

Malawi: The Road to the 2019 Tripartite Elections

Reflections on Corruption, Land and Multiparty Politics



Stephanie REGALIA

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Executive summary

On May 21st 2019, Malawi will hold its tripartite elections, where voters will vote for the President, Members of Parliament and local Councillors. 2019 will also mark the 25 years of multiparty politics in Malawi since the one-party regime presided by Hastings Kamuzu Banda came to an end in 1994. The transition to multiparty democracy has been encouraging with the number of large political parties steadily growing and power peacefully changing hands between the four presidents, the country has known since 1994. In this context, the race to the 2019 elections is particularly competitive. The most recent polls place voter intention for the outgoing president Peter Mutharika and his Democratic Progressive Party (DPP) at a near tie with the lead opposition candidate Lazarus Chakwera of the Malawi Congress Party (MCP). The MCP used to be the only authorized political party under Hastings Kamuzu's rule. Its return to the forefront of voter intentions signals important changes in the landscape of political actors in Malawi.

This paper explores some of the reasons behind this changing political landscape. It looks at the DPP's recent loss of support due to discontent with rampant corruption and a controversial land reform passed in 2016. It also examines the landscape of challengers, including the current Vice President Saulos Chilima, following his departure from DPP ranks to form a new political movement, the United Transformation Movement (UTM). Given the diversity of large political parties in contention, which also includes Atupele Muluzi's United Democratic Front (UDF) and Joyce Banda's People's Party (PP), the possibility of securing victory in the 2019 presidential election may rest on the ability of political parties to form strategic electoral alliances. This may require moving past political parties formed solely around the personality and identity of their leaders to a more issue-based political debate.

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Introduction

On May 21st 2019, Malawi will hold its tripartite elections, where voters will vote for the President, Members of Parliament and local Councillors. 2019 will also mark the 25 years of multiparty politics in Malawi since the one-party regime presided by Hastings Kamuzu Banda came to an end in 1994. Overall, the start of multiparty politics has been successful, with power switching hands as well as parties. The country has seen four different presidents hold power under the banner of three political parties, namely: The United Democratic Front (UDF) created by the country's first freely elected president, Bakili Muluzi; the Democratic Progressive Party (DPP) founded by his successor Bingu wa Mutharika; and the People's Party (PP) created by Joyce Banda shortly before she took over the presidency following Bingu wa Mutharika's death while in office in 2012. The current president, Peter Mutharika, Bingu wa Mutharika's brother, was elected in 2014 under the DPP banner. These 25 years witnessed one constant: the absence of the Malawi Congress Party (MCP), the only authorized political party under Hastings Kamuzu Banda's regime.

In January 2017, an Afrobarometer survey found that electors were favoring the MCP over all the other parties at the time, including the DPP, UDF and PP.¹ This was due to a loss of popularity for the governing DPP and a split in the electorate between the opposition parties that was more favourable to the MCP. Since this survey was published, the governing DPP has been at the centre of corruption scandals, including a USD \$4 million (2.8 billion Malawi Kwacha) police food rationing contract, which was linked to a DDP account, held under President Peter Mutharika's name.²

In July 2018, the current Vice President, Saulos Chilima, launched his own party, the United Transformation Movement (UTM), intending to run for next year's presidential elections. Built on a platform of job creation and anticorruption, the movement has gained considerable press/media coverage since its launch, which also underlines the uncertainty of next year's election as there is an increased likelihood that an opposition party could come into power. The first poll released since this new development, conducted by Malawi's Institute for Public Opinion Research, put the DPP

1. "State of the Nation: Malawian's Reflections on Political Governance", *Afrobarometer*, 30 May 2017, www.afrobarometer.org.

2. "Malawi's President Mutharika and the Police Food Scandal", *BBC News*, 4 July 2018, www.bbc.com.

and MCP at a near tie in voter intentions for the presidency, with a slight advantage for the incumbent DPP President Peter Mutharika.³ But it placed the months-old UTM movement third, revealing a highly competitive field for next year's presidential election.

While there is a multitude of elements that may come into play to explain this 'dead heat' race,⁴ the following analysis focuses on the structure and actors of multiparty politics in Malawi. This includes the last administration's legislative reforms and exercise of power, as well as the multiparty dynamics surrounding the race for the 2019 tripartite elections. The factors analysed here are not meant to be exclusive. Indeed, other considerations such as the uneven economic performance in recent years, largely attributable to the changing climate patterns affecting agricultural production,⁵ may also play a role in voter intentions. The scope here is reduced to clearly attributable political developments, to showcase the impact of corruption, land reform and developments in multiparty politics that will shape the 2019 elections.

The analysis looks into two of the most important factors that explain the DPP's loss of support: discontent with rampant corruption and strong opposition to a controversial land reform passed in 2016. Meanwhile, the growing number of major political parties also contributes to a highly competitive election, which is a sign of an encouraging start for multiparty politics in Malawi. However, the political scene remains dominated by strongmen politics,⁶ with party structures mainly used to support individual leaders' quest for power rather than embody issue-based political diversity. Until the focus shifts from politicians to substantive issues, power changes are unlikely to translate into substantive changes in governance and corruption practices. The following analysis is based on both desk and field research conducted by the author in Malawi in March and July 2018.

3. "Mutharika May Win 2019 Elections, Malawi Presidential Polls 'Dead Heat' – IPOR Report", *Nyasa Times*, 5 November 2018, www.nyasatimes.com.

4. *Ibid.*

5. "The World Bank in Malawi – Economic Overview", *The World Bank*, 2018, www.worldbank.org.

6. J. Lwanda and E. Chanika, "Democracy, Donors and Dependency: The Rises and Falls of Non-Governmental and Civil Society Organisations' Agency in Malawian Opposition Politics, 1992 – 2017", *The Society of Malawi Journal*, Vol. 70, No. 1, p. 19, 2017.

Explaining the DPP's loss of support: A closer look at Peter Mutharika's presidency

Not unlike previous presidencies, Peter Mutharika's term in office has been marred with reports of patronage politics and corruption involving the governing DPP party. These have played an important role in increasing popular dissatisfaction with the country's political class, especially in urban areas. It is, however, unclear whether Mutharika's tenure in office in this regard differs much from his predecessors. Some of the more distinctive features of his term include notable legal reforms, particularly the 2016 land reform, which can probably best explain the growing opposition to Mutharika and the DPP in their stronghold Southern region.

Ever present corruption scandals

Malawi made international headlines back in 2013 and 2014 when the infamous 'Cashgate' scandal broke out. The scandal revealed the pervasiveness of grand corruption in public contracts for goods and services. A 2014 audit funded by DFID found that USD \$32 million had been stolen over the course of 6 months from government funds.⁷ According to the audit report, funds were funnelled from government accounts to vendor accounts for goods and services that were never supplied. The analysis focused on fraudulent practices within Malawi's Integrated Financial Management System and did not shed light on ministry-specific practices. The scale of theft suggests, however, that manipulations of the system were widespread within government ranks. Later estimates suggested much larger sums – over hundreds of millions of dollars – had been stolen since 2009.⁸ This exposed a systematic misuse of public funds for the personal enrichment of politicians, public servants, their business partners and relatives. It also exposed the ineffectiveness of the institutional and legal framework, which is meant to investigate and deter corruption. Despite the promulgation of

7. G. Anders, "Malawi Faces Toughest, Most High-Profile Trial yet in Massive Cashgate Scandal", *African Arguments*, 8 February 2017, www.africanarguments.org; Baker Tilly audit report available at: assets.publishing.service.gov.uk.

8. "Overview of Corruption in Malawi", Transparency International, 2014, www.knowledgehub.transparency.org.

the 1995 Corrupt Practices Act and the establishment of the Anti-Corruption Bureau (ACB),⁹ sophisticated and yet commonplace practices of issuing government checks for inexistent services or overpriced contracts prospered.

The magnitude of Cashgate did lead authorities to take action - over a hundred officials and businessmen were arrested.¹⁰ Through this process, analysts noted the limited capacity of courts and prosecution services to try and efficiently convict defendants due to the lengthy proceedings and the lack of established anticorruption case law.¹¹ Grand corruption, thus, remains a timely issue in Malawi.

While Cashgate was uncovered during Joyce Banda's tenure, illegal practices date back to Bingu wa Mutharika's presidency. In response to the scandal, Peter Mutharika ran his 2014 electoral campaign pledging to fight corruption in government.¹² However, gross corruption has not ceased since he took office. Noteworthy scandals include the 2017 'Maizegate' scandal, where the then Minister of Agriculture George Chaponda was involved in irregular imports of maize from Zambia.¹³ Although Mutharika did eventually fire his Minister, he only did so after weeks of NGO and CSO protests, and after a court injunction, which prevented Chaponda from acting as Minister of Agriculture.¹⁴

More recently, in June 2018, a leaked Anti-Corruption Bureau (ACB) report linked Peter Mutharika to misappropriated funds in a police food rations contract. The contract was awarded to Pioneer Investments, a company owned by businessman Zameer Karim, for the price of K2.8 billion (roughly USD \$4 million). The leaked ACB report revealed that the contract price had in fact been inflated by K466 million (roughly USD \$640,000) and that the day following the payment, Zameer Karim deposited K145 million in a DPP bank account whose sole signatory was President Mutharika.¹⁵ Denying any wrongdoing, the DPP has allegedly paid back the sum received,¹⁶ but investigations into the scandal are still active and receive extensive media coverage.

9. *Ibid.*

10. T. McCormick, "Climate of Corruption", *Foreign Policy*, 27 January 2014, www.foreignpolicy.com.

11. S. W. Kayuni, "Running to Stand Still: Reflections on the Cashgate Scandal Heist in Malawi", *Journal of Money Laundering Control*, Vol. 19, No. 2, 2016, pp. 169-188.

12. "Freedom in the World 2015", *Freedom House*, 2015, www.freedomhouse.org.

13. L. Masina, "Ex-minister, 2 Others Arrested in Malawi Food Import Scandal", *Voice of America*, 19 July 2017, www.voanews.com.

14. J. Lwanda and E. Chanika, *op. cit.* [6], p. 52.

15. T. Sangala, "Supreme Court freezes DPP, Pioneer Investments Accounts", *The Times*, 15 September 2018, www.times.mw.

16. M. Banda, "Truth behind K2.8 Billion Police Deal", *The Times*, 21 August 2018, www.times.mw.

The timing of this scandal is likely to worsen Mutharika's chances in the 2019 elections, especially as dissatisfaction regarding corruption is high. A 2017 Afrobarometer survey on this topic found that more than seven out of ten Malawians considered that corruption had increased over the past year, and perceptions of corruption had increased since the beginning of the investigations on the Cashgate scandal in 2014.¹⁷ That being said, the DPP does not necessarily stand out as the single political party prone to corruption. After all, it was under Joyce Banda and the PP's office tenure that Cashgate came to light. Corruption in this regard may be a common factor in the political playing field leading up to the 2019 elections, although some candidates are trying to stand out in this respect. Understanding Mutharika's image as an "embattled president"¹⁸ requires taking a closer look at some of his substantive reforms.

The controversial 2016 land reform

In 2016, Peter Mutharika's government and the DPP-led national assembly passed new land laws governing the use and acquisition of land. Known as the 2016 land reform, the legislative package contained ten laws of which the most relevant here are the new Land Act and Customary Land Act. This reform aims to change the land tenure system by transitioning from the current system largely based on customary tenure to a registered land title system. The diminished role of traditional leaders resulting from this reform has the potential to trigger local opposition, especially in a country where popular trust in traditional leaders is higher than the trust in government officials.¹⁹

Major changes in land tenure

Land reform has been a heavily debated topic and has officially been on the agenda of every government in Malawi since 1996, the year the first Presidential Commission of Inquiry on Land Policy Reform was established.²⁰ The twenty year gap between this first inquiry and the 2016 reform is due to the complexity of issues surrounding land tenure. These range from colonial land transfers and their legacy, to the role of traditional

17. J. J. Chunga and J. Mazalale, "Is Malawi Losing the Battle against 'Cashgate'?", *Afrobarometer*, No. 149, 30 May 2017, p. 2, www.afrobarometer.org.

18. "Embattled Malawi President Will Fight 2019 Election", *News 24*, 3 July 2018, www.news24.com.

19. Afrobarometer, *op. cit.* [1].

20. D. Chinigo, "Rural Radicalism and the Historical Land Conflict in the Malawian Tea Economy", *Journal of Southern African Studies*, Vol. 42, No. 2, 2016? pp. 283-297.

leaders in land management as well as the current social and economic dynamics around access to land.

Prior to 2016, land in Malawi fell under three categories: public land held by the government, private land in the form of leasehold or freehold granted under the colonial era, and customary land where traditional leaders were trustees of the land, allowing them to make decisions on allocation and rulings on land disputes.²¹ It is estimated that close to 80 percent of land in Malawi fell under this latter category of customary land.²² The 2016 land reform drastically changes the status of customary land but leaves untouched the two other categories of land holdings. Despite initial ambitions to change the status of colonial era freeholds, the government maintained the status quo for these lands, presumably after lobbying pressure from freehold owners.²³ This likely hurt the DPP, as many freehold estates are located in the party's stronghold region in the South.

The reform created a new category of private land known as the customary estate, which can be registered in the name of individuals. The end goal is to have individuals register plots of what used to be customary *land* in their name as a customary *estate*. The customary estate then becomes a registered private land title, which can be leased, sold or mortgaged under conditions set out in the 2016 Customary Land Act. Customary Land Committees, where traditional leaders sit with other community members, are in charge of registering and administering these estates.²⁴ In practice, this means that traditional leaders at the village level who used to be solely in charge of customary land administration see their power limited by a detailed regulatory framework. In addition, they must share their decision-making power with the other members of the Customary Land Committee. More specifically, the group village headman, a traditional leader who is meant to chair the committee according to the reform, will have to share decision-making power with six other elected individuals from the community, including at least three women.²⁵ This redefined role of traditional leaders in land management has strong implications on power dynamics between state officials and traditional leaders.

21. "Report of the Law Commission on the Review of the Land-related Laws", *Malawi Gazette Supplement*, Malawi Law Commission Report No. 15, 9 April 2010? p. 9.

22. D. Behr, "The Ambiguous State-Traditional Relationship in Uganda and Malawi: Repercussions on Good Land Governance?", paper prepared for presentation at the "2017 World Bank Conference on Land and Poverty", 2017, p. 8.

23. The new land laws technically abolish the freehold title but these laws don't apply retrospectively: E. Nyondo, "Minister Clarifies on Land Bills", *The Nation*, 20 July 2016, www.mwnation.com; Government of Malawi, Land Act, No. 16 of 2016, section 9, 2016.

24. Government of Malawi, Customary Land Act, No. 19, section 4, 2016.

25. *Ibid.*, section 5.

Implications for power distribution in Malawi

The land reform requires enormous technical capacity to inform rural populations and survey land parcels. Whether the government can fully implement such reform remains an issue up for debate. At this point in time, pilot projects funded by the EU and the World Bank are testing different methods and action plans.²⁶ From a political perspective, however, one of the greatest challenges may rest in the new limited role of traditional leaders.

Up until now, traditional leaders have been responsible for customary land management. They allocated plots to families for farming. They ruled on land disputes. They also granted leases to investors. Under colonial rule and ever since, traditional authorities have played a central role in Malawian society. Unlike the formalized role of traditional leaders in other African countries, the role of traditional leaders in Malawi is hardly mentioned in the Constitution.²⁷ However, in practice, their role in land governance is undeniable. Malawi's economy is primarily agrarian, with agriculture accounting for one third of the GDP and nearly 80 percent of employment.²⁸ Therefore, the ability to access and use land is crucial for social and economic wellbeing. Traditional leaders in this respect, yield a lot of local influence and ultimately political power. In rural areas, this power can be more significant than that of state officials. A 2017 Afrobarometer survey found that 67 percent of Malawians had trust in their traditional leaders compared to only 36 percent in the President and 34 percent in the ruling party.²⁹ Much like state officials, however, the perception of corruption among these traditional leaders is high and increasing, with another 2017 Afrobarometer survey highlighting that 42 percent of Malawians think their traditional leaders are involved in corruption.³⁰ In the same survey, 47 percent responded that they thought officials from the Office of the President were involved in corruption.

Whether or not the future implementation of the land reform will be successful remains uncertain. Back when the reform was being debated in Parliament, Members of Parliament from opposition parties walked out in protest during initial readings,³¹ and traditional leaders voiced their concern over their loss of authority.³² Since, however, little has changed on the

26. "2017 Malawi Land Symposium Concept Note", 2017, pp. 2-3, www.massp.ifpri.info.

27. D. Behr, *op. cit.* [22].

28. "Malawi Country Fact Sheet on Food and Agriculture Policy Trends", *Food and Agriculture Organization of the United Nations*, March 2015, www.fao.org.

29. Afrobarometer, *op. cit.* [1].

30. J. J. Chunga and J. Mazalale, *op. cit.* [17], p. 3.

31. E. Nyondo, *op. cit.* [23].

32. "Land Bill Passed amid Opposition Concerns", *Zodiak Malawi*, 14 July 2016, www.zodiakmalawi.com.

ground as the government prepared secondary legislation, which was finalized in March 2018 to accompany the new land bills.

Beyond the changing role of traditional leaders, the hotly debated topic of freehold land granted under the colonial era has fuelled political activism around legacy issues and rural activism.

The growing popularity of rural activism in Malawi

In the years leading up to the land reform, political activism around the question of freehold titles granted under the colonial era grew in popularity. The transition to multiparty politics in this respect helped bring the issue back to the forefront of the debate and revitalized expectations for land redistribution.³³ This fact is perhaps best illustrated by land conflicts in the tea-growing region of Thyolo in the Southern part of the country.

During the 2000s, land invasions on tea estates became an activist tool to raise awareness on issues of land scarcity and colonial legacies. This ultimately led to the creation in 2010 of the People's Land Organisation (PLO),³⁴ a group originating from Thyolo fighting for the redistribution of 'idle lands' on tea estates to neighbouring rural communities. Led by a charismatic leader, Vincent Wandale, the movement initially drew support from the DPP government in place under Bingu wa Mutharika. Many of these DPP members came from Thyolo.³⁵ Institutional support ceased in 2012, however, when Joyce Banda took over the Presidency. The PLO then had its request for registration as an organisation denied by the newly appointed district and regional officials.³⁶ The organisation decided to change strategies and issued on January 1st 2014 a letter entitled 'Declaration of Intifada by the Peoples Land Organization on the land question in Thyolo, Malawi', which marked the beginning of an outright conflict with governmental authorities.³⁷ PLO leaders were subsequently arrested, and demonstrations staged by villagers in Thyolo for their release led to the death of six people following police intervention.³⁸

When Peter Mutharika and the DPP won the May 2014 elections, the PLO remained in opposition to the government. It extended its membership beyond the Thyolo area to target the Mulanje tea growing region,³⁹ proof that

33. D. Chinigo, *op. cit.* [20], p. 190.

34. *Ibid.*, p. 292.

35. *Ibid.*

36. *Ibid.*, p. 294.

37. *Ibid.*

38. *Ibid.*, p. 295.

39. *Ibid.*

its message of land reallocation was popular in the densely populated Southern region. Against this backdrop, the 2016 land reform initially aimed to put an end to freehold title granted during the colonial era. The goal was to replace these with long-term leaseholds, providing ground rent to the government.⁴⁰ After consultation, the government backtracked on this objective, which has not gone unnoticed by the PLO-supportive Southern districts.

In the lead up to the land reform, PLO leader Vincent Wandale declared the independence of the Thyolo and Mulanje districts, naming the new state the 'African Traditionalist Republic of the United States of Thyolo and Mulanje'.⁴¹ He also declared himself supreme leader of this state. Police eventually arrested him in September 2016. Commentators noted that it perhaps took unusually long for the government to order Vincent Wandale's arrest, given his declaration of independence and incitement to forcefully take over estate lands. This is largely due to Wandale's thriving popularity in Peter Mutharika's home district of Thyolo. The governing DPP presumably did not want to be associated with the arrest of a popular figure within its power base.⁴² Since his arrest in September 2016, Vincent Wandale has been in and out of police custody, has visited a mental institution, and most importantly changed the PLO's status from an activist organisation to a political party known as the People's Land Party.⁴³ Popular following seems to have diminished probably due to Wandale's absence as a result of his arrests, or because the declaration of an independent state was not met with popular support or, both. Nonetheless, the PLO's case reveals a grassroots organisation that is gaining support in opposition to the governing DPP in its own power base. As such, it is a clear example of Peter Mutharika's loss of local support in the South due to substantive policy issues.

40. E. Nyondo, *op. cit.* [23].

41. G. Muheya, "Arrested Wandale 'Out of His Mind': Malawi Tea Estate Land Grab Leader Claims to Be 'Head of State'", *Nyasa Times*, 4 September 2016, www.nyasatimes.com.

42. G. Kasakula, "Why Vincent Wandale Has Been Tolerated", *The Times*, 10 September 2016, www.times.mw.

43. S. Chauluka, "Vincent Wandale's People's Land Organisation Turns into Political Party", *The Times*, 10 November 2016, www.times.mw.

The landscape of challengers in 2019

The following section takes a closer look at the landscape of challengers for the Presidency in 2019. The analysis will first consider the Vice President Saulos Chilima and his newly created party, the United Transformation Movement (UTM). It will then take a look at the MCP's chances in next year's elections in light of new developments, the impact of Joyce Banda's return and the importance of electoral alliances within this narrow race.

Saulos Chilima's new party: The United Transformation Movement

In June 2018, Vice President Saulos Chilima announced his departure from the DPP.⁴⁴ The following month, he announced the launch of his new political organization: the United Transformation Movement.⁴⁵ He also expressed his intention of running for the Presidency. His movement attracted extensive press coverage shortly after the most recent police rations scandal. His public rallies have heavily been focused on an anti-corruption agenda, including reforming the Anti-Corruption Bureau (ACB) by having the Parliament elect the leaders of the ACB instead of the Presidency, as it currently stands.⁴⁶ During the movement's inaugural rally, Chilima revealed that the national energy provider, the Electricity Supply Corporation of Malawi (Escom), had lost millions of litres of fuel from apparent internal theft. Escom confirmed the Vice President's allegations,⁴⁷ a development that gave credibility to Chilima's ambitions to defeat grand corruption. Yet, campaigns ran on anti-corruption narratives are common in Malawi. In 2014, following the Cashgate scandal, all parties were selling their lofty anticorruption goals. Back in 2004, Bingu wa Mutharika's campaign was also centred on a 'zero tolerance for corruption' agenda.⁴⁸

44. C. Chiwotha, "Analyst, Followers Defend Chilima's Morality", *Zodiak Makawi*, 11 June 2018, www.zodiakmalawi.com.

45. M. Banda, "At Last, Chilima Speaks", *The Times*, 22 July 2018, www.times.mw.

46. *Ibid.*

47. O. Faiti, "Chilima Vindicated again on Fraud Claims: Escom Confirms More Fuel Missing", *Nyasa Times*, 17 September 2017, www.nyasatimes.com.

48. N. Patel and M. Wahman, "The Presidential, Parliamentary and Local Elections in Malawi, May 2014", *Africa Spectrum*, Vol. 50, No. 1, 2015, pp. 79-92.

The Cashgate investigation proved, however, that Bingu wa Mutharika's tenure was marred by just as much corruption as his successors.⁴⁹ Therefore, even though Chilima is addressing one of the most pressing and exasperating issues for the electorate, it is hard to prove that his candidacy and potential tenure in office are truly any different from his predecessors.

An economist by training, Chilima has also attracted attention for pledging to create one million jobs in the first year of his term.⁵⁰ A pledge that has been discredited by the ruling DPP, but which garnished the support of Vincent Wandale,⁵¹ renowned opposition leader in the South of the country. In fact, links to Wandale do not stop there. Chilima held a widely attended rally in the Southern tea-growing district of Mulanje in early September 2018, where he stated his goal to transfer land from private estate owners to landless neighbouring communities.⁵² This move seems to have been strategically orchestrated to draw on an agenda fuelled and expanded by Wandale before he lost credibility after declaring 'independence'. Chilima can position himself as an attractive alternative to the DPP within its stronghold Southern region, thanks to the defection of prominent DPP members⁵³ and by adhering to local frustrations on land use and allocation.

Chilima's run, despite its potential on paper, is still marred with uncertainty. In September 2018, the movement's bid to be registered as a political party was rejected.⁵⁴ At issue here seems to be the name. To launch his movement, Chilima drew on the support of the United Transformation Party, a small opposition party led by Newton Kambala.⁵⁵ Kambala remains a supporter of Chilima and the United Transformation Movement, but it appears that the pre-existence of a registered party with a similar name is an obstacle for the registration of the new movement. The Registrar of Political Parties' refusal is being litigated in court at the time of writing.⁵⁶ It does reflect the movement's greatest weakness: its youth. The movement lacks formal party structures built through experience. It does not have the kind of local outreach and nation-wide political structures of the other well-

49. "Freedom in the World 2014, Malawi", Freedom House, 2014, www.freedomhouse.org.

50. L. Mtonga, "Chilima Articulates Clear Vision for Malawi", *Nyasa Times*, 7 September 2018, www.nyasatimes.com.

51. C. Magalasi, "Creation of One Million Jobs Is Possible – Wandale", *Malawi 24*, 18 August 2018, www.malawi24.com.

52. "UTM Forays into DPP Heartland: Chilima Tackles Emotive Land Issue for People in Mulanje, Thyolo", *Nyasa Times*, 10 September 2018, www.nyasatimes.com.

53. C. Pensulo, "A Virtuous Vice? The Apprentice Aiming to Become Master in Malawi", *African Arguments*, 29 August 2018, www.africanarguments.org.

54. W. Chiuta, "UTM Bid to Register as Political Party Rejected: Malawi Registrar Says Application 'Misleading'", *Nyasa Times*, 26 September 2018, www.nyasatimes.com.

55. W. Chiuta, "Chilima Going to Court: 'They're Refusing to Register UTM as a Party'", *Nyasa Times*, 26 September 2018, www.nyasatimes.com.

56. *Ibid.*

established parties, such as the DPP, MCP and UDF. As a result, this new movement's popularity on the ground is difficult to read, though the first poll to include the movement in its dataset was released in November 2018 and placed the movement third in voter intentions, behind the DPP and MCP respectively.⁵⁷ It might be that the UTM is best able to split votes that would otherwise have gone to the pre-existing major parties.⁵⁸ What remains to be determined is which party will lose the most votes to the UTM.

The Malawi Congress Party, 25 years on

In the 25 years of multiparty politics, the MCP has failed to grab power at each election. Yet, in 25 years of multiparty politics, the MCP remains one of the leading parties in Malawi. It led voter intentions in the 2017 Afrobarometer survey mentioned in the introduction. The MCP managed to stay relevant due to a robust party structure⁵⁹ with organized local and national governance. This is reflected in the numerous primaries the party has been organizing in order to choose its roster of contenders for the 2019 tripartite elections. In addition, the MCP is one of the only two parties (the other being the DPP) able to provide monitors at voter registration centres across the country.⁶⁰ The party's stronghold region is in the centre of the country, surrounding the capital Lilongwe.⁶¹

The party has essentially played the role of leader of the opposition since the shift to multiparty politics. An unpopular DPP plays to its advantage in this regard. Some commentators have also noted that thanks to changes in leadership, the MCP is managing to distance itself from its past under Kamuzu Banda's one-party rule. For the 2014 elections, the party nominated Lazarus Chakwera as its presidential candidate, which was meant to signal a break with the party's past reputation.⁶² Demographics may be helping too: resistance to the MCP is stronger within older generations that remember the Banda regime.⁶³ However, Malawi's population is young and growing. The rise of young voters matched with the MCP's changed leadership may have supported the party's 'rebirth'.

Until recently, the possibility of the MCP seizing power in 2019 was strong, but Chilima's UTM is casting doubt on the MCP's potential. The

57. "Mutharika May Win 2019 Elections, Malawi Presidential Polls 'Dead Heat' – IPOR Report", *op. cit.* [3].

58. A. Sharra, "UTM Has Split the Votes", *The Nation*, 29 August 2018, www.mwnation.com.

59. W. Mkhutche, "Malawi Heading for 'One Party Rule' in 2019", *Malawi 24*, 27 June 2017, www.malawi24.com.

60. "No Time for Chilima and Company", *Zodiak Malawi*, 28 September 2018, www.zodiakmalawi.com.

61. N. Patel and M. Wahman, *op. cit.* [48], p. 87.

62. *Ibid*, p. 83.

63. D. Cammack, "Malawi Goes to the Polls in a Climate of Distrust and Instability", *The Guardian*, 16 May 2014, www.theguardian.com.

former Speaker of the National Assembly, Richard Msowoya, a leading MCP figure, left the party to join UTM. Similarly, 65 members of the MCP's central region committee reportedly defected to the UTM.⁶⁴ The MCP's identity as the 'go-to' opposition party is being challenged. Vincent Wandale, for example, had endorsed MCP leader Lazarus Chakwera in 2017.⁶⁵ Yet, as explained in the previous section, he also provided support to Saulos Chilima's one million new jobs target. Additionally, Chilima's position in favour of land reallocation to landless populations in the Southern districts may be a threat to the MCP's chances of accumulating the opposition vote in the Southern part of the country.

Joyce Banda's return

Adding fuel to the electoral fire is Joyce Banda's return to Malawi and her declared intention to run for the 2019 presidential elections.⁶⁶ In August 2018, she retained the leadership of her People's Party.⁶⁷ The PP's chances at next year's elections are unknown in many respects. The party and Joyce Banda herself were considered to have generally underperformed back in 2014, coming in third behind the MCP and Lazarus Chakwera despite being the party in power leading up to the elections.⁶⁸ This disappointing result is believed to be due to the Cashgate scandal, though some contend that misogynistic campaign rhetoric employed by the DPP, among others, also played a role.⁶⁹

Yet, the PP may still have an influential role in a tight race. Back in 2014, Joyce Banda carried the majority of the vote from the country's Northern region⁷⁰, usually considered the most unpredictable region in voter intentions.⁷¹ Neither the DPP nor the MCP has a voter advantage there. The PP's past performance in that region may be an indicator of where it can expect to gain votes in 2019. The PP could, therefore, have an important role

64. O. Khamula, "65 Former MCP Central Region Committee Defects to UTM", *Nyasa Times*, 17 July 2018, www.nyasatimes.com.

65. M. Mkandawire, "Wandale Endorses Chakwera", *Malawi 24*, 3 December 2017, www.malawi24.com.

66. L. Mkandawire, "Joyce Banda to Contest in 2019 Elections", *The Nation*, 18 July 2018, www.mwnation.com.

67. M. Banda, "Joyce Banda Retains Party Leadership", *The Times*, 31 August 2018, www.times.mw.

68. L. Mkandawire, *op. cit.* [66].

69. A. Gunde, "Online News Media, Religious Identity and Their Influence on Gendered Politics: Observations from Malawi's 2014 Elections", *Journal of Religion, Media and Digital Culture*, Vol. 4, No. 1, 2015, pp. 39-67.

70. N. Patel and M. Wahman, *op. cit.* [48], p. 87.

71. M. Douet, « Le retour de Joyce Banda agite le Malawi à un an des élections », *Le Monde Afrique*, 21 May 2018, www.lemonde.fr.

within an electoral alliance, an option that Joyce Banda has expressed interest in.⁷²

The strategic importance of electoral alliances

Within this narrowly fought race, the key to victory may be the strategic alliances between parties to complement voter bases. Here the relevance of the fourth major party, the United Democratic Front (UDF), is evident. During the past presidential term, the DPP formed an alliance with the UDF to secure votes in the national assembly and help the government's legislative agenda. The UDF's current leader, Atupele Muluzi, Bakili Muluzi's son, has held different ministerial positions under this alliance, most recently Minister of Health and Population Services. Such a working relationship between the two parties was a novelty of the latest election cycle. The two parties had previously been at odds since Bingu wa Mutharika, who was elected President under the banner of the UDF in 2004, founded his own party, the DPP, the following year. But the UDF's political decline and change of leadership meant that forming an alliance with its former rival proved more beneficial than remaining in opposition. The UDF could participate in government and, thus, maintain its status as a major force in national politics.⁷³

Media reports have speculated on the possibility of an alliance between the DPP and the UDF for the 2019 elections.⁷⁴ Such an alliance would help the DPP gain votes in the Eastern region of the country where the UDF receives the most support.⁷⁵ It also reflects the nature of Malawian multiparty politics: parties come together through strategic votes-based alliances rather than issue-based agendas. The ability of party leaders to work together depends on the relative power each party wields and leaders' ability to accept backseat positions in electoral campaigns. Given the competitiveness of the 2019 elections, it will be interesting to see whether any of the current presidential contenders will choose to accept a vice-presidency bid for the sake of an electoral alliance.

72. M. Banda, "Malawi's Joyce Banda Ready for Electoral Alliance if Members Say so", *The Times*, 30 August 2018, www.times.mw.

73. The Economist Intelligence Unit, "DPP and UDF Move Closer to Formal Alliance", *The Economist*, 10 April 2015, www.country.eiu.com.

74. Z. Chilunga, "UDF, DPP Electoral Alliance for 2019 Polls Likely – Analysts", *Nyasa Times*, 4 August 2018, www.nyasatimes.com; L. Bisani, "Expert Hails Possible DPP, UDF Coalition", *Malawi 24*, 24 September 2018, www.malawi24.com; G. Muheya, "Mutharika Runningmate Quandary: DPP Wary with UDF Demands, Chimunthu Playing 'Clever Card'", *Nyasa Times*, 17 August 2018, www.nyasatimes.com.

75. N. Patel and M. Wahman, *op. cit.* [48], p. 87.

Similarly, there are speculations regarding potential electoral alliances for the PP and the UTM. Media reports in early September 2018 claimed that Joyce Banda and Saulos Chilima had met in Zomba and questioned whether an electoral alliance between the two was on the table.⁷⁶ This came after Joyce Banda expressed support for Chilima's one million new jobs target.⁷⁷ Reports in November 2018 also raised the possibility of an alliance between the MCP and the UTM or PP, following the confirmation of talks between the leaders of those three parties.⁷⁸

As the number of big parties increases, the electoral system seems to lend itself aptly to these alliances. With four established major parties and potentially five serious contenders (should the UTM successfully register as its own party), the possibility of winning an outright majority, whether in the National Assembly or the Presidency, is slim. Back in 2014, Peter Mutharika was voted in with 36 percent of the vote, with the DPP obtaining 50 out of 193 seats in the National Assembly. Malawi's first-past-the-post electoral system means that, in practice, the government can lack the majority support it needs to act effectively.⁷⁹ In addition, independents and small parties held the largest share of parliamentary seats during the last election cycle. Parliamentary alliances can help secure support for the government's legislative agenda and lessen the uncertainty of a fragmented national assembly, with no clear majority party. Electoral alliances and political working relationships have, thus, become a key practice in Malawian politics. It may also act as a barrier to a new one-party state.

Table 1: 2014 Presidential Election Results

Candidate	Party	Vote Share (%)
Peter Mutharika	DPP	36.4
Lazarus Chakwera	MCP	27.8
Joyce Banda	PP	20.2
Atupele Muluzi	UDF	13.7
Others		1.9

Source: "Presidential Polling Results for 2014 Elections", Malawi Electoral Commission, 2014, <http://www.mec.org.mw>.

76. A. Kasakura, "Chilima, JB Meet", *The Nation*, 10 September 2018, www.mwnation.com.

77. O. Khamula, "Joyce Banda Says Creation of 1 Million Jobs Possible: 'Let Malawians Not Be Doubting Thomases'", *Nyasa Times*, 7 September 2018, www.nyasatimes.com.

78. O. Faiti and W. Gwede, "Chakwera in Talks with Chilima, Joyce Banda: Malawi Opposition Parties Seek Electoral Alliance", *Nyasa Times*, 13 November 2018, www.nyasatimes.com.

79. N. Patel and M. Wahman, *op. cit.* [48], p. 88.

Table 2: 2014 Parliamentary Election Results

Party	Number of MPs elected
Democratic Progressive Party (DPP)	50
Malawi Congress Party (MCP)	48
People's Party (PP)	26
United Democratic Front (UDF)	14
Others and independents	55
Total	193

Source: "Presidential Polling Results for 2014 Elections", Malawi Electoral Commission, 2014, <http://www.mec.org.mw>.

Conclusion: The state of multiparty politics in Malawi

Since its transition to multiparty politics 25 years ago, Malawi has seen a blossoming political landscape with new large-scale parties appearing progressively and power effectively changing hands. One of the greater successes from a formal rule of law perspective was Joyce Banda's ascension to the presidency back in 2012, in accordance with constitutional provisions on the vice president's role and powers. The failure of an alleged coup attempt by the DPP to have the power go straight into the hands of Bingu wa Mutharika's brother, Peter, was perhaps a sign that the multiparty democratic regime was truly taking shape.⁸⁰ Challenges, however, remain. The political scene is largely dominated by strongmen politics, meaning that parties are mostly built around a single leader.⁸¹ Systematic and rampant corruption reflects that access to power is still for the most part motivated by political opportunism.

Parties have yet to evolve past regional and ethnic dynamics into issue-based politics. That transition may be slowly happening after the 2016 land reform raised issues of power distribution between traditional leaders and state officials, nudging parties to take a position on registered land systems. Whether a potential change of power in 2019 will truly translate into substantive reforms is still debatable. Poverty reduction, job creation, health improvement and education expansion are at the top of all agendas. Nevertheless, Malawi remains one of the poorest countries in the world.⁸² Political reforms are, as a consequence, largely donor dependent. Further economic development will be necessary before the political scene is able to move away from strongmen and opportunistic calculations into issue-driven debates.

In the meantime, the results of the 2019 elections will depend on electoral alliances between the major parties. It will also depend on the success of the voter registration exercises.⁸³ The amount of people who end up registering in the country's various regions may prove to be a key factor

80. N. Patel and M. Wahman, *op. cit.* [48], p. 82.

81. J. Lwanda and E. Chanika, *op. cit.* [6].

82. Malawi is ranked as the 7th poorest country in the world in terms of GDP per capita for the year 2017: "International Comparison Program database", *The World Bank*, www.data.worldbank.org.

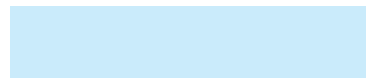
83. Malawi News Agency, "Voter Registration starts", *The Nation*, 27 June 2018, www.mwnation.com.

in the tight race between political parties, distinguished primarily by their regional influence. The population of voting age is on the rise, with the latest estimates indicating that the total population of Malawi had risen to 18 million in 2016⁸⁴, compared to 14.8 million in 2012.⁸⁵ The youth vote could prove crucial as the most recent national statistics indicate that 56 percent of the population is less than 20 years old and close to 20 percent of the total population falls within the 15 to 24 years old category.⁸⁶ Economic policies and job creation targets addressing youth unemployment have already featured prominently within the electoral debate. They are likely to become a central theme leading up to the May 2019 elections as major parties look to secure this growing number of first time voters.

84. "The World Bank in Malawi", *The World Bank*, 19 April 2018, www.worldbank.org.

85. "Malawi Country Profile", *The United Nations*, www.mw.one.un.org.

86. Malawi National Statistics Office, "Integrated Household Survey 2016-2017", November 2017, pp. 9-10.



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