strongly parl to make
laws","agree parl to make laws","agree president to pass
laws","agree strongly president to pass laws","no opinion")
parl.role16.08[parl.role16.08==1]<-NA
parl.role16.08[parl.role16.08==9]<-NA
parl.role16.08[parl.role16.08==998]<-NA
parl.role16.08.f<-
factor(parl.role16.08,levels=c(1:5),labels=parl.role16.08.labels)
prop.table(table(parl.role16.08.f))*100 #percentage distribution
of those who agree with parl making laws or president passing
laws in 16 countries in 2008
barplot(prop.table(table(parl.role16.08.f))*100)

#People's views on democratic representation (mass participation
vs elite competence) in 2005 (only asked in 2005)
rep05<-mlw2005[, "Q59"]

```

```

rep05.labels<-c("agree strongly officials to listen","agree
officials to listen","agree officials to decide","agree strongly
officials to decide","no opinion")
rep05[rep05==-1]<-NA
rep05[rep05==9]<-NA
rep05[rep05==98]<-NA
rep05.f<-factor(rep05,levels=c(1:5),labels=rep05.labels)
prop.table(table(rep05.f))*100 #percentage distribution of those
who wanted elected officials to listen to constituents or not

#People's views on democratic representation (mass participation
vs elite competence) in 2005 in 18 African countries(only asked
in 2005)
ab2005<-read.spss(file="E:/PhD/stats/rwd/R3-
2005.sav",to.data.frame=TRUE,use.value.label=FALSE) #loading 2005
afrobaro merged data
rep18.05<-ab2005[, "q59"]
length(rep18.05)
rep18.05.labels<-c("agree strongly officials to listen","agree
officials to listen","agree officials to decide","agree strongly
officials to decide","no opinion")
rep18.05[rep18.05==-1]<-NA
rep18.05[rep18.05==9]<-NA
rep18.05[rep18.05==98]<-NA
rep18.05.f<-factor(rep18.05,levels=c(1:5),labels=rep18.05.labels)
prop.table(table(rep18.05.f))*100 #percentage distribution of
those in 2005 who wanted elected officials to listen to
constituents or not in 18 African countries

#Familial perception of government authority in 2008 in Malawi
govt.parent<-mlw2008[, "Q18"]
govt.parent.labels<-c("agree strongly govt is like parent","agree
govt is like parent","agree govt is like employee","agree
strongly govt is like employee","no opinion")
govt.parent[govt.parent==-1]<-NA
govt.parent[govt.parent==9]<-NA
govt.parent[govt.parent==998]<-NA
govt.parent.f<-
factor(govt.parent,levels=c(1:5),labels=govt.parent.labels)
prop.table(table(govt.parent.f))*100 #percentage distribution of
those who agree govt is parent or employee
barplot(prop.table(table(govt.role.f))*100)

#Familial perception of government authority in 2002 in Malawi
govt.parent02<-mlw2002[, "q70"]
govt.parent02.labels<-c("agree strongly govt is like
parent","agree govt is like parent","agree govt is like
employee","agree strongly govt is like employee","no opinion")
govt.parent02[govt.parent02==-1]<-NA
govt.parent02[govt.parent02==9]<-NA
govt.parent02[govt.parent02==98]<-NA

```

```

govt.parent02.f<-
factor(govt.parent02,levels=c(1:5),labels=govt.parent02.labels)
prop.table(table(govt.parent02.f))*100 #percentage distribution
of those who agree govt is parent or employee in 2002
barplot(prop.table(table(govt.role.f))*100)

#comparing familial perceptions of Malawi and South Africa
ab2008<-read.spss(file="c:/stats/rwd/R4-
2008.sav",to.data.frame=TRUE,use.value.label=FALSE) #loading 2008
afrobaro merged data
govt.parent.sa<-ab2008[ab2008$COUNTRY %in% 16,"Q18"] #familial
perception in South Africa
length(govt.parent.sa)
govt.parent.sa.labels<-c("agree strongly govt is like
parent","agree govt is like parent","agree govt is like
employee","agree strongly govt is like employee","no opinion")
govt.parent.sa[govt.parent.sa==-1]<-NA
govt.parent.sa[govt.parent.sa==9]<-NA
govt.parent.sa[govt.parent.sa==998]<-NA
govt.parent.sa.f<-
factor(govt.parent.sa,levels=c(1:5),labels=govt.parent.sa.labels)
prop.table(table(govt.parent.sa.f))*100 #percentage distribution
of those who agree govt is parent or employee in RSA in 2008

#Familial perception of government authority in 2008 in 16
African countries (excluding Benin, Burkina, Moz and C.Verde to
comparable with 2002)
ab2008<-read.spss(file="F:/PhD/stats/rwd/R4-
2008.sav",to.data.frame=TRUE,use.value.label=FALSE) #loading 2008
afrobaro merged data
govt.parent16.08<-ab2008[ab2008$COUNTRY %in%
c(2,5,6,7,8,9,10,11,13,14,15,16,17,18,19,20),"Q18"] #familial
perception in 16 countries
length(govt.parent16.08)
govt.parent16.08.labels<-c("agree strongly govt is like
parent","agree govt is like parent","agree govt is like
employee","agree strongly govt is like employee","no opinion")
govt.parent16.08[govt.parent16.08==-1]<-NA
govt.parent16.08[govt.parent16.08==9]<-NA
govt.parent16.08[govt.parent16.08==998]<-NA
govt.parent16.08.f<-
factor(govt.parent16.08,levels=c(1:5),labels=govt.parent16.08.lab
els)
prop.table(table(govt.parent16.08.f))*100 #percentage
distribution of those in 16 countries who agree govt is parent or
employee in 2008

#Familial perception of government authority in 2002 in 16
African countries
ab2002<-read.spss(file="F:/PhD/stats/rwd/R2-2002-
3.sav",to.data.frame=TRUE,use.value.label=FALSE) #loading 2002
afrobaro merged data

```

```

govt.parent16.02<-ab2002[ ,"q70"] #familial perception in 16
countries
length(govt.parent16.02)
govt.parent16.02.labels<-c("agree strongly govt is like
parent","agree govt is like parent","agree govt is like
employee","agree strongly govt is like employee","no opinion")
govt.parent16.02[govt.parent16.02==-1]<-NA
govt.parent16.02[govt.parent16.02==9]<-NA
govt.parent16.02[govt.parent16.02==98]<-NA
govt.parent16.02.f<-
factor(govt.parent16.02,levels=c(1:5),labels=govt.parent16.02.lab
els)
prop.table(table(govt.parent16.02.f))*100 #percentage
distribution of those in 16 countries who agree govt is parent or
employee in 2002

#comparative analysis - trust - 2008
library(foreign)
ab2008<-read.spss(file="c:/stats/rwd/R4-
2008.sav",to.data.frame=TRUE,use.value.label=FALSE) #loading 2008
afrobaro merged data
trust20.parl<-ab2008[ ,"Q49B"] #trust of parl in all 20 countries
trust20.labels<-c("don't trust","trust a
little","somewhat","trust a lot")
trust20.parl[trust20.parl==-1]<-NA
trust20.parl[trust20.parl==9]<-NA
trust20.parl[trust20.parl==998]<-NA
trust20.f<-
factor(trust20.parl,levels=c(0:3),labels=trust20.labels)
prop.table(table(trust20.f))*100 #percentage of those who trust
parliament
barplot(prop.table(table(trust20.f))*100

#dichotomizing trust of parliament in all 20 countries in 2008
trust20.parl2<-vector()
trust20.parl2[trust20.f=="don't trust"]<-0
trust20.parl2[trust20.f=="trust a little"]<-0
trust20.parl2[trust20.f=="somewhat"]<-1
trust20.parl2[trust20.f=="trust a lot"]<-1
trust20.labels2<-c("little to no trust","trust")
trust20.f2<-
factor(trust20.parl2,levels=c(0,1),labels=trust20.labels2)
prop.table(table(trust20.f2)) #percentage distribution of
dichotomized trust variable for 20 countries in 2008

#comparative analysis - trust - 2005
ab2005<-read.spss(file="c:/stats/rwd/R3-
2005.sav",to.data.frame=TRUE,use.value.label=FALSE) #loading 2005
afrobaro merged data
trust18.parl<-ab2005[ ,"q55b"] #trust of parl in all 18 countries
trust18.labels<-c("don't trust","trust a
little","somewhat","trust a lot")

```

```

trust18.parl[trust18.parl==1]<-NA
trust18.parl[trust18.parl==9]<-NA
trust18.parl[trust18.parl==998]<-NA
trust18.f<-
factor(trust18.parl,levels=c(0:3),labels=trust18.labels)
prop.table(table(trust18.f))*100 #percentage of those who trust
parliament
barplot(prop.table(table(trust18.f))*100

#dichotomizing trust of parliament in all 18 countries in 2005
trust18.parl2<-vector()
trust18.parl2[trust18.f=="don't trust"]<-0
trust18.parl2[trust18.f=="trust a little"]<-0
trust18.parl2[trust18.f=="somewhat"]<-1
trust18.parl2[trust18.f=="trust a lot"]<-1
trust18.labels2<-c("little to no trust","trust")
trust18.f2<-
factor(trust18.parl2,levels=c(0,1),labels=trust18.labels2)
prop.table(table(trust18.f2)) #percentage distribution of
dichotomized trust variable for 20 countries in 2008

#comparative analysis - trust - 2008 - for 12 countries that were
in original Afrobarometer
#comparative analysis - trust - 2008
library(foreign)
ab2008<-read.spss(file="c:/stats/rwd/R4-
2008.sav",to.data.frame=TRUE,use.value.label=FALSE) #loading 2008
afrobaro merged data
trust08.parl<-ab2008[ab2008$COUNTRY %in%
c(2,5,7,10,11,13,14,17,16,18,19,20),"Q49B"] #trust of parl in 12
countries
length(trust08.parl)
trust08.labels<-c("don't trust","trust a
little","somewhat","trust a lot")
trust08.parl[trust08.parl==1]<-NA
trust08.parl[trust08.parl==9]<-NA
trust08.parl[trust08.parl==998]<-NA
trust08.f<-
factor(trust08.parl,levels=c(0:3),labels=trust08.labels)
prop.table(table(trust08.f))*100 #percentage of those who trust
parliament
barplot(prop.table(table(trust08.f))*100

#dichotomizing trust of parliament in THE 12 countries in 2008

trust08.parl2<-vector()
trust08.parl2[trust08.f=="don't trust"]<-0
trust08.parl2[trust08.f=="trust a little"]<-0
trust08.parl2[trust08.f=="somewhat"]<-1
trust08.parl2[trust08.f=="trust a lot"]<-1
trust08.labels2<-c("little to no trust","trust")

```

```

trust08.f2<-
factor(trust08.parl2,levels=c(0,1),labels=trust08.labels2)
prop.table(table(trust08.f2)) #percentage distribution of
dichotomized trust variable for 12 countries in 2008

#comparative analysis - trust - 2005 for 12 countries in the
original Afrobarometer survey
ab2005<-read.spss(file="c:/stats/rwd/R3-
2005.sav",to.data.frame=TRUE,use.value.label=FALSE) #loading 2005
afrobaro merged data
trust05.parl<-ab2005[ab2005$country %in%
c(2,4,6,8,9,11,12,15,14,16,17,18),"q55b"] #trust of parl in 12
countries
length(trust05.parl)
trust05.labels<-c("don't trust","trust a
little","somewhat","trust a lot")
trust05.parl[trust05.parl==1]<-NA
trust05.parl[trust05.parl==9]<-NA
trust05.parl[trust05.parl==998]<-NA
trust05.f<-
factor(trust05.parl,levels=c(0:3),labels=trust05.labels)
prop.table(table(trust05.f))*100 #percentage of those who trust
parliament
barplot(prop.table(table(trust05.f))*100

#dichotomizing trust of parliament in 12 countries in 2005
trust05.parl2<-vector()
trust05.parl2[trust05.f=="don't trust"]<-0
trust05.parl2[trust05.f=="trust a little"]<-0
trust05.parl2[trust05.f=="somewhat"]<-1
trust05.parl2[trust05.f=="trust a lot"]<-1
trust05.labels2<-c("little to no trust","trust")
trust05.f2<-
factor(trust05.parl2,levels=c(0,1),labels=trust05.labels2)
prop.table(table(trust05.f2)) #percentage distribution of
dichotomized trust variable for 12 countries in 2005

#comparative analysis - trust - 2002-3 for 12 countries in the
original Afrobarometer survey
ab2002.3<-read.spss(file="c:/stats/rwd/R2-2002-
3.sav",to.data.frame=TRUE,use.value.label=FALSE) #loading 2002-3
afrobaro merged data
trust03.parl<-ab2002.3[ab2002.3$country %in% c(1:12),"q43b"]
#trust of parl in 12 countries
length(trust03.parl)
trust03.labels<-c("don't trust","trust a
little","somewhat","trust a lot")
trust03.parl[trust03.parl==1]<-NA
trust03.parl[trust03.parl==9]<-NA
trust03.parl[trust03.parl==98]<-NA
trust03.f<-
factor(trust03.parl,levels=c(0:3),labels=trust03.labels)

```

```

prop.table(table(trust03.f))*100 #percentage of those who trust
parliament
barplot(prop.table(table(trust05.f))*100

#dichotomizing trust of parliament in 12 countries in 2002-3
trust03.parl2<-vector()
trust03.parl2[trust03.f=="don't trust"]<-0
trust03.parl2[trust03.f=="trust a little"]<-0
trust03.parl2[trust03.f=="somewhat"]<-1
trust03.parl2[trust03.f=="trust a lot"]<-1
trust03.labels2<-c("little to no trust","trust")
trust03.f2<-
factor(trust03.parl2,levels=c(0,1),labels=trust03.labels2)
prop.table(table(trust03.f2)) #percentage distribution of
dichotomized trust variable for 12 countries in 2002-3

#comparative analysis - trust - 1999-2000 for 12 countries in
the original Afrobarometer survey - get statistic from
Afrobarometer 2006:25

#calculating trust trend for Malawi
mlw2005<-
read.spss(file="c:/stats/rwd/mlw2005.sav",to.data.frame=TRUE,use.
value.label=FALSE) #loading 2005 afrobaro malawi
trustm5.parl<-mlw2005[,"q55b"] #trust of parl
length(trustm5.parl)
trustm5.labels<-c("don't trust","trust a
little","somewhat","trust a lot")
trustm5.parl[trustm5.parl==-1]<-NA
trustm5.parl[trustm5.parl==9]<-NA
trustm5.parl[trustm5.parl==98]<-NA
trustm5.f<-
factor(trustm5.parl,levels=c(0:3),labels=trustm5.labels)
prop.table(table(trustm5.f))*100 #percentage of those who trust
parliament
barplot(prop.table(table(trustm5.f))*100

mlw2002<-
read.spss(file="c:/stats/rwd/mlw2002.sav",to.data.frame=TRUE,use.
value.label=FALSE) #loading 2002 afrobaro malawi
trustm2.parl<-mlw2002[,"q43b"] #trust of parl
length(trustm2.parl)
trustm2.labels<-c("don't trust","trust a
little","somewhat","trust a lot")
trustm2.parl[trustm2.parl==-1]<-NA
trustm2.parl[trustm2.parl==9]<-NA
trustm2.parl[trustm2.parl==98]<-NA
trustm2.f<-
factor(trustm2.parl,levels=c(0:3),labels=trustm2.labels)
prop.table(table(trustm2.f))*100 #percentage of those who trust
parliament
barplot(prop.table(table(trustm2.f))*100

```

```

mlw1999<-
read.spss(file="c:/stats/rwd/mlw1999.sav",to.data.frame=TRUE,use.
value.label=FALSE) #loading 1999 afrobaro malawi
names(mlw1999)
trustm9.parl<-mlw1999[,"Q69"] #trust of parl
length(trustm9.parl)
trustm9.labels<-c("don't trust","trust a little","trust","trust
always")
trustm9.parl[trustm9.parl==99]<-NA
trustm9.parl[trustm9.parl==98]<-NA
trustm9.parl[trustm9.parl==97]<-NA
trustm9.parl[trustm9.parl==5]<-NA
trustm9.f<-
factor(trustm9.parl,levels=c(1:4),labels=trustm9.labels)
prop.table(table(trustm9.f))*100 #percentage of those who trust
parliament
barplot(prop.table(table(trustm9.f))*100

#digression - people's views on govt control of newspapers
ctrl.media<-mlw2008[,"Q20"]
ctrl.media.labels<-c("agree strongly gvt ctrl","agree gvt
ctrl","agree media free","agree strongly media free")
ctrl.media[ctrl.media==1]<-NA
ctrl.media[ctrl.media==5]<-NA
ctrl.media[ctrl.media==9]<-NA
ctrl.media[ctrl.media==998]<-NA
ctrl.media.f<-
factor(ctrl.media,levels=c(1:4),labels=ctrl.media.labels)
prop.table(table(ctrl.media.f))*100

#trust president in Malawi in 2008
trust.pres<-mlw2008[,"Q49A"]
length(trust.pres)
trust.pres.labels<-c("don't trust","trust a
little","somewhat","trust a lot")
trust.pres[trust.pres==1]<-NA
trust.pres[trust.pres==9]<-NA
trust.pres[trust.pres==998]<-NA
trust.pres.f<-
factor(trust.pres,levels=c(0:3),labels=trust.pres.labels)
prop.table(table(trust.pres.f))*100 #percentage of those who
trust president in Malawi in 2008

bot2008<-
read.spss(file="E:/PhD/stats/rwd/bot2008.sav",to.data.frame=TRUE,
use.value.label=FALSE)

#trust president in Botswana in 2008
trust.pres.bot<-bot2008[,"Q49A"]
length(trust.pres.bot)

```

```

trust.pres.bot.labels<-c("don't trust","trust a
little","somewhat","trust a lot")
trust.pres.bot[trust.pres.bot==1]<-NA
trust.pres.bot[trust.pres.bot==9]<-NA
trust.pres.bot[trust.pres.bot==998]<-NA
trust.pres.bot.f<-
factor(trust.pres.bot,levels=c(0:3),labels=trust.pres.bot.labels)
prop.table(table(trust.pres.bot.f))*100 #percentage of those who
trust president in Botswana in 2008

#trust parliament in Botswana in 2008
trust.parl.bot<-bot2008[,"Q49B"]
length(trust.parl.bot)
trust.parl.bot.labels<-c("don't trust","trust a
little","somewhat","trust a lot")
trust.parl.bot[trust.parl.bot==1]<-NA
trust.parl.bot[trust.parl.bot==9]<-NA
trust.parl.bot[trust.parl.bot==998]<-NA
trust.parl.bot.f<-
factor(trust.parl.bot,levels=c(0:3),labels=trust.parl.bot.labels)
prop.table(table(trust.parl.bot.f))*100 #percentage of those who
trust parliament in Botswana in 2008

#trust president in Lesotho in 2008
les2008<-
read.spss(file="E:/PhD/stats/rwd/les2008.sav",to.data.frame=TRUE,
use.value.label=FALSE)
trust.pres.les<-les2008[,"Q49A"]
length(trust.pres.les)
trust.pres.les.labels<-c("don't trust","trust a
little","somewhat","trust a lot")
trust.pres.les[trust.pres.les==1]<-NA
trust.pres.les[trust.pres.les==9]<-NA
trust.pres.les[trust.pres.les==998]<-NA
trust.pres.les.f<-
factor(trust.pres.les,levels=c(0:3),labels=trust.pres.les.labels)
prop.table(table(trust.pres.les.f))*100 #percentage of those who
trust president in Lesotho in 2008

#trust parliament in Lesotho in 2008
trust.parl.les<-les2008[,"Q49B"]
length(trust.parl.les)
trust.parl.les.labels<-c("don't trust","trust a
little","somewhat","trust a lot")
trust.parl.les[trust.parl.les==1]<-NA
trust.parl.les[trust.parl.les==9]<-NA
trust.parl.les[trust.parl.les==998]<-NA
trust.parl.les.f<-
factor(trust.parl.les,levels=c(0:3),labels=trust.parl.les.labels)
prop.table(table(trust.parl.les.f))*100 #percentage of those who
trust parliament in Lesotho in 2008

```

```
#trust president in South Africa in 2008
saf2008<-
read.spss(file="E:/PhD/stats/rwd/saf2008.sav",to.data.frame=TRUE,
use.value.label=FALSE)
trust.pres.saf<-saf2008[ ,"Q49A"]
length(trust.pres.saf)
trust.pres.saf.labels<-c("don't trust","trust a
little","somewhat","trust a lot")
trust.pres.saf[trust.pres.saf==1]<-NA
trust.pres.saf[trust.pres.saf==9]<-NA
trust.pres.saf[trust.pres.saf==998]<-NA
trust.pres.saf.f<-
factor(trust.pres.saf,levels=c(0:3),labels=trust.pres.saf.labels)
prop.table(table(trust.pres.saf.f))*100 #percentage of those who
trust president in S. Africa in 2008
```

```
#trust parliament in S. Africa in 2008
trust.parl.saf<-saf2008[ ,"Q49B"]
length(trust.parl.saf)
trust.parl.saf.labels<-c("don't trust","trust a
little","somewhat","trust a lot")
trust.parl.saf[trust.parl.saf==1]<-NA
trust.parl.saf[trust.parl.saf==9]<-NA
trust.parl.saf[trust.parl.saf==998]<-NA
trust.parl.saf.f<-
factor(trust.parl.saf,levels=c(0:3),labels=trust.parl.saf.labels)
prop.table(table(trust.parl.saf.f))*100 #percentage of those who
trust parliament in S. Africa in 2008
```

```
#trust president in Zambia in 2008
zam2008<-
read.spss(file="E:/PhD/stats/rwd/zam2008.sav",to.data.frame=TRUE,
use.value.label=FALSE)
trust.pres.zam<-zam2008[ ,"Q49A"]
length(trust.pres.zam)
trust.pres.zam.labels<-c("don't trust","trust a
little","somewhat","trust a lot")
trust.pres.zam[trust.pres.zam==1]<-NA
trust.pres.zam[trust.pres.zam==9]<-NA
trust.pres.zam[trust.pres.zam==998]<-NA
trust.pres.zam.f<-
factor(trust.pres.zam,levels=c(0:3),labels=trust.pres.zam.labels)
prop.table(table(trust.pres.zam.f))*100 #percentage of those who
trust president in Zambia in 2008
```

```
#trust parliament in Zambia in 2008
trust.parl.zam<-zam2008[ ,"Q49B"]
length(trust.parl.zam)
trust.parl.zam.labels<-c("don't trust","trust a
little","somewhat","trust a lot")
trust.parl.zam[trust.parl.zam==1]<-NA
trust.parl.zam[trust.parl.zam==9]<-NA
```

```

trust.parl.zam[trust.parl.zam==998]<-NA
trust.parl.zam.f<-
factor(trust.parl.zam,levels=c(0:3),labels=trust.parl.zam.labels)
prop.table(table(trust.parl.zam.f))*100 #percentage of those who
trust parliament in Zambia in 2008

#trust president in Mozambique in 2008
moz2008<-
read.spss(file="E:/PhD/stats/rwd/moz2008.sav",to.data.frame=TRUE,
use.value.label=FALSE)
trust.pres.moz<-moz2008[ , "Q49A"]
length(trust.pres.moz)
trust.pres.moz.labels<-c("don't trust","trust a
little","somewhat","trust a lot")
trust.pres.moz[trust.pres.moz==-1]<-NA
trust.pres.moz[trust.pres.moz==9]<-NA
trust.pres.moz[trust.pres.moz==998]<-NA
trust.pres.moz.f<-
factor(trust.pres.moz,levels=c(0:3),labels=trust.pres.moz.labels)
prop.table(table(trust.pres.moz.f))*100 #percentage of those who
trust president in Mozambique in 2008

#trust parliament in Mozambique in 2008
trust.parl.moz<-moz2008[ , "Q49B"]
length(trust.parl.moz)
trust.parl.moz.labels<-c("don't trust","trust a
little","somewhat","trust a lot")
trust.parl.moz[trust.parl.moz==-1]<-NA
trust.parl.moz[trust.parl.moz==9]<-NA
trust.parl.moz[trust.parl.moz==998]<-NA
trust.parl.moz.f<-
factor(trust.parl.moz,levels=c(0:3),labels=trust.parl.moz.labels)
prop.table(table(trust.parl.moz.f))*100 #percentage of those who
trust parliament in Mozambique in 2008

#gender variable
gender.mlw<-mlw2008[ , "Q101"]
length(gender.mlw)
gender.mlw.labels<-c("male","female")
gender.mlw.f<-
factor(gender.mlw,levels=c(1:2),labels=gender.mlw.labels)
prop.table(table(gender.mlw.f))*100 #percent distribution of male
and female

chisq.test(table(trust.f,gender.mlw.f)) #checking the association
between trust of parl and gender in Malawi in 2008

chisq.test(table(perform.f,gender.mlw.f)) #checking the
association between people's approval of MPs' performance and
gender in Malawi in 2008

#rural/urban variable

```

```

location.mlw<-mlw2008[ , "URBRUR"]
length(location.mlw)
location.mlw.labels<-c("urban","rural")
location.mlw.f<-
factor(location.mlw,levels=c(1:2),labels=location.mlw.labels)
prop.table(table(location.mlw.f))*100 #percent distribution of
urban and rural

chisq.test(table(trust.f,location.mlw.f)) #checking the
association between trust of parl and location in Malawi in 2008

round(prop.table(table(trust.f2,location.mlw.f),margin=2),digit=2
)#comparing conditional (relative) frequencies of trust of parl
and location in Mlw in 2008

chisq.test(table(perform.f,location.mlw.f)) #checking the
association between people's approval of MPs' performance and
location in Malawi in 2008

#youth (18-35yrs) vs adults (above 35yrs) variable in Malawi in
2008
age.mlw.08<-mlw2008[ , "Q1"]
length(age.mlw.08)
age.mlw.08.labels<-c("youths","adults")
age.mlw.08[age.mlw.08==1]<-NA
age.mlw.08[age.mlw.08==998]<-NA
age.mlw.08[age.mlw.08==999]<-NA
age.mlw.08[age.mlw.08>35]<-2 #adults above 35 years
age.mlw.08[c(age.mlw.08>17&age.mlw.08<36)]<-1 #youths 18-35 years
age.mlw.08.f<-
factor(age.mlw.08,levels=c(1:2),labels=age.mlw.08.labels)
prop.table(table(age.mlw.08.f))*100 #percentage distribution of
youths vs adults in Malawi in 2008

chisq.test(table(trust.f,age.mlw.08.f)) #checking the association
between trust of parl and age (youths vs adults) in Malawi in
2008

chisq.test(table(perform.f,age.mlw.08.f)) #checking the
association between perceived performance of MPs and age (youths
vs adults) in Malawi in 2008

#"(not) having enough food to eat" as a proxy for
wellbeing/poverty
poverty.mlw.08<-mlw2008[ , "Q8A"]
length(poverty.mlw.08)
poverty.mlw.08.labels<-c("never","just once/twice","several
times","many times","always")
poverty.mlw.08[poverty.mlw.08==1]<-NA
poverty.mlw.08[poverty.mlw.08==9]<-NA
poverty.mlw.08[poverty.mlw.08==998]<-NA

```

```

poverty.mlw.08.f<-
factor(poverty.mlw.08,levels=c(0:4),labels=poverty.mlw.08.labels)
prop.table(table(poverty.mlw.08.f))*100 #percentage distribution
of those who have/have no enough food to eat (poverty) in Malawi
in 2008

chisq.test(table(trust.f,poverty.mlw.08.f)) #checking the
association between trust of parl and wellbeing/poverty in Malawi
in 2008

round(prop.table(table(trust.f2,poverty.mlw.08.f),margin=2),digit
=2)#comparing conditional (relative) frequencies of trust of parl
and wellbeing/poverty in Mlw in 2008

chisq.test(table(perform.f,poverty.mlw.08.f)) #checking the
association between Malawians' perceived performance of MPs and
wellbeing/poverty in Malawi in 2008

chisq.test(table(edu.f2,location.mlw.f)) #checking the
association between education and location in Malawi in 2008

round(prop.table(table(edu.f2,location.mlw.f),margin=2),digit=2)#
comparing conditional (relative) frequencies of education and
location in Mlw in 2008

chisq.test(table(poverty.mlw.08.f,location.mlw.f)) #checking the
association between wellbeing/poverty and location in Malawi in
2008

round(prop.table(table(poverty.mlw.08.f,location.mlw.f),margin=2)
,digit=2)#comparing conditional (relative) frequencies of
wellbeing/poverty and location in Mlw in 2008

#socialization: membership/belongingness to some voluntary
association or community group
social.mlw.08<-mlw2008[,"Q22B"]
length(social.mlw.08)
social.mlw.08.labels<-c("not a member","inactive member","active
member","official leader")
social.mlw.08[social.mlw.08==-1]<-NA
social.mlw.08[social.mlw.08==9]<-NA
social.mlw.08[social.mlw.08==998]<-NA
social.mlw.08.f<-
factor(social.mlw.08,levels=c(0:3),labels=social.mlw.08.labels)
prop.table(table(social.mlw.08.f))*100 #percentage distribution
of those who were members of/belonged to some voluntary
association or community group in Malawi in 2008

chisq.test(table(trust.f,social.mlw.08.f)) #checking the
association between trust of parl and belongingness to
association/community group (socialization) in Malawi in 2008

```

```

chisq.test(table(perform.f,social.mlw.08.f)) #checking the
association between perceived performance of parl and
belongingness to association/community group (socialization) in
Malawi in 2008

mlw2008x<-read.spss(file="C:/Data/mlw_R4data_release
2008.sav",to.data.frame=TRUE,use.value.label=FALSE) #loading
Malawi 2008 data from another directory

#Whether or not respondents approve of the way their MPs have
performed their jobs over the past twelve months (2008) - further
calculation
perform<-mlw2008x[ ,"Q70B"]
perform.labels<-c("strongly
disapprove","disapprove","approve","strongly approve")
perform[perform==-1]<-NA
perform[perform==9]<-NA
perform[perform==998]<-NA
perform.f<-factor(perform,levels=c(1:4),labels=perform.labels)
prop.table(table(perform.f))*100 #percentage distribution of
those who approve or disapprove of MPs' performance in past 12
months
barplot(prop.table(table(perform.f))*100)

#dichotomize 2008 Malawi MP performance indicator
perform2<-vector()
perform2[perform.f=="strongly disapprove"]<-0
perform2[perform.f=="disapprove"]<-0
perform2[perform.f=="approve"]<-1
perform2[perform.f=="strongly approve"]<-1
perform.labels2<-c("disapprove","approve")
perform.f2<-factor(perform2,levels=c(0,1),labels=perform.labels2)
prop.table(table(perform.f2))*100

#regionalism based on ethnic identity
region<-mlw2008x[ ,"Q79"]
region[region==-1]<-NA
region[region==995]<-NA
region[region==998]<-NA
region[region==999]<-NA
region[region==465]<-NA #Ngoni's labeled NA because they belong to
both North and Centre, and partly South
region[region==477]<-NA #same characteristics as Ngonis
region[region==460]<-1
region[region==461]<-1
region[region==462]<-1
region[region==463]<-2
region[region==464]<-3
region[region==466]<-3
region[region==467]<-3
region[region==468]<-3

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```

region[region==469]<-1
region[region==470]<-1
region[region==471]<-1
region[region==472]<-3
region[region==473]<-1
region[region==474]<-1
region[region==475]<-3
region[region==476]<-1
region.labels<-c("north","centre","south")
region.f<-factor(region,levels=c(1:3),labels=region.labels)
prop.table(table(region.f))*100 #percentage of regional belonging
barplot(prop.table(table(region.f))*100)

#relationship between perception of parl performance and regional
belonging
chisq.test(table(perform.f2,region.f)) #checking the statistical
significance of the relationship

q()

```