

**Smooth Politics on a Rocky Foundation:
The Complex Case of Corruption in Malawi**

Griffin Bassett

African Politics

December 4, 2022

Introduction

As late as 2020, Malawi seemed to be in an excellent political position. Constitutional court judges in the country had just voted to annul the 2019 presidential election, which was rife with irregularities; the subsequent 2020 elections, in which theologian Lazarus Chakwera was elected over the incumbent Peter Mutharika, were lauded as free and fair. Chakwera promised to root out corruption and create one million jobs; in his inaugural address, he vowed to “clear the rubble of impunity, for it has left our governance institutions in ruins.”¹ Malawi was celebrated as another democratic anchor in southern Africa, perhaps indicative of a wider trend towards electoral democracy across the continent as a whole.

Two years later, the situation has turned on its head. Two-thirds of Malawians believe corruption has gotten worse under Chakwera’s leadership, a sentiment which has been fueled by a recent scandal linking key figures in Malawi’s government to Zuneth Sattar, a corrupt British businessman². Among them are Reyneck Matemba and John Suzi-Banda, the former directors of Malawi’s Anti-Corruption Bureau and its Public Procurement Agency, who were arrested last August by that aforementioned bureau for taking a bribe in order to fund supplies for the country’s police force.³ Perhaps even more telling, though, is the arrest of Saulos Chilima, the country’s vice-president, who was charged with receiving £230,000 from Sattar in November. Chilima had long campaigned on an anti-corruption platform, and his trial has led to ongoing social unrest.⁴ Within two years, the politicians who were at the forefront of the fight against corruption in Malawi have become embroiled in the practice themselves. What happened?

¹ Matonga 2022

² Chunga and Nedi 2022

³ Masina 2022

⁴ Jegwa 2022

Corruption has become so thoroughly entrenched in Malawi's government that even the agencies and politicians who have been put in place to fight against it are irrevocably tied to it as a source of funding. This has made the practice extremely difficult to combat. It has its roots in the country's colonial occupation by the British Empire, in which internal patronage and flimsy political infrastructure began a cycle that continues to this day. It is also normalized and embedded within Malawi's political culture, which incentivizes politicians to uphold the practice rather than forsake their personal professional relationships. Furthermore, a dearth of economic resources in Malawi has led the country's government to privatize many state-owned businesses, which has fueled corruption and continues to impede any serious process of democratic consolidation.

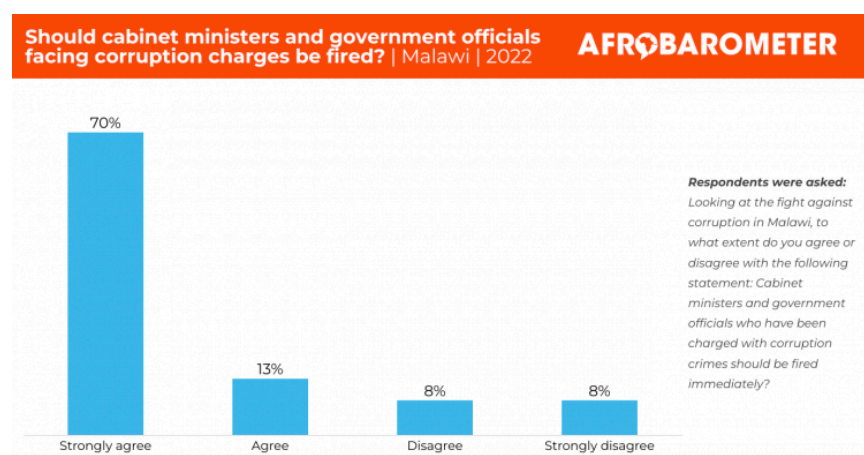


Figure 1. An Afrobarometer survey of Malawi shows a high level of support for firing corrupt politicians.

Background

The issue of corruption in Malawi has been endemic since the country was colonized by the British Empire in the late 1800s. Prior to this, most of what is now Malawi was controlled by the Kingdom of Maravi, a Chewa-led polity which became embroiled in interethnic conflict in its later years, exacerbated by the burgeoning slave trade.⁵ British missionaries, and eventually

⁵ The Editors of Encyclopaedia Britannica, n.d.

colonizers, came to the area just as Maravi was more or less imploding; they established the British Central Africa Protectorate in 1891, and Maravi was disestablished the same year. That protectorate eventually came to be known as Nyasaland.

Unlike other areas of British colonial rule in Africa, Nyasaland was initially administered more directly, as there were few strong indigenous leaders in the area through which the British would have usually administered. They opted to eschew the power of those leaders and instead rule directly by way of self-appointed “Collectors of Revenue,” who in turn began to nominate local intermediaries, eventually coalescing into a more-or-less indirect system of governance typical of other British colonies.⁶ Starting in 1933, the British began to grant some chiefs and their councils more nominal administrative authority, but they were given few actual powers or resources; native courts, for example, could operate under customary law, but had no power over land owned by Europeans, were overseen by colonial administrators, and were often used as pawns to enforce unpopular decisions by part of the British government.⁷

Because of this disingenuous devolution, not to mention significant food shortages, widespread poverty, religious differences, and the recruitment of Nyasalanders into the First World War, British rule was widely unpopular in Nyasaland for essentially its entire duration. The colonial administration faced significant resistance in the 1910s and especially into the 40s and 50s, when a plan was outlined to federalize Nyasaland with the racially segregated colonies of Northern and Southern Rhodesia. Despite being immensely unpopular among the vast majority of its inhabitants, the Federation went through in 1953, hastening the independence

⁶ McCracken 2012, 72-73

⁷ Ross 2009, 19-21

movements of what would become Zambia and Malawi.⁸ At the forefront of resistance to this union was Hastings Banda, who would go on to become the first President of Malawi.⁹

The disaster that was British rule in Malawi would shape the future of the country in a number of ways. Inadequate colonial infrastructure and near-constant political instability gave the newly independent state of Malawi a shaky foundation upon which to construct a self-sustaining government or economy, not to mention a thriving electoral democracy. The push to federate with Rhodesia made Malawi a “labor reserve” and decentralized its economy, which created the post-independence incentive for state takeover of industries, the eventual process of privatization as a means of recuperation, and, through it all, a lack of transparency.¹⁰ Furthermore, the British strategy of quasi-indirect governance and pinning the most unpopular decisions on local judiciaries had the unfortunate consequence of eroding both the accountability of customary leaders as well as the Malawian public’s trust in them. This has led to heightened levels of corruption among chiefs in Malawi to this day, a pattern seen in many former British colonies in Africa as a legacy of indirect rule.¹¹



Figure 2. The Federation of Rhodesia and Nyasaland was ushered through by the British colonial government in the 1950s despite widespread public opposition from its inhabitants.

⁸ Pike 1969, 135-137

⁹ Ross.

¹⁰ Magalasi 2006

¹¹ Ali et al. 2020

The Post-Colonial Era

Hastings Banda was immensely popular among Malawians in the late 1950s as an icon of the anti-imperialist movement, despite having lived outside of the country for more than 40 years. Banda worked as a doctor in Britain, but became increasingly politically active after representing Nyasaland at the Fifth Pan-African Congress in Manchester in 1945; he eventually returned to his home country in 1958, and was arrested by British authorities for his activism in 1959. Support for decolonization in both Nyasaland and Britain was higher than ever, though, and in an effort to guide the process, Banda was released from prison in 1960; he formally became Prime Minister of Nyasaland three years later, and, in fact, made the decision to change the country's name to "Malawi." Malawi gained independence from Britain the following year.¹²

This was followed almost immediately by the Cabinet Crisis of 1964, in which Banda dismissed four ministers in his government who had tried to introduce limits on his power. Over the course of the next decade, Banda's rule became increasingly autocratic, culminating in Malawi's legislature declaring him President for Life in 1971.¹³ Under Banda, Malawian officials tapped phone calls, opened mail, and suppressed political dissent, often violently. Banda openly and enthusiastically embraced the position of personal rule: in his words, "Everything is my business. Everything. Anything I say is law...literally law."¹⁴ Banda was also a fervent anti-communist, which led him to support the U.S. in the Vietnam War and establish formal diplomatic ties with apartheid-era South Africa, the only African leader to do so.¹⁵

By the end of the Cold War, though, Western nations saw little incentive to continue backing Banda's authoritarian regime, and he lost a significant amount of financial support. This

¹² Middleton 2008, 215

¹³ Gascoigne 2001

¹⁴ Drogin 1995

¹⁵ Nelson et al. 1975, 178

led him to hold a referendum on multi-party democracy in the country in 1993, for which 64% of Malawians voted in favor.¹⁶ In the subsequent democratic elections of 1994, Bakili Muluzi came to power, and Banda immediately conceded. The intense centrality of Banda's regime was horrible for Malawi's human rights record, but it was not particularly marked by corruption. When Banda's thirty-year tenure came to an end, though, the tide turned significantly. Despite initially being heralded for ousting Banda, Muluzi's presidency quickly became embroiled in widespread economic mismanagement and corruption, most notably in the case of millions of dollars raised from the sale of food reserves that has since gone completely missing.¹⁷ Muluzi was eventually tried for personally stealing \$12 million of foreign aid funds during his presidency; his case, however, was delayed for more than a decade, due in part to his son's position as a cabinet minister.¹⁸



Figure 3. Hastings Banda (foreground) led a highly centralized and repressive Malawian regime for 30 years.

¹⁶ Chirambo 2011

¹⁷ Al-Jazeera 2006

¹⁸ Masina 2016

Contemporary Malawi

As democratic as the end of the Banda era was, it left in its wake a fragile Malawi in which political figures have little incentive to operate legitimately. At no point in Malawi's history has there been a particularly high level of public confidence or trust in the country's political institutions. British colonial leaders were widely admonished, as were the chiefs they appointed to administrative positions; Hastings Banda maintained his tenure primarily through fear; and almost every Malawian president since has been embroiled in some sort of corruption scandal. The Muluzi trial, for example, is still ongoing; it has been prolonged by none other than the aforementioned, also-corrupt outgoing Anti-Corruption Bureau head Reyneck Matemba, who sought a "political solution" to the case: discontinuing it.¹⁹

The pervasiveness of corruption in Malawi is due in part to the more-or-less normalization of the practice in Malawian political society. Economic patronage is tied to familial or personal kinship, which is in many cases stronger than any legal code, especially in a country where many are struggling to get by. To quote Professor Gerhard Anders, civil servants understand that the "non-compliance with kinship obligations carries the threat of serious sanctions, such as ostracism and witchcraft, *ufiti*, while the chances of being charged with corruption are relatively slim."²⁰ This has made corruption endemic in Malawian politics, especially at higher levels. Even politicians who run on anti-corruption platforms, such as Matemba, Suzi-Banda and Chilima, base all of their political strategies within an already-corrupt concept. In a system where those at the highest level of government are corrupt, there is little legitimate incentive for political officials to seriously crack down on corruption.²¹

¹⁹ Mtonga 2021

²⁰ Anders 2002

²¹ Tangri and Mwenda 2006, 101-124

Since the 1980s and into today, the Malawian government has turned to the privatization of state-owned enterprises as a means to secure quick financial stability. This was initially pushed forth by the World Bank and the International Monetary Fund against the government's will as a means of procuring economic stability, bolstering attractiveness for the global market, and appeasing donors; it has since been adopted as a strategy in modern Malawi to various degrees. Though in some cases nominally successful in bolstering the Malawian economy, privatization has been widely unpopular, as it has strengthened suspicious connections between the government and the private sector as well as created monopolies.²² There is also a perpetuating sense among the Malawian public that the privatization process has been needlessly opaque²³ and carried out at the expense of the country's working class, and public perceptions of corruption are increasingly high.²⁴ This is consistent with research on other developing countries, where it has been found that "conditions to privatize state-owned enterprises exert significant detrimental effects on corruption control."²⁵

Conclusion

In many ways, the situation in Malawi is reflective of a number of trends related to corruption in Africa. As previously mentioned, countries with a history of indirect colonial rule are statistically more susceptible to corruption. Furthermore, the large-scale privatization of state-owned businesses in developing countries makes it difficult for state institutions to combat corruption, exacerbating the problem. Finally, in countries with long histories of corruption, the practice is deeply entrenched within the executive bureaucracy and political society, making any official - even one who is nominally anti-corruption, or heads an anti-corruption agency -

²² Kampanje 2015, 3-4

²³ Magalasi.

²⁴ Fenske 2006

²⁵ Reinsberg et al. 2019

reluctant to seriously crack down on the practice. Malawi faces all three of these considerations at once, which has made corruption particularly pervasive in the country's political system.

References

- Ali, Merima, Odd-Helge Fjeldstad, and Abdulaziz B. Shifa. 2020. "Did British colonial rule in Africa foster a legacy of corruption among local elites?" LSE Blogs.
<https://blogs.lse.ac.uk/africaatlse/2020/10/28/what-is-british-colonial-rule-in-africa-foster-a-legacy-corruption-local-elites/>.
- Al-Jazeera. 2006. "Fraud charges for Malawi's ex-leader | News." Al Jazeera.
<https://www.aljazeera.com/news/2006/7/27/fraud-charges-for-malawis-ex-leader>.
- Anders, Gerhard. 2002. "Like chameleons. Civil servants and corruption in Malawi." *Bulletin de L'APAD* 23-24. <https://doi.org/10.4000/apad.137>.
- Chirambo, Reuben. 2011. "The Army, Political Change, and Dr. Banda's Hegemony in Malawi." Operation Bwezani. https://web.archive.org/web/20110713134043/http://www.kamuzubanda.com/operation_bwezani_myp.html.
- Chunga, Joseph J., and Raphael Nedi. 2022. "AD522: Malawians dissatisfied with government efforts on corruption, want swift action against corrupt officials." Afrobarometer.
<https://www.afrobarometer.org/publication/ad522-malawians-dissatisfied-with-government-efforts-on-corruption-want-swift-action-against-corrupt-officials/>.
- Drogin, Bob. 1995. "Malawi Tries Ex-Dictator in Murder : Africa: Aging autocrat is one of few among continent's tyrants to face justice for regime's abuses." Los Angeles Times.
<https://www.latimes.com/archives/la-xpm-1995-05-21-mn-4491-story.html>.
- The Editors of Encyclopaedia Britannica. n.d. "Maravi Confederacy." Britannica. Accessed November 27, 2022. <https://www.britannica.com/topic/Maravi-Confederacy>.

- Fenske, Kurt. 2006. "Public acceptance of privatisation in Malawi over time." *Africa Insight* 36, no. 3 (September): 5-269. <https://journals.co.za/doi/epdf/10.10520/EJC17488>.
- Gascoigne, Bamber. 2001. "History of Malawi." HistoryWorld. <http://www.historyworld.net/wrldhis/PlainTextHistories.asp?historyid=ad48>.
- Jegwa, Peter. 2022. "Malawi's Vice-President Saulos Chilima charged with corruption." BBC. <https://www.bbc.com/news/world-africa-63754227>.
- Kampanje, Brian P. 2015. "Debacle of Privatizing State Owned Companies in Malawi - Case Study of Malawi Savings Bank Limited." *SSRN Electronic Journal*, (January).
- Magalasi, Collins. 2006. "The Effects of Privatisation in Malawi." Views by Collins Magalasi. <http://collinsmagalasi.blogspot.com/2008/08/effects-of-privatisation-in-malawi.html>.
- Masina, Lameck. 2016. "Corruption Case Against Malawi's Ex-President Hits Another Snag." Voice of America. <https://www.voanews.com/a/corruption-case-against-former-malawi-presidents-hits-another-snag/3379639.html>.
- Masina, Lameck. 2022. "Malawi Former Anti-Corruption Chief Arrested Over Graft." Voice of America. <https://www.voanews.com/a/malawi-former-anti-corruption-chief-arrested-over-graft-/6693017.html>.
- Matonga, Golden. 2022. "Malawi, the land of broken promises." Chatham House. <https://www.chathamhouse.org/publications/the-world-today/2022-08/malawi-land-broken-promises>.
- McCracken, John. 2012. *A History of Malawi: 1859-1966*. N.p.: James Currey.
- Middleton, John. 2008. *New Encyclopedia of Africa*. Edited by John Middleton and Joseph C. Miller. N.p.: Thomson/Gale.

- Mtonga, Lowani. 2021. "Malawi: Do Not Quash Muluzi Corruption Case, Fast-Track It and Let Court Determine." allAfrica.com. <https://allafrica.com/stories/202101060581.html>.
- Nelson, Harold D., Margarita Dobert, Gordon C. McDonald, James McLaughlin, Barbara Marvin, and Donald P. Whitaker. 1975. *Area Handbook for Malawi*. Washington, DC: Foreign Area Studies of The American University.
- Pike, John G. 1969. *Malawi; a political and economic history*. New York, NY: Praeger Publishing.
- Reinsberg, Bernhard, Thomas Stubbs, Alexander Kentikelenis, and Lawrence King. 2019. "Bad governance: How privatization increases corruption in the developing world." (June). <https://doi.org/10.1111/rego.12265>.
- Ross, Andrew C. 2009. *Colonialism to Cabinet Crisis: A Political History of Malawi*. Edited by T. J. Thompson. N.p.: Kachere Series.
- Tangri, Roger, and Andrew M. Mwenda. 2006. "Politics, Donors and the Ineffectiveness of Anti-Corruption Institutions in Uganda." *The Journal of Modern African Studies* 44, no. 1 (March): 101-124. 3876103.