

**CIVIL SOCIETY AND DEMOCRATISATION: THE ROLE OF CIVIL SOCIETY
ORGANISATIONS IN PROMOTING DEMOCRACY AT DISTRICT LEVEL –
THE CASE OF SALIMA DISTRICT**

M.A. (POLITICAL SCIENCE) THESIS

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UNIVERSITY OF MALAWI

CHANCELLOR COLLEGE

JUNE, 2010

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**Submitted to the Department of Political and Administrative Studies, Faculty of
Social Science, in partial fulfilment of the requirements for the degree of**

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UNIVERSITY OF MALAWI

CHANCELLOR COLLEGE

JUNE, 2010

DECLARATION

I the undersigned hereby declare that this thesis is my own original work which has not been submitted to any other institution for similar purposes. Where other people's work has been used acknowledgements have been made.

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Certificate of Approval

The undersigned certify that this thesis represents the student's own work and effort and has been submitted with our approval.

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DEDICATION

To my dear wife Treza and wonderful children, Thandi, Dumisani and Thumbiko. Let this work inspire them to the highest levels of academic excellence.

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Lastly but not least, I would like to thank NOMA for the scholarship grant.

ABSTRACT

The democratic transition that Malawi experienced in early 1990s was part of the so-called third wave of democratization that started in 1974 (Huntington 1991). In Malawi, civil society organisations were part of the movement that championed and managed the transitional process from one party to a multi party state. Since then, they have continued to evolve, responding to both the local political environment as well as the influence of the donor agencies and international organizations.

This study explores the role of civil society organizations in contributing to the deepening of democratic values at district level using a case study of Salima District. The rationale for doing a case study was persuaded by the fact that most analyses about the contribution of civil society organisations to the democratisation process in Malawi have focused at the national level, yet most CSOs have a narrow operational base.

Using the participatory democracy model, the study analyses the extent to which CSOs are able to mobilize communities into actions that promote their participation in public affairs and holding their elected leaders accountable. The study finds that CSOs have done little to promote accountability of elected leaders but are trying to come up with strategies for doing so.

TABLE OF CONTENTS

DECLARATION	iii
Certificate of Approval	iv
DEDICATION	v
CHAPTER 1 : INTRODUCTION	1
1.1 Background to the study	1
1.2 Problem Statement	5
1.3 Hypothesis	8
1.4 Study Objectives	8
1.4.1 Main Study Objective	8
1.4.2 Specific Study Objectives	8
1.5 Definition of Key Terms	8
1.6 Analytical Framework	9
1.7 Study Design and Methodology	10
1.7.1 Units of Analysis	15
1.8 Chapter Summary	16
CHAPTER 2: LITERATURE REVIEW AND THEORETICAL FRAMEWORK	16
2.1 Introduction	16
2.2 Theoretical Framework	17
2.3 The concept of Civil Society Unpacked	22
2.4 Civil Society and Democratization – the meeting point	26
2.5 A critical perspective of civil society	30
2.6 The state and civil society in Malawi	34
2.7 Chapter Summary	39
CHAPTER 3: CIVIL SOCIETY AND DEMOCRACY PROMOTION IN SALIMA ...	41
3.1 Introduction	41
3.2 Profile of CSOs involved in democracy promotion in Salima District	41
3.3 Different faces of Civil Society organizations in Salima	46
3.4 CSOs and the promotion of participatory democracy in Salima	47
3.4.1 Civil Society Engagement with the grassroots communities	48
3.4.3 Working with volunteer Staff	59
3.4.4 Promoting pluralism - dealing with minority Groups	60
3.4.5 Training as an end product	61
3.5 Membership issues in CSOs – inherent contradictions	63
3.6 Coordination and collaboration among CSOs	66
3.7 Civil Society Networks	68
3.8 CSOs and the promotion of vertical accountability for MPs	71
3.9 The Constituency Development Fund – a missed opportunity	78
3.10 CSOs and the State - Civil Society and the District Assembly	81
3.11 Chapter Summary	86
CHAPTER 4: CONCLUSIONS AND IMPLICATIONS OF THE STUDY	88
4.1 Introduction	88
4.2 Summary of the study Findings	88

4.3	CBOs and NGOs – emerging literature gaps	90
4.4	The state and Civil Society in Salima	91
4.5	Areas for more research and analysis.....	98
4.6	Significance of the findings of the Study	99
Appendix 1: List of individuals Interviewed		108
Appendix 2: Data Analysis Summary Sheet – Key Informant Interviews		109
Appendix 3: Data Analysis Summary Sheet – Focus Group Discussions.....		122

LIST OF ABBREVIATIONS

1. ADC : Area Development Committee
2. ADMARC : Agricultural Development and Marketing Corporation
3. CBES : Community Based Educators
4. CBOs : Community Based Organisations
5. CCJP : Catholic Commission for Justice and Peace
6. CDF : Constituency Development Fund
7. CHRR : Centre for Human Rights and Rehabilitation
8. CSOs : Civil Society Organisations
9. DCP : Democracy Consolidation Programme
10. DDC : District Development Committee
11. DEC : District Executive Committee
12. DA : District Assembly
13. EU : European Union
14. GTZ : German Technical Cooperation
15. IMF : International Monetary Fund
16. MOU : Memorandum of Understanding
17. MP : Member of Parliament
18. NAC : National Aids Commission
19. NGOs : Non Governmental Organisations
20. NICE : National Initiative for Civic Education
21. DPD : Director of Planning and Development
22. PAC : Public Affairs Committee

- 23. PCE : Para Civic Educator
- 24. PRA : Participatory Rural Appraisal
- 25. SAWEG : Salima Women Network on Gender
- 26. SAGNET : Salima Governance Network
- 27. SASO : Salima Aids Support Organisation
- 28. TA : Traditional Authority
- 29. VDC : Village Development Commmit

CHAPTER 1 : INTRODUCTION

1.1 Background to the study

This study explores the work of civil society organizations in contributing to the promotion of democracy in Malawi using a case study of Salima district. Specifically, the project focuses on the contribution of Non Governmental Organizations involved in the promotion of participatory democracy. While the literature review draws from the wider concept of civil society, this study dwells more on specific NGOs that were operating in Salima at the time of the study. Not all civil society organizations are engaged in democracy promotion activities. Similarly, not all NGOs are involved in the democracy promotion agenda. Hence the research had to isolate those organizations that seemed relevant to the study.

The study assesses strategies that CSOs in Salima have employed to promote democracy. On the side of the electorate the study focused on issues of popular participation in decision making, training, and civic education outreach activities. On the side of elected officials, the study wanted to know what structures the CSOs have come up with to provide space for ordinary people to interact with and hold their elected leaders accountable.

Democracy is a system of government where the legitimacy of the rulers comes through open, competitive electoral processes, usually through but not always, political parties. There are many descriptions of democratic governments but the major features of a democratic government include political participation of citizens, competition among

political agents, especially political parties, and granting of a host of civil and political liberties (Sorenson 1993, in Ademujobi 2000:60). Thus, for a country to qualify as democratic it must be able to hold regular competitive elections in which all eligible citizens are allowed to participate as candidates or voters and contesting political parties and independent candidates are allowed to campaign and contest without facing undue disadvantages. The framework for holding periodic elections and coming up with accountability mechanisms is also referred to as institutional democracy. In this context, civil society organisations complement the role of political parties in facilitating peoples' participation in the government of their countries, and, above all, helping to sustain the trust between the people and their government in between elections. They also participate in promoting, defending and protecting human rights in various ways, all of which are considered a contribution to the promotion of democracy. Liberal democracy emphasizes on the respect for human rights and the promotion of a host of civil liberties and freedoms.

In Malawi civil society organizations participated in the political transition processes in the early 1990s and have continued to play their role in the democracy consolidation phase after the 1994 elections. It is also noted that in the colonial days of 1940s to 1960s civil society played a critical role in campaigning for Malawi independence. During the 1940s and 1950s, Malawi witnessed the increased role of traditional associations, welfare societies and trade unions that participated in the decolonization process. Following the historic multi party elections of 1994 Malawi embarked on a democracy consolidation

process. This process is ongoing and this study wanted to identify a place for civil society in the whole process.

According to Magolowondo (2007) democracy consolidation is the attainment and internalization of democratic values and principles so that they become a way of life in a particular country. In other words, doing things the democratic way becomes the only acceptable means of regime takeover. Chirwa (2000:88) observes that democracy is a continuous effort to promote equal access to fundamental human rights and civil liberties for all. Thus we see a phase in Malawi when democracy began to take roots and it was expected to grow. Phiri et al (2000) noted that Malawi was one of the countries in Southern Africa with high prospects for liberal democracy to grow. But indications from other sources over the years have shown that the democratization processes stagnated from 1998 onwards (Freedom House <http://www.freedomhouse.org>).

But the scenario is not unique to Malawi. It has been a problem in most countries that have been undergoing democratic transitions, especially on the African continent. Przworski (1995:62) argues that several conditions that are generally thought to sustain democratic institutions are absent in new democracies – representative organizations are weak, civil society is highly fragmented, memories of political abuse are still fresh, antidemocratic ideologies are quite alive.

Meinhardt and Patel (2003:34, 2000:110) have noted that in the transition period, CSOs in Malawi were active participants of the process. They engaged both the state and the

society regarding the country's political future and acted as an avenue for articulating citizens' political demands." Thus CSOs in Malawi have been part and parcel of the democratization process right from the 1990s before the transition to multi party democracy in 1994. We also see an early indication of the role that they played - articulating peoples' aspirations, views and interests.

Scholars have however given mixed reactions about the performance of CSOs in promoting democracy in Malawi beyond the 1994 multi party elections. 1994 was the year that the transition process was completed and the consolidation process started. Magolowondo (2007) notes that the transition to multi party democracy in 1994 set the pace for democratic consolidation but democratic consolidation itself would take time to be fully realized. The process of democratic consolidation begins where the transition to democracy ends (Beetham 1994). Commenting on the democracy consolidation process in Malawi, Meinhardt and Patel (2003) observed that ten years was a very short time for democracy to be fully consolidated. But they fell short of prescribing a period over which the process is supposed to be completed.

Democracy consolidation is a process that is recognized by many features and different scholars tend to place emphasis on different areas. For some, it means the possibility for a peaceful regime change that follows democratic processes (Beetham 1994). The argument is that in a consolidated democracy it should be possible for a government that is democratically elected to hand over power to another government that has also been democratically elected. This acceptance points to the other common argument that a

democracy is consolidated when democratic means are the only acceptable channels of political contestation (Encamarcion 2000; Diamond 1997; Beetham 1994,). The acceptance of democracy as the only legitimate means for government change leads back to the issue of political culture as articulated by Magolowondo (ibid).

1.2 Problem Statement

The body of literature on the contribution of CSOs to the promotion of democracy in Malawi is limited. Most of the studies have been conducted at the macro level, hence the gap in literature on how the work of civil society organizations is impacting at the micro level. Chirwa (2000) conducted an overview of the growth of civil society in Malawi and linked it to their participation in the 1994 and 1999 general elections. He provides an elaborate analysis, tracing them to the 1993 referendum and the 1994 general elections through to the 1999 elections. He notes that during the political transition period, the Public Affairs Committee, a coalition of religious organizations, the business community and pressure groups, was an influential civil society grouping that influenced the democratic change. The conclusion of his analysis, which anchors the departure point of my study, is that civil society efforts in promoting democracy in Malawi began to falter after the political transition of 1994. He notes that while they co - managed the transitional process between the 1993 referendum and 1994 general elections, it became clear that in the 1999 elections they had been relegated to mere civic education providers, no longer participating as process co-managers. This he attributed to institutional weaknesses, poor strategies and the intransigence of the state.

Chinsinga (20007) has studied the contribution of CSOs in public policy making in Malawi and has provided some case studies of some policies and how CSOs have contributed to each of them. His study was done at national level and the thrust is on policy formulation, implementation and evaluation. While acknowledging the participation of CSOs in policy formulation and implementation, his general conclusion is that CSOs are removed from the grassroots and hence their claim to represent peoples' interests is contestable. He also bemoans the poor levels of collaboration among the CSOs that tends to weaken their bargaining power.

Meinhardt and Patel (2003) as well as Dulani (2007) have all written about CSOs and their role in elections. Some of the challenges highlighted in these studies have provided a springboard for this study, which has been designed to illuminate on how civil society organisations in Malawi have contributed to the promotion of democracy at district level beyond elections by analyzing their strategies on promoting participatory democracy and vertical accountability.

Most of the early studies about CSOs in Malawi focused on elections. This is because the role of CSOs in the 1993/94 political transition and the 1994 elections ushered in a new chapter in the evolution of civil society organisations in Malawi. Later the studies then shift to their role in policy formulation and implementation which is probably linked to the changing donor policies on new forms of structural adjustment programmes, namely the poverty reduction strategies encouraged by IMF and World Bank in the early 1990s.

The World Bank and IMF made civil society participation a precondition for the Poverty Reduction Strategy Papers (PRSP) to be accepted. It was only natural therefore that from 2000 onwards most studies on the work of CSOs have tended to focus on their role in policy formulation and implementation, with the resulting effect that little has since then been written about how CSOs are contributing to democracy promotion at the grassroots level by empowering local people to participate actively in the affairs of their government. This study was thus motivated by the desire to fill in the gaps in the body of knowledge that has so far concentrated on only elections and policy formulation.

After a successful democratic transition in 1994, Malawi was expected to sustain that democratic status by strengthening institutional arrangements for the functioning of a democratic state and inculcating and sustaining a democratic culture. Phiri et al (2000:13) noted that Malawi was one of the countries in Southern Africa with high prospects for liberal democracy to grow. Others included South Africa, Namibia, Tanzania, Uganda, Benin and Ghana. But as noted from the assessment by Freedom House earlier on, Malawi's democratic status has stagnated. It was rated free from 1994 to 1998 and then has remained partly free from 1999 onwards. This is a cause for concern.

It is important to draw some distinction lines between the CSOs that participated in the transitional process and those that emerged after the 1994 elections. Most civil society organizations involved in democracy promotion in the contemporary Malawi emerged after the 1994 elections (Chirwa 2000). None of the three organizations covered in this study participated in the transitional process. CHRR and NICE were established after

1995. Action Aid International came onto the scene in 1990 but was then only engaged in service delivery. As an international NGO at that time it was not expected to engage in activities that would have been deemed political in nature.

1.3 Hypothesis

The key hypothesis of this study is that the contribution of civil society to the promotion of democracy at district level is hampered by lack of effective mechanisms for community participation and low levels of collaboration with the state machinery.

1.4 Study Objectives

1.4.1 Main Study Objective

The main objective of this study was to assess the strategies and methodologies that civil society organizations employ in the promotion of democracy.

1.4.2 Specific Study Objectives

The project was specifically designed to achieve the following objectives: -

- To assess approaches and strategies employed by CSOs in promoting democracy at district level,
- To assess the methods and approaches taken by CSOs in ensuring accountability of Members of Parliament and key public officials at district level,
- To assess the working relationship between CSOs and the district assembly.

1.5 Definition of Key Terms

This study is about civil society and democratization. In looking at democratization, the study makes reference to the concept of democracy consolidation. Thus democratization is almost equated to democracy consolidation. Democracy consolidation refers to a

process whereby a country is gradually moving from an authoritarian regime to one that is democratic and sustainable over a long period of time. It is a continuous process without an end point. It continues to evolve although some bodies of literature do suggest that a country can be said to have attained a complete democracy consolidation process. Democratization is understood as all those processes that contribute positively to the attainment of a full democratic status. The concept of civil society is dealt in good detail in Chapter 2. But for purposes of setting the pace, civil society is in this study understood as all forms of associations operating above the individual but below and outside of the state. These include NGOs, CBOs, trade unions and religious organizations.

1.6 Analytical Framework

This study is grounded on the dominant view that a strong civil society contributes to the promotion and sustenance of a vibrant democratic society that is achieved through the promotion of participatory democracy. A fully functioning democracy is characterized by a public that is informed and who has the feeling that it can influence the political processes and decisions through particular channels of accepted behaviour (Erdmann, Patel and Schweitzer 2004:6). Civil society is expected to play the facilitation role in order for the public to be informed of and to be engaged in processes that enable it to influence political processes and decisions. Civil society is identified as a people-centred participatory channel that can serve to articulate and express citizens' ideas (Chiweza 2007:171)

While there is agreement that CSOs played a significant role during Malawi's political transition, there are compelling arguments to the effect that after the transition CSOs have

done little to the contribution of participatory democracy as their momentum has slackened. The argument is that they have tended to be centralized and have lacked a strong grassroots presence. This deficiency has been attributed as a major contributing factor to low voter turnout during elections, weak accountability mechanisms for elected leaders and low levels of public participation in development initiatives at the community level.

Chirwa (2000: 89) identifies the inter-election period of 1994 to 1999 as a period that was characterized by the faltering role of civil society in articulating political issues on behalf of the citizens. This is contrasted to the transitional phase when CSOs were so active that they were described as co-managers of the transitional electoral process. Notably, the Public Affairs Committee was at the front of managing the transitional process, together with political pressure groups. This study illuminates on the direction that these faltering efforts have taken after the 1999 elections and what factors have contributed to the evolution of CSOs in Malawi since then. It is also worth mentioning that the civil society being referred to during the political transition phase of 1993-1994 comprised a few players while after 1994 more organizations wearing the badge of civil society have sprang up.

1.7 Study Design and Methodology

The study employed a three-pronged approach comprising use of focus group discussions, Key Informant Interviews and review of secondary sources of information. The number of FGDs was deliberately limited because the thrust of the study was on the strategies that CSOs apply which led to more reliance on key informant interviews.

Qualitative methods of data collection and analysis were applied because of the qualitative nature of the study.

The number of key informant interviews was determined first by number of targeted CSOs. The study design presupposed that at least CSO leaders would be interviewed, that one or two senior members of Salima District Assembly would be interviewed and also one or two traditional leaders. Salima has a total of six traditional authorities (TAs). Out of these six TAs Kalonga and Khombedza were purposively sampled because they are the only TAs that were covered by all the targeted CSOs in the district. The actual villages in which FGDs were conducted were randomly selected.

Two focus group discussions were held in TA Kalonga and one focus group discussion in TA Khombedza. 16 interviews with key informants that included civil society leaders, CSO staff and volunteers, government officials from Salima District/Town Assembly, and Traditional leaders were conducted. Secondary sources of information such as publications were also consulted.

The strategy was firstly to get information on what CSOs are doing in Salima in their contribution to the promotion of democracy and then inquiring if such strategies have resulted in increased knowledge in the communities about democracy. It was assumed that knowledge gained by the communities would motivate them to participate fully in democratic processes and engage in activities that would promote vertical accountability by MPs and other elected leaders.

1.7.1 Key informant Interviews

Being an exploratory research, the use of key informant interviews was the main approach used in data collection and analysis. This is because the study was designed to collect as much information as possible on what the CSOs are actually doing in Salima to promote participatory democracy. It was planned that once the interviews have been conducted the study would then focus on the impact of such engagements at community level where FGDs would be conducted to learn more on the impact of civil society work at the local people in the communities.

Initial interviews involved staff from the parent CSOs at their national secretariats in Lilongwe and then the next stage involved district level staff and then community volunteers. The study targeted Executive Directors of CSOs but in their absence senior staff members such as Project Managers were interviewed instead. While most of these involved face to face interviews, the interview with the Acting Project Manager for NICE was by email, that with the Director of Planning and Development for Salima Town and District Assembly was done via telephone. Both of these email interviews were on specific questions for clarification. The interviews with officials from the Development Broadcasting Unit were also by phone. An interview guide was used in all the interviews.

As the data was being analysed, it became clear that the interview guide had not covered all the critical areas and in the end quite significant follow ups had to be made by phone to get clarifications on certain issues that had not been adequately captured during the

formal interview sessions. Also in the process of writing, some developments were taking place that required fresh attention, such as the 2009 Presidential and Parliamentary elections. This called for more information on how things turned out, such as the outcome of the campaign for women candidates for parliamentary positions, a key aspect of the effort by Action Aid International campaign to promote women representation in parliament.

1.7.2 Focus Group Discussions

One focus group discussion was conducted in Mtanda Village in TA Khombedza area for community members involving six women and five men. The second focus group discussion for community members was held at Nthenga Village in TA Kalonga. In both FGDs men and women were involved. Adult men and women were randomly selected to participate in the FGDs and the strategy was to have a mixed group of almost equal numbers of men and women, allowing for a slight variation without one group being too dominant.

The third focus group discussion involved ten community-based educators belonging to Centre for Human Rights and Rehabilitation. These ten constitute the District Committee for CHRR in Salima district. The reason for holding this separate discussion was to gain some insights into capacity issues concerning these volunteers who have the responsibility for reaching out to community members with sensitization campaigns. Although the study looks at three CSOs, only members of CHRR were involved in the focus group discussions as it emerged in the initial stages of the research that of the three

organizations only CHRR had some form of membership structures for its volunteers. To this effect, CHRR has ten members of the District Committee and all of these were invited to participate in the FGDs.

FGDs at TA level were designed to get views from the communities that are served by the CSOs to assess what impact the work of the CSOs is having to enable them participate fully in the public life. This tool was designed to assess the outreach activities of the CSOs. FGDs allowed participants to share their experiences in holding their elected leaders accountable. They were asked to indicate if ever they had participated in any activity that was aimed at getting answers from their MPs on an issue of concern to the community. They were also asked to indicate what they considered to be the appropriate way of dealing with non - performing MPs. The study was unsuccessful in interviewing any MP from Salima. However, the findings would not have been any different, given that very little has so far been done by CSOs to promote accountability by MPs. In any case only one MP would have been interviewed since in TA Khombedza there was no MP at the time of the study.

Selection of the sites for the FGDs was influenced by the presence of all the three major CSOs in the selected areas. While NICE and Action Aid are operating in all the TAs in Salima, CHRR has active projects in only TA Kalonga and Khombedza, hence the selection of the two areas for FGDs.

An FGD facilitation guide was used. A volunteer was also engaged to assist with the audio recording of the FGDs. There was a technical problem however with the recording of the FGD at Nthenga village when it emerged that the audio recording was not successful and only hand written notes had to be used in data entry and analysis.

1.7.3 Data Analysis

Data analysis was done through qualitative content analysis. The process involved organising the data into five pre-determined themes, namely knowledge about democracy, knowledge about features of a democratic government, knowledge about the roles of citizens in a democratic government, the role of CSOs in promoting vertical accountability and recommendations on what the communities expect the CSOs to do. The information collected was reduced into a data analysis summary sheet that had the five themes mentioned above.

1.7.1 Units of Analysis

The study focuses on the activities of three organisations, namely, Action Aid International Malawi, Centre for Human Rights and Rehabilitation and National Initiative for Civic Education. These three organizations were the most recognized in Salima district at the time of this study. The study also makes some references to the work of the Development Broadcasting Unit and the Democracy Consolidation Programme (DCP) but not in detail. The National Initiative for Civic Education has been purposely included although its identity as a CSO is contestable. At the national level the organization has the identity of a government civic education project but at district level it considers itself as a member of the civil society and is recognized as such by all stakeholders, including

the district assembly and its own staff members! In Salima NICE is a coordinating institution for all CSOs and spearheading the formation of a civil society forum.

1.8 Chapter Summary

This chapter has presented a detailed description of the problem that the study was focused on. The chapter started by looking at the growth of CSOs in Malawi, tracing their role during the political transition of 1993/94. It also touched on the declining role of CSOs after the 1999 elections. The main purpose was to illuminate on how CSOs have evolved since then. The chapter has presented an outline of some of the definitions of key terms and concepts applied in this study and how they are to be understood by the reader. Key research objectives have been highlighted, the research hypothesis presented and the methodology explained. The study applied qualitative research methods of key informant interviews and focus group discussions, with more emphasis on key informant interviews.

CHAPTER 2: LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.1 Introduction

This chapter discusses the theoretical framework on which the study design and analytical framework were based. The chapter deals at length with issues of definitions of civil society and then links the work of CSOs to the democratization processes, globally in general and in Malawi in particular. The chapter touches on some of the critical issues about CSOs, highlighting some of their key weaknesses and challenges. Finally the chapter discusses the relationship between the state and civil society.

2.2 Theoretical Framework

This study is anchored on the participatory democracy theory, which has been developed from ideas of Rousseau, J.S Mill and GDH Cole (Wolfe 1985). The study is highly indebted to the works of Robinson and Friedman (2006) who have conducted a comparative study in three African countries: South Africa, Ghana and Uganda. The thrust of their study was to analyse the extent and factors that determine CSO' ability to influence policy direction and legislation. They have relied on specific case studies involving six CSOs in South Africa and six CSOs in Uganda and also some data from a similar earlier study from Ghana.

Their study was mainly centred on two features: internal governance structures of CSOs and political efficacy. On internal governance they were analyzing the extent to which governance structures of CSOs provide an opportunity for wider participation by citizens in influencing public policy, thereby promoting plurality. On political efficacy they were interested in the ability by CSOs to influence policy outcomes. Their finding was that few organizations make a significant difference to policy outcomes. They also found that organizations with close links to the state are more effective in influencing policy changes. This present study departs slightly from the approach taken by Robinson and Friedman by shifting focus from policy influence to promotion of accountability and participatory democracy. But for studies, internal features of CSOs are crucial to the attainment of their goals and objectives.

The participatory democracy theory claims that participation in democratic processes produces popular control of the issue agenda, decision making and implementation.

Participatory democracy implies that citizens have the capacity to influence government policies in their favour. The belief that civil society organizations have the capacity and institutional framework for mobilizing people to participate in democratic processes and hold their elected leaders accountable is the central argument in this theory. This research uses the participatory democracy theory to determine the extent to which CSOs in Malawi, and in Salima district in particular, are contributing to the promotion of democracy in Malawi. The research relies on the two functions of civil society, namely education and facilitating participation.

The contribution of civil society organizations to democracy is not limited to their capacity to influence public policy. They also foster voice and participation by citizens (Robinson and Friedman 2006). Participation has been praised for its ability to make citizens more active and able to do the things they do. It has also been argued that participation develops and fosters the very qualities necessary for it. The more individuals participate, the better they become in doing so (Wolfe 1985). Participation is expected to yield better results and outcomes.

In a participatory democracy, policies and laws are the outcome of active participation by the citizens. This is also referred to as the Mass Theory of public policy making. Participation includes direct involvement of citizens in the process of administrative decision making, policy formulation and implementation (Sapru 2003:356). Participatory democracy is seen to be at work if government policies are shaped by popular opinion in which well informed citizens are able to influence policy decisions and outcomes.

Participation in policy formulation and implementation is just one component. Other forms of participation include participating as voters during elections, standing as candidates during elections and participating in referenda as well engaging officials in dialogue at public foras.

The role of CSOs in promoting participation is praised because governments have a tendency not to promote it at their own will. As noted by Sapru (2003) career officials in most developing countries have not demonstrated patience and tolerance for the necessarily tedious patterns of public debates and discussion of development programmes. The state bureaucracy seems to have a preference for over-reliance on technical expertise than participatory approaches to development planning and implementation. This is in agreement with the policy making processes in Malawi as analysed by Chinsinga (2007) when he observes that policy making processes have largely been elitist, with donors, bureaucrats and the executive having leverage over the rest of the stakeholders. CSOs are expected to bring in the much - needed impetus to have alternative voices.

For CSOs to succeed in promoting political participation they are expected to have certain characteristics, among them internal governance systems and practices that allow their members to have a voice in decision making. These internal governance issues have received good attention in this study. Political efficacy has not featured much. The reason for this is that the study is at district level where there is very little policy formulation. The absence of complete local government assemblies has worsened the situation. This

study has therefore concentrated on those activities that are doable at district level, such as participation in decision - making meetings for developmental programmes, organizing marches and demonstrations on issues of concern, organizing meetings with key public officials and elected representatives and participation in decision making processes at organization level.

These are some of the issues that have been considered in order to draw some conclusions. It is expected that organizations with a wide membership base have more potential to influence policies. This is usually the case with trade unions and other membership based organizations. The broad membership not only gives them a bigger voice but also increased their potential for financial self - reliance. This is the case with the Confederation of the South Africa Trade Unions (COSATU).

In this study none of the CSOs under study are membership based. For this reason the study focuses on what strategies CSOs are undertaking to compensate for their weak grassroots base. This focus has shifted to other forms of public interaction and mass mobilization such as networking and delegation to lower level players such as CBOs.

Participation is in this study understood as taking part in public functions that are intended to promote society needs that fall within the responsibility of the government. They include contacting public officials, raising issues in the media, organizing and attending mass rallies, participating in ad hoc protests and mass rallies. Accountability is understood as the ability of the citizens to demand answers from their elected

representatives and public officials on their actions and inactions related to the provision of goods and services by the state. Accountability and participation are interdependent.

Among others, participation can be achieved by having CSOs acting as membership forums where people engage the state in demanding accountability for actions and inactions of public servants and officials. In this case an organization with a large membership base can be seen to contribute to democracy promotion by acting as a forum where the majority of citizens have an effective voice in the affairs of their government (Robinson and Friedman 2005:4). Membership can be on individual basis and it can also imply a number of organizations coming together and working as one coalition group.

Extending further to the issue of internal governance are elements of inclusiveness. CSOs' contribution to democracy can also be assessed by looking at how they promote rights of minority groups. This can be done through inclusion of minority groups in their membership ranks (for membership based organizations) or through the implementation of activities that impact positively on promoting the same. Gaventa (2005) argues that a robust civil society can serve as an additional check and balance on government behaviour through mobilizing claims and advocating for special interests. According to Huber et al (1997) the issue of participation is incomplete unless and until minority groups have been incorporated. This is very crucial because suppression of minority voices is one cause for loss of faith in democratic regimes and gives rise to undemocratic means of dealing with governance issues.

The study has looked at membership structures, number of cases whereby CSOs and communities have successfully or unsuccessfully demanded accountability from their elected representatives and key public officials, as well as community participation in initiating activities by CSOs. The study indirectly looked at whether or not the CSOs are visible at community level where their services are to be utilized by the communities.

2.3 The concept of Civil Society Unpacked

The term civil society refers to a broad domain of organizations and associations. Due to its diversity the term may be used to mean different things to different people, depending on the context. There are also many definitions of civil society. This is due to the evolving nature of the CSOs over time. The understanding of civil society today is not the same as in the days of Thomas Hobbes or Plato. Within the civil society domain there are NGOs, CBOs, tribal associations, media institutions, professional associations and trade unions.

In classical terms, civil society referred to the entirety of social life outside state institutions (Young 1999:143; Chandhoke 1995; Tester 1992). Civil Society, or civil government, in John Locke's terminology, referred to the development of a sphere outside the state (Pearce (1993:225). Civil society is thus a realm of organized life above the individual that is independent of the state and the market. According to Carothers (1999:209), civil society represents a broad domain – the space in the society between individuals and families on one hand and the state or government on the other.

Civil Society is therefore above the individual but below the state. Michael Bratton (1998:56) conceived civil society as including all public, political, non state activity occurring between the government and the family. His inclusion of political issues is a departure point for some scholars who have argued that organizations with political interests are not part of civil society. For them political parties cannot be included in the definition of civil society. But for others, the fact that political parties articulate people's interests and influence governments to act on them is enough evidence that they are part of civil society. Their argument is strengthened by the fact they are formed by individuals and membership is on voluntary basis (Lars Svåsand and Arne Tostensen 2009, unpublished)

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It is probably Simone (1992:159) that offers a more practical and descriptive definition. According to him, the concept of civil society is defined as:

“a vast array of both formal and informal community organizations, religious institutions and movements, voluntary associations, trade unions and guilds, cultural institutions, cooperatives fraternal and ethnic associations and human service delivery systems. More recently, some of the organizations included in the definition have been called Non Governmental Organisations – NGOs.”

The distinction by Simone that NGOs are a recent inclusion is significant. This is so because much as NGOs are a recent phenomenon, they have dominated the study of CSOs as if they are synonymous with civil society. The significance is also on account of

NGOs being more related to issues of democracy promotion and service delivery than the earlier forms of civil society who were more interested in the promotion of their own immediate interest as a group. Examples would include promotion of cultural, ethnic and professional interests.

Although NGOs may have been around for some time, it is generally recognized that the 1980s is the period during which most of them came onto the scene. The early 1980s saw the emergence of service delivery NGOs that acted as channels for development aid. These were a by product of the changing policies of international financial institutions such as the World Bank and the International Monetary Fund that showed preference for a diminished role of the state in managing economies, while giving more room to non state actors.

In Malawi, the early 1990s saw the emergence of human rights advocacy NGOs that were involved in agitating for political changes from authoritarian to democratic systems of government. They initially came as pressure groups and later got formally registered as NGOs in mid 1990s. What happened in the early 1990s was a reincarnation of what happened during the pre independence years when civil society played a big role in the decolonization process before political parties were properly established in Malawi.

What is emerging from the discussion is that the domain of civil society is a complex one comprising different forms of voluntary associations and organisations. From that broad domain it is possible to pick out NGOs as a unit of analysis. But that does not solve the

challenge completely as NGOs themselves are not homogeneous. Associations designated as NGOs differ from one another in terms of functions, levels at which they operate and organizational structures, goals and membership (Fisher 1997:447). The term NGOs refers to organizations that are non – profit in nature and have been established in order to pursue some common good. The element of common good is the one that excludes private companies (Borchgrevink 2006:255) from the NGO definition. Thus not every institution that is not part of the state qualifies as an NGO. For instance trade unions and women movements are part of civil society but do not identify themselves as NGOs. NGOs usually exist not to serve the interests of their immediate members directly, but those of the general populace.

NGOs are a subset of the civil society family although their prominence has sometimes led to them being equated with the wider concept of civil society. Traditional civil society organizations are loosely connected by common interests while NGOs tend to be more professional and rely on technical expertise. They are usually registered by the state while social movements do not always have to register with the state. Most civil society movements are membership based and exist to promote the interests of their members while most NGOs are professional organizations whose interests are in serving the wider population. While it is a must for NGOs to register with the state, CBOs are relatively freer to operate at community level without necessarily being formally registered. This notwithstanding, recognition by relevant government institutions is required when CBOs seek funding from external partners. CBOs and NGOs are all part of civil society although they differ in terms of scope of their work, geographical coverage of their

operations, funding sources and legal frameworks within which they operate, such as the requirement to register with the state may apply to NGOs but not CBOs.

In Malawi the NGO Act (2000) regulates the operations of NGOs. Most NGOs are registered as trusts and ownership is with the registered trustees.

When analyzing civil society contribution to the democratization process, one must clearly isolate what elements of civil society one is looking at. Civil society is not a single entity with all its forces pulling in the same direction. Possibilities are there for members of the civil society to act in contradiction of each other. Theoretically, it is also possible that some CSOs can be anti-democratic in their nature and work. The point is that CSOs in general and NGOs in particular, do not necessarily exist to promote democracy. Some do and some do not. For those that do, there are variations in their levels of engagement on democracy promoting initiatives.

2.4 Civil Society and Democratization – the meeting point

CSOs are hailed to promote democracy by, among others, facilitating peoples' participation in democratic processes such as elections. They also help to nurture democracy in between elections by continuing with their educative function of conducting civic education. Three major roles of civil society are watchdog function, policy formulation and service delivery. It is generally understood that civil society organizations represent the views of the ordinary people. As noted by Edwards and Hume (1992) the main emphasis for NGOs involved in advocacy and lobbying is usually held to be the 'process' involved in supporting local initiatives – awareness raising,

conscientisation, group formation, leadership, training and management training skills. This is what Robinson and Friedman (2005:6) refer to as the educative function of civil society.

Although the term democracy is largely associated with elections, in essence it is more about norms of inclusion in public discourse and decision making, particularly those encouraging participation, debate and consensus (Shivikumar 2005:6). The issue of participation, a key concept in this study, begs some clarification. There can be routine participation and there can also be effective participation. There can be consultation and there can be involvement. Participatory democracy should bring out that level of participation whereby the people are able to influence the actions and policies of their government. According to Swift (2006) a political system is said to be more democratic the more its citizens have equal opportunity for political influence. Democracy is about the will of the majority where there is respect for rights of the minorities.

The argument is well summarized by Sapru (2003:355 when he concludes: -

“Participation represents a revived interest in the philosophy of participatory democracy promoted by French philosopher Alexis de Tocqueville who propounded that citizen participation is essential to the survival of democracy and that democracy is undermined when citizens are incapable of influencing government decisions.”

The relationship between CSOs and democracy promotion is traced to those functions of civil society that are seen to contribute directly or indirectly to the principles and values of democracy. According to Robinson and Friedman (2005:6) studies reveal that CSOs play three roles namely, promoting pluralism, educating the people about their roles in democratic government and then facilitating their participation in policy processes and democratic processes. CSOs that engage in educational activities that promote democracy are commended for instilling democratic values in the people which eventually translate into an informed citizenry that participate more meaningfully in democratic processes. In so doing they are facilitating the growth of a democratic political culture. Magolowondo (2007:19) elaborates on the issue of political culture and democratization: -

“As a way of (political) life, democracy thrives on the prevalence of a kind of culture that is supportive of such a system. It is the kind of culture that tolerates divergent views and critical voices, encourages participation of citizens in public life and supports the emergence of a constructive civil society”

When such a democratic culture has been attained and becomes sustainable, it is said that such a state has consolidated its democracy. Studies on democratic transitions have shown that some countries have moved forward with democratic consolidation and then later they experienced a reverse or have stagnated (Huntington 1992). Those that have stagnated are said to be stuck in transition. One reason given for this is that they never developed a full democratic culture. A democratic culture ensures that all players do understand and believe that only democratic means should be used to effect any

government change. In the words of Barber (1996:22) “There can be no democratic government without a democratic culture.” The significant point is that when democracy becomes a culture of life, then all key players do understand that the only acceptable means to effect any regime change (meaning changes in the ruling group, not change from democratic regime to a different one) is to follow democratic procedures and processes.

But not all people will be happy just because they live in a democratic country. It has been concluded that democracy and development are generally compatible but it does not necessarily imply that democracy always brings about development. According to Persson and Tabellini (2006) evidence that democratization yields subsequent economic growth is quite weak while findings of the study by Przeworski and Limongi (1993) were inconclusive. For Ersson and Lane (1996) the answer depends on what type of democracy and what definition of development one is looking at. Their cautious approach is justified by the fact that the concept of development can be looked at from different perspectives, with some focusing on the quality of life while others have focused on statistical indicators of economic growth. Development is a general concept that stands for various things such as economic growth and level of affluence or even social development (Ibid).

It is possible that some people will be disillusioned about living in a democratic state because it has not fulfilled their economic expectations. One factor that breeds discontent with democratic governments is the performance of elected representatives. In most cases, when people are not satisfied with the conduct and performance of the people they

elect into public office they tend to lose faith in the system of government and this leads to voter apathy. Some mechanisms have therefore to be put in place to ensure that people's interests in the period between elections are kept alive by ensuring continuous engagements with the elected representatives such as members of parliament and Local Government Assembly Councillors.

The problem is also due to the electoral systems. Once elected into office members of parliament have a responsibility to the whole constituency, not just their voters or party. The challenge is on how to ensure that interests of all constituents are taken on board, mostly against the wishes of the party that sponsored such a candidate. CSOs come in to champion rights for all and not just one partisan group. Patel and Tostensen (2007:79) shed some light on the linkage between elections and developmental initiatives when they found that for the voters, effective representation means initiating development and facilitating local initiatives for tangible outcomes such as better schools, and health centres, improved water supply, new roads and so on. These services have to reach out to all constituents, not just those that support the MPs' party.

This study has shown that party allegiance by MPs is a major factor that leads to discontent by community members who have their allegiance to a different party than the one supported by the incumbent MP.

2.5 A critical perspective of civil society

While the 1980s was a period of limitless praise for civil society, things began to change in the 1990s onwards when studies began to reveal shortfalls in the civil society groups. Concerns began to emerge on their ability to manage resources, meaningfully engage local people in the processes, as well as effectively engage government institutions for the effective delivery of their programmes. Marcussen (1996:413, from Peat 1995:163) has argued that: -

“In terms of their advocacy role, it has been observed that NGOs contact with the wider structures they seek to influence is often too limited to effect any real change. NGOs are peripheral to the systems they are trying to change and lack the leverage necessary to maintain their influence where there are other more powerful interests at work”.

Marcussen suggests that NGOs lack the capacity and leverage when faced with powerful governments and international organizations that control policy processes. Since his views are directed towards policy advocacy, they do not apply wholesomely to all other functions of civil society.

The assumption that civil society organizations are well placed to engage local people in their programmes has been over-stated. The reason is that such assumptions have overlooked the origins of these organizations and how this affects their performance. As argued by Marcussen (1996) and Thomas (1992:138) “many NGOs do not have the institutional assessment capacities nor the intimate knowledge of the local situation

required for selecting local partners and formulating appropriate strategies.” They contend that NGOs tend to work with a local community as if it were a well - defined, homogeneous entity and unproblematic concept.

The two scholars caution that NGOs tend to speak for the local communities without having an in-depth understanding of the very communities they claim to speak for. The excitement towards NGOs probably blinded the need for an in-depth analysis of how they have engaged with communities. Carothers (1999) argues that NGOs are removed from the communities they serve. He claims that many of the newly formed advocacy NGOs based in the capitals of transitional countries have weak popular base. Their advocacy often relies much less on public mobilization and involvement than on expert based persuasion directed at government officials. Edwards and Hume (1992:23) agree with the assertion and go further to recommend that NGO agendas for advocacy must grow out of grassroots experience if they are to claim to speak for the poor. Pearce (1993:222) sheds more light and introduces an ideological element to the debate. According to him the problem is that NGOs are typically composed of middle class people who have opted for political or ideological reasons to work with (or on behalf of) the poor and marginalised.

The point here is that NGOs are idealized as organisations through which people help others for reasons other than profit or politics (Fisher 1997:15, from Brown and Corten 1989). NGO leaders take a voluntary decision to work on behalf of others. They are not asked to do so.

This leads to the element of decision-making and internal democracy in NGOs. According to Marcussen (1996) most studies on civil society have often neglected the fact that such organisations, although voluntarily entered, are hierarchical or authoritarian in their nature. NGOs are particularly facing this challenge because they have tended to be too technical in their approach, preferring to operate from cities and not the local vicinity where their projects are based. They come up with ideas which they impose on the locals. This has a bearing on the levels of participation that they promote.

In Malawi, it has been argued that NGOs speak for themselves rather than for the people. The basis for this argument is that they lack structures for getting input from the local communities. The conclusions are that NGOs in Malawi have been elitist in nature. This is so because there has emerged an elitist crop of NGO leaders that have gained prominence just for being vocal on national issues. But perhaps the issue of CSOs being urban based has been overstated. CSOs in Malawi, particularly governance NGOs, are a recent phenomenon. Most are in their formative stages. It should be normal for them to emerge in the urban centres where they are able to connect with donor partners. What is needed is that once established they should find means of reaching out to the grassroots communities and begin a process of continuous dialogue with the communities. It is a known fact that most NGOs are not membership based. Their membership usually ends at the election of trustees. Few have structures for registering members and having such members contribute financially, materially or technically to the running of the organizations. The strategies they come up with to reach out to the wider population should go beyond mere membership.

The challenge is that most scholars have not isolated what criteria to look at when assessing the issue of popular grassroots support. It is as if the matter ends with the membership base of a particular NGO. But as this study reveals, there are many ways of looking at it, such as working through coalitions of community based organizations, working through a system of committees and through periodic consultative forums where communities are given a platform to air their views. This clash of opinions is a result of the various grouping of civil society that one is looking at. Scholars that emphasize on membership base are probably concerned with the popular movements engaged in policy advocacy that are membership based such as farmers associations and trade unions, labour movements and women movements. For such groups, it is an inherent element to have a wide membership base. But when one is looking at professional NGOs then the definition of membership takes on a rather different meaning since most of these are not membership based and do not levy membership fees. They even lack operational structures for periodic meetings of their full membership such as annual general meetings, a feature that is very inherent in membership based organizations.

2.6 The state and civil society in Malawi

Prior to the year 2000, NGOs in Malawi could register under the Trustees Incorporation Act (1966) or under the Companies Act (1984). By the year 2000, the Malawi Government came up with a new bill to regulate the operations of NGOs. It was called the NGO Bill (2000) and was passed by Parliament into law in 2001. This law establishes the Non Governmental Organizations Board that is responsible to registering NGOs and supervising their operations. The law also recognized the Council for Non Governmental

Organisations in Malawi (CONGOMA) as a coordinating institution for all NGOs. And to ensure that every NGO abided by the CONGOMA authority, the law made it mandatory for all NGOs in Malawi to provide proof of CONGOMA membership before that could register with the NGO Board. There is thus an element of two stage registration. For an NGO to register with the NGO Board, it must first register as a member of CONGOMA. This element brought about intense resistance from some NGOs during the time the bill was being debated in Parliament.

Under this law, membership has been categorized into three, namely international organizations, national organizations and emerging organizations. An NGO is classified as international if its board of directors are outside Malawi, its policies are made outside Malawi, is a branch of an international agency or has offices in more than one country. National NGOs are those that have national (Malawian) Board of Directors, their policies are formulated in Malawi or do not have offices outside Malawi. An NGO is classified as emerging if it is a national NGO but has been in operation for less than three years.

CONGOMA also classifies its members into sectors. According to its current list, NGOs are grouped into the following sectors – agriculture and nutrition, human rights and advocacy, education, health, livelihoods, small and medium enterprises, orphan care, environment, rehabilitation, and relief. It is the diversity of the sectors that NGOs are engaged in that caught the attention of this study. There is no specific sector on democracy and governance but one can probably be right to assume that democracy

promotion will be covered under human rights and advocacy, which is still inadequate in the opinion of this study.

It has been seen that the service delivery NGOs that emerged in the 1980s and even later were a product of shifting donor policies. These policies meant that some donor countries preferred to channel donor funds through NGOs rather than the state. In most third world countries, this was a period of Structural Adjustment Programmes that called for the decelerated role of the state in managing national economies in favour of free markets. In Africa this period also coincided with the third wave of democratization in which many countries experienced transitions to multi party democracy. During the transition periods most government were seen to be conservative as they provided resistance to change. On the contrary, CSOs proved to be agents of change as most of them campaigned for new forms of democracy. Thus the straining relationship between CSOs and their state governments also relates to their competition for donor resources in addition to ideological differences.

The growth of CSOs was appreciated by those who saw in them clear advantages for promoting pluralism. Carothers (1999:200) elaborates, “Although different kinds of institutions present specific challenges, democracy promoters have discovered that state institutions, as a general matter, are hard to change”. His viewpoint suggests that where there is need for democratic reforms, it is desirable to work with those stakeholders that are receptive to change. He elaborates,

“There is also the issue about rigidities in government that made donor partners reluctant to work through them. Democracy promoters are discovering that not only do many state institutions harbour resistance to reform, but also political leaders often fail to supply much positive impetus” (Carothers 1999:201).

Edwards and Hume (1992:16) have no different opinion. They state that Governments have a natural tendency to centralization, bureaucracy and control. NGOs on the other hand are distinguished by the flexibility, willingness to innovate and emphasis on the non - hierarchical values and relationships required for true partnership and participation. Thus CSOs have some positive elements that the state does not have, but CSOs themselves have also been faced by numerous organizational shortfalls. Thus the current relationships between NGOs and the state in Africa are related to the historical processes which have shaped their political and economic roles (Campbell 1996)

There is no consensus about how CSOs should relate with the state. There are those who champion CSO autonomy from the state so that it is able to work independently and thereby be able to exert its own influence. But it has also been observed that too much autonomy leads to isolation which can in turn lead to an operating environment that is detrimental to the operations of CSOs. The debate is well highlighted by Fisher (1997) when he states that the terms civil society and NGOs refer to the segment of society that interacts with the state, influences the state and yet it is detached from the state (Fisher 1997:447, Chazan 1992:281).

In Malawi NGOs have since 1994 been struggling to get their place in policy making forums. As Chinsinga (2007) notes, civil society organizations have been fairly active in policymaking processes but have been constrained by the strained relations with the state and their being highly fragmented and urban based. He argues that they only speak for the minority of the population, however vocal they may be. This view confirms the fears of Robinson and Friedman (2006) when they contend that it is possible to have CSOs that can influence public policy but may not have the means to promote popular participation. This raises questions of legitimacy. Who do they speak for? In other words, there has to be some balance between political efficacy and popular participation.

At the centre of the friction between CSOs and governments is the role played by donor countries and other international bodies although this element has not received much attention. Relations between NGOs and states are often characterised by conflict, since each actor is in competition with the other for development resources (Campbell 1996). It has been seen that the growth of NGOs in third world countries has been largely influenced by donors, who had to choose between working directly with state governments or through NGOs. Their preference for working with NGOs creates a favourable condition for the government to create unfavourable conditions for the operation of CSOs through legislation and other mechanisms.

Again it has to be stated that usually, governments are in good working relationships with service delivery NGOs who are seen as completing government's development agenda. Welfare provisioning NGOs are the least likely to experience conflict with the state given

that they are seen to reduce the burden on the state to provide social services (Campbell 1996). The problem is with advocacy NGOs who are seen to be promoting dissident views and tarnishing government image. Tensions arise when the NGO subscribes to a developmental theory different from that of the state, such as NGOs that stress on peoples' participation, empowerment and democracy (Clark 1992:151). Finally, the relationship between CSOs and the state will also depend on the regime type in a particular country, with liberal democracies least likely to exert undue pressure on CSOs while dictatorships are most likely to control and suppress the work of CSOs.

Without the benefit of providing examples, Fisher (1997:447) observes that it is even possible for Governments to fund or form NGOs. He says, "While NGOs are often purely voluntary groups with no government affiliation or support, some groups so designated are created and maintained by governments". His line of thinking provides some guidance when this study looks at the establishment and evolution of the National Initiative for Civic Education in Chapters 3 and 4.

2.7 Chapter Summary

This chapter has presented the analytical framework that has been applied in analyzing the data and drawing conclusions on the objectives. The study is grounded on the participatory democracy theory. The study looks at the extent to which CSOs create enough space for ordinary people to participate in the public life. The chapter has also surveyed the literature on the definitions of civil society and also the emergence of CSOs in Malawi.

This chapter has painted a picture of what could be expected of CSOs that are involved in the promotion of democracy in Salima. They are expected to engage both the wider community and the institutions of the state in promoting transparency, accountability and participation in public life. CSOs are expected to be independent of the state yet be able to influence it without being influenced themselves. There should be a number of examples of case studies where individual or collective CSOs have taken direct action that promotes vertical accountability by MPs. To achieve popular participation in public life, CSOs are expected to have wide membership base that allows them to have so many people have their voices heard on public matters. As members of these CSOs, it is expected that there are channels through which the members participate in making decisions for their organizations. Rather than applying a top down approach, the CSOs are expected to apply democratic styles of leadership and decision making.

CHAPTER 3: CIVIL SOCIETY AND DEMOCRACY PROMOTION IN SALIMA

3.1 Introduction

This chapter provides a detailed overview of the findings of this study. The starting point is a brief overview of the organizations under study. The chapter then unfolds to explore the strategies that they employ in promoting democracy and how they are contributing to the promotion of vertical accountability by MPs. The chapter also offers some new insights into emerging issues that have not received much attention in the discourse about civil society in Malawi, such as the relationship between NGOs and CBOs and government initiated projects that have democracy promotion elements.

The chapter takes a closer look at the work of some government owned initiatives that are evolving to become part of civil society. In this regard, the National Initiative for Civic Education has been included as a unit of analysis although its identity as a CSO remains contestable. There is also some reference to the Development Broadcasting Unit of the Malawi Broadcasting Corporation, which has some clubs that are promoting vertical accountability in some areas of Salima district. Justification has been provided for the inclusion of these two institutions.

3.2 Profile of CSOs involved in democracy promotion in Salima District

CHRR, NICE and Action Aid International Malawi are the most well known CSOs with some form of democracy promoting projects in Salima. Both the District Assembly and the communities have mentioned them as the visible and active CSOs in the district.

While they all seem to be well known by Management of the District Assembly, there are variations in terms of levels of recognition in the local communities, with NICE being the most recognised and CHRR and Action Aid coming second. Action Aid is mostly referred to as a donor organization.

3.2.1 National Initiative for Civic Education

The National Initiative for Civic Education was formed in 1999 as a project of the Malawi Government with 100% funding from the European Union and in partnership with the Public Affairs Committee and GTZ as a secretariat. At its inception stage, the main motivation for its establishment was to contribute towards civic education for the 1999 general elections as it was feared that there would be high voter apathy arising from inadequate civic education by CSOs. Beyond the 1999 elections, the project was designed to provide continuous and sustainable civic education throughout the country so that citizens are empowered to participate in democratic processes and hold their elected leaders accountable. The project reaches out to all the districts in Malawi.

NICE is by definition not an NGO. It is a European Union funded project owned by the Malawi Government under the Ministry of Justice. It can be said to be an Inter – Governmental Organisation (INGO). It can also be referred to as a Quasi Non Governmental Organisation (QUANGO). The reason for its inclusion in this study is threefold. First, its operational features suggest that in practice, this project has potential to evolve into a fully fledged NGO. Second the project offers a good case study for

analyzing the relationship between CSOs and the state in Malawi. Thirdly the organization is at district and community level considered as a member of the civil society, by other government agencies, other CSOs and even its own staff.

Despite the national office insisting that NICE is not a member of the civil society, its district staff members are convinced that it is a CSO, with the Government only acting as a channel for accessing donor support from the European Union. As a project, NICE is not registered under the NGO Act (2000) as are other CSOs targeted in this study. It is a project and gets its funds through the Ministry of Finance. NICE is exempted from the provisions of the NGO Act (2000) by Section 5, which stipulates that the Act shall not apply to organizations that “are established, administered or controlled by or on behalf of the Malawi Government or other Government”.

3.2.2 Centre for Human Rights and Rehabilitation

CHRR is a local NGO formed in 1995 by former Malawian students in exile who returned to Malawi after the historic 1994 elections. When they came back to Malawi following the end of the one party rule, they established this NGO in with the aim of promoting democracy. At that time, the central theme was fighting for rights of returnees and integrating them into society. It is among the few Malawian NGOs that have survived for the over ten years while others have wound up and new ones have emerged.

At the time of this study, CHRR had only one funded project in Salima that was dealing with the eradication of gender based violence in the district. The project was only covering TA Khombedza and TA Kalonga. Between 2002 and 2005 CHRR also run a governance project that had a central theme of promoting citizen participation in democracy forums and facilitating the processes of making local people hold their elected leaders accountable. The project was funded by HIVOS, a Dutch international NGO. This study has not found any evidence of the sustainability of such a project. It does seem that everything stopped once the project was concluded.

CHRR believes that its contribution to the promotion of democracy in Salima is through facilitation of local community leader's participation in local government structures such as VDC and ADC. What is strange however is that CHRR has not taken deliberate steps to ensure that it is represented at ADC and VDCs. While some of its 'members' participate at VDC and DEC meetings, they do so in their own right, not as representatives of CHRR. It was observed earlier on that most members of CHRR are serving public servants, such as teachers and community health workers. Their attendance of VDC and ADC meetings is therefore a reflection of their public positions.

3.2.3 Action Aid International Malawi

Action Aid International Malawi is an associate of the Action Aid International- an anti poverty agency working in over 40 countries in the world. It has its headquarters in the Hague. It has worked in Malawi since 1990. The major strategy for Action Aid is to deal

with issues of inequality and exclusion, which are seen as contributing to perpetration of poverty among the excluded groups of people. It is the mission of Action Aid Malawi “to work in partnership with the poor and excluded people to eradicate poverty by challenging and overcoming the injustices and inequality that perpetuate it” (Country Strategy Paper 2005 to 2010). Action Aid focuses on five thematic areas of Education, Food Security, Governance, HIV and Aids, and Women’s Rights. Of great importance in this study are issues of governance and women’s rights and gender equality as they relate to the democracy promotion project in this country.

3.2.4 The Development Broadcasting Unit

The Development Broadcasting Unit is a section of the Malawi Broadcasting Corporation (MBC). MBC is a statutory corporation established under an Act of Parliament. DBU is thus part of the state machinery. Due to the fact that it is only operating in one TA in Salima this study did not take DBU as a major unit of analysis. But its activities in TA Mwanza offer some good insights on what local community members can do to promote vertical accountability by public officials as well as elected leaders, including MPs.

DBU has some radio listening clubs in TA Mwanza that are involved in activities that are aimed at ensuring that authorities take action on issues of concern to the communities. These clubs are not formally registered with the District Assembly but they operate like community based organizations. Their membership ranges from ten to twelve per club

but when they organize meetings they target all members of the surrounding community. All members serve on voluntary basis.

According to Lusungu Dzinkambani, Executive Director of DBU, these clubs have mostly been conducting advocacy on issues that are within the responsibilities of local leaders and community based public officials, such as traditional leaders, clinical officers responsible for health centres and headmasters of primary schools. Focus has been on problems that have solutions within the community. They have somehow tried to avoid what she termed “political issues” at higher levels that would involve MPs. She nevertheless concedes that by necessity, the clubs in other districts such as Dowa and Thyolo have demanded of their MPs to account for the way they have handled issues of distributing coupons for subsidized fertilizer to local community members.

It is the work of these clubs that was of paramount importance to this study than the parent organization. But owing to the choice of selected sites for FGDs, the study was limited to interviews with the staff of DBU. The analysis of the work of DBU is not as extensive as that of NICE, CHRR and Action Aid International Malawi, who are the main units of analysis.

3.3 Different faces of Civil Society organizations in Salima

The three institutions covered in this study are clearly distinct from each other in terms of their origins, focus and structures. CHRR is the only indigenous human rights NGO while Action Aid is an international developmental NGO. It fits in the definition on

northern based NGOs although under the 2005-2010 Country Strategic Paper, the organisation has made some policy changes that make the organization more Malawian with Malawian Board of Directors. The name change to “Action Aid International Malawi” is also one of the strategies that they came up with to give the organization a local profile.

At grassroots level Action Aid is better known as a donor organization than an advocacy organisation. Both in TA Khombedza and TA Kalonga Action Aid was not mentioned as an NGO although it operates there. It seems that for the local communities the term NGO refers to locally registered NGOs that receive funding support from donor agencies. The image of Action Aid in the community signifies that it is its developmental, service delivery mission that has stuck in peoples’ minds. It is only in recent years that Action Aid has embarked on using the human rights based approach to programming and also took upon itself the role of champion of poor people’s rights through direct advocacy and lobbying.

3.4 CSOs and the promotion of participatory democracy in Salima

The CSOs covered by this study are involved in some forms of democracy promotion activities such as campaigning for election of women into the national legislature, conducting civic education to mobilize eligible people participate in national elections, and educating the general public about human rights, democracy and good governance.

Despite some efforts being made, the CSOs are not well connected to the communities and do not provide enough space for people's participation in development initiatives and decision making. Civic education meetings are irregular and there are no mechanisms for membership participation in decision making. The focus of the CSOs' activities has been on training and civic education, with little attention paid to actual community mobilisation for action.

For CHRR, one problem is that they have tended to be project oriented in their work while NICE and Action Aid face a prioritization dilemma as they deal with a diversity of themes and sub themes, leaving democracy at the peripheral of their core agenda. CSOs have also not utilized the opportunity presented by the local government decentralizations structures such as Area Development Committees (ADCs) and Village Development Committees to influence decisions at the grassroots level. CSOs stand as onlookers as their membership in the ADCs is not assured.

3.4.1 Civil Society Engagement with the grassroots communities

One issue that this research was interested in is the issue of community involvement in project design and implementation. This would provide some clue as to the levels of community participation and ownership of projects being implemented. The study also wanted to inquire into the level of impact that CSOs work has in local communities. This impact would be demonstrated by the degree to which it has enabled them to participate in public processes, decision making for developmental initiatives and holding their

elected leaders accountable. It would also be manifested by their readiness to take action whenever their level of satisfaction with public officials is down.

On the question of local communities' participation in decision making within the organizations, what has emerged is that there is little involvement of community members in project design and implementation. Top down approaches are the norm in decision making, planning and implementation. Instead of consultation and dialogue, the CSOs seem to rely on academic methods of collecting information necessary for project design and implementation. For instance, CHRR has only in recent years started conducting baseline surveys to get an impression of the targeted communities' needs before implementing a project. In the past projects would just be implemented on the basis of what the secretariat perceived to be the problem of the community. They have also started adopting participatory methods such as holding regular consultative meetings on annual basis where all district coordinators participate to review progress in the year and plan for the coming year.

NICE takes a similar approach. On annual basis, planning and review meetings are conducted and District Coordinators across the country are involved. For Action Aid International, conducting Rapid Appraisals involving the local community is their preferred strategy for getting community views on the problems to be addressed and the suggested solutions. With participatory methods of conducting the baselines, the CSOs believe that they provide enough space for the voice of the community. It is believed that

participatory rural appraisals get people's views on the kinds of projects that they want in their areas and this should lead to ownership of the projects by the people.

CHRR claims that financial constraints have in the past been a major stumbling block to conducting such consultative meetings but are happy that there is a shift in donor policy as more and more donors are now showing interest in and are funding such quarterly planning and review meetings. This is being appreciated by the District Coordinators who claim to be better placed to represent community needs. As the District Coordinator for Salima claims, "In the past we could just accept a project as decided by the secretariat but now they consult us through meetings. This is good because we are the ones who are familiar with community needs."

While it is important that District Coordinators participate in these meetings, this alone cannot substitute the actual voice from the people in the community. Strategies should be found to actually organize such meetings in the communities where there could be wider participation. Of course as seen from the discourses on democracy, it is not possible to have everybody participate in decision making. The approach may still involve some form of community representatives attending these meetings rather than everybody.

Also, since these CSOs are not membership based, it cannot be expected of them to delegate decision making powers to the communities. Rather they have to open up to views from the communities and incorporate them in their plans so long as they have the financial and technical capacity to do so. Due to the membership dilemma, their ability to

reach out to the communities has to depend on community mobilization strategies such as meetings, rallies, radio and television programmes and door to door or face to face meetings to disseminate their civic education meetings.

The membership issue deserves more attention from the CSOs. While these CSOs have plans to participate in local decision making forums, the fact that they do not have visible members at community level has led to their exclusion in such forums as the Area Development Committees and Village Development Committees. Grassroots committees such as Village Development Committees and Area Development Committees offer a grand opportunity for civil society participation in development projects. These structures also offer a good opportunity for holding elected leaders accountable. If well positioned in these committees CSOs can use them as forums to demand certain development initiatives as well as seek explanations on issues that are not going according to their expectations.

There is a big demand for civic education meetings in the communities. Through the focus group discussions conducted in TA Kalonga and TA Khombedza it has become very clear that communities have not yet had enough civic education. Most villagers have not had any chance to attend a civic education meeting because the CSOs are not conducting regular meetings. They claim that that they usually hear about CSOs on the radio. This deficiency in civic education meetings was identified as a contributing factor to the fact that the villagers have never engaged in any campaign or activity to hold their MPs accountable.

Comparing the presence CSOs between TA Kalonga and TA Khombedza, TA Kalonga seems to have more CSOs operating in his area. Besides Action Aid, NICE and CHRR, the respondents also indicated that the area is served by a primary justice project, has a number of youth clubs under the department of Social Welfare and some CBOs such as Samala Aids Support Group. It is also worth noting that few of the respondents knew that CHRR also operates in TA Kalonga.

There is generally good knowledge about democracy and its key features in the communities covered by this study. Participants were able to identify the right of political parties to exist and campaign in elections, respect for human rights such as freedom of speech as some of the main characteristics of a democratic government. They were also able to mention voting in elections, participation in development work and the right to work with NGOs as some of the responsibilities of citizens in a democratic government. This is the case for both TA Kalonga and TA Khombedza. This suggests that perhaps the conclusions of Nandini et al (2003) that there is a lot of ignorance about democracy in rural Malawi is not representative of all districts in Malawi.

When asked about how the MPs must relate with their constituents, there was overwhelming consensus that MPs must stay in the constituencies so that they know the needs of their constituents on a continuous basis. They also pointed to the need to hold regular consultative meetings in their constituencies so that development needs of the constituents can be relayed to them.

The common cry is that MPs tend to leave the constituency and live in the urban cities of Lilongwe and Blantyre, thereby isolating themselves from the people that they represent. When asked how the problem can be dealt with, there were variations in responses, with some of the respondents suggesting that the government should build houses and offices for MPs in the constituency while the other strong view was that there must be enacted a law preventing any elected MP from staying/living in the city, away from the constituency. Within the same group, there were proposals that right before elections the electorate must scrutinize their candidates and should only vote for those that already stay in the community, not those that just come to campaign. There were also proposals that MPs should hold regular consultative meetings in the constituencies. The absence of such meetings has created a communication gap between the MP and the constituents.

While an MP's primary role is that of representation, what seems to come first in the people's mind are issues of development. Whether this is amplified by the absence of councillors remains academic speculation as this study did not pay much attention to the question. For the people of TA Kalonga and Khombedza in Salima, a successful MP is one that excels in bringing development projects to the constituency.

In TA Khombedza, the study got the impression that people value the role of the office of the Traditional Authority to be superior to that of the MP. When asked about what should be done when MPs are not performing to the expectations of the constituents, it was suggested that the TA must monitor the performance of the MPs. It was even surprising

that when asked why they were not taking any step to hold their MPs accountable, most had this feeling that it is the role of the TA to check whether the MP is performing or not.

The study found that ignorance about what steps to be taken to hold a member accountable is the main problem. The commonest response to the question was “we do not know what to do. We need civic education so that we can gain knowledge on how to go about the problem.” This confirms the main finding of this study that knowledge about what democracy is has been adequately disseminated while little has been done to graduate from that knowledge and share with communities what concrete steps they can take to hold their elected representatives accountable.

Surprisingly, people are very knowledgeable about the role of the MP. They understand that the role of the MP is to “take people’s problems to the authorities for action. MPs must listen to people’s views and assist in solving their problems. They should hold regular meetings to get peoples’ problems and take appropriate action.”

There is also a general fear of the government as a deterrent to taking proactive action against non performing MPs. Some respondents have the natural feeling that taking an action against an MP is like challenging the government. They think that this may lead to their arrest or something of that sort. “We are afraid of the government” they said. Some added “CSOs have never conducted any meeting in this area since I was born” and as if to deliberately exaggerate the situation some said, “Nothing is happening here. CSOs do not conduct meetings here.” “A NICE anangobwera kamodzi basi.” (NICE has been here

only once."). If these assertions are correct then the only plausible explanation on where they got knowledge about democracy and the role of MPs is that they got it from other sources such as radio and television. These media channels were cited as key sources of information.

In TA Kalonga, when respondents were asked to give their impression of what they thought was the main activities that CSOs are doing in the area, their responses were that CSOs are involved in case handling (mostly linked to the Primary Justice Project and CHRR), human rights education and civic education on HIV and Aids. The significance of these findings is that the respondents did not think that CSOs are actually involved in the democracy promotion agenda, save for the aspect of human rights education, a sub component of democracy. This is also in agreement with the outcome of the FGD with Community Based Educators of CHRR who indicated that even their training did not have much to offer in terms of accountability issues in a democratic government. Again it has to be recalled that the last time CHRR had a democracy promotion project in Salima was in 2005 and that since then their focus has been on HIV and Aids as well as combating gender based violence.

While NICE has been mentioned in both TA Khombedza and TA Kalonga as one of the organizations carrying out civic education campaigns on democracy, the organization seems to be well known for civic education campaigns related to elections. This study was conducted at a time when the Malawi Electoral Commission was conducting the registration exercise in readiness for the 2009 parliamentary and presidential elections.

It is these findings from the focus group discussions conducted in the two TAs that point to a clear deficiency in action oriented civic education that can empower local communities to be more proactive when dealing with political issues in their communities.

3.4.2 NGOs and CBOs

In Chapter 2 it was found that civil society is a domain where there is a variety of players, including political parties, religious organizations, trade unions, native associations and professional bodies. NGOs and CBOs are also part of this body of civil society. While NGOs have largely been seen as a product of the policies of development partners from the north, CBOs have tended to be home-grown. NGOs have therefore been more dependent on the financial and technical support from their northern partners while CBOs have tended to rely on individual contributions from their members as well as local fundraising initiatives taken by the membership.

It is the impression of this study that NGOs have received more attention than CBOs in the discourse of civil society. Due to their potentially bigger financial base, NGOs have been more dominant at the national level while CBOs, as their name suggests, have been relegated to specific issues in a local community. This study reveals that NGOs now prefer to work with and through CBOs in their quest to penetrate the grassroots community. There is need therefore that the discourse on civil society in Malawi should

go beyond NGOs and extend to CBOs. Considering that NGOs have tended to work through CBOs, studies on NGOs are incomplete without illuminating on the relationship between the two. It is like CBOs are becoming appendages of NGOs. All the three CSOs covered in this study are working with and through CBOs and NGO networks rather than reach out to the communities on their own. This arrangement has proved fatal as it has jeopardised CSOs chances of influencing local governance structures at the grassroots level.

For Action Aid, working with CBOs is a deliberate strategy because in CBOs and networks of CBOs there are opportunities for reaching out to the vulnerable members of the community. Action Aid recognizes that most well resourced NGOs are northern based but there is huge potential for pro poor organizations, networks and coalitions to support the development of social movements and peoples organizations to engage both government and donors on policy and rights issues (Country Strategy Paper 2005 – 2010 page 15).

Action Aid Malawi make it very clear in their Country Strategy that they encourage the formation of peoples movements and networks through which local people can get their voices heard. By organizing communities into CBOs and networks, Action Aid hopes to provide them space within which to get their voices heard by the authorities. According to Chandiwila Chisi, National Advocacy and Campaigns Officer, Action Aid identifies and builds the capacity of peoples movements to stand up for their rights. According to him, a vibrant civil society characterized by active networks and social movements is a

manifestation of participatory democracy at work. In his opinion, “When people are able to get organized into community action groups and through such forums, are able to demand their individual and collective rights, then democracy is at work”. Because of this approach, the work of Action Aid in Salima cannot be seen except through the work of the CBOs and networks.

One would therefore expect that there are numerous movements and CBOs that Action Aid has established in Salima. But this study reveals that they have mostly relied on two networks, namely the Salima Governance Network (SAGNET) and Salima Women Network on Gender (SAWEG). These networks work through CBOs that are established in every TA in the district.

This relationship between NGOs and CBOs leads to other questions about the nature of the CBOs that have emerged in Salima. For instance, SAWEG operates in six thematic areas, five of which are exactly the same as the thematic areas for Action Aid International Malawi. It is tempting to believe that the choice of such thematic areas was influenced by the relationship between the two organizations. The sixth one is just an element of the governance theme. SAWEG calls it Human Rights.

The emerging pattern is that of northern NGOs channelling their support through NGOs and then NGOs are channelling a proportion of the same to the CBOs. It would be interesting to find out the trickle down affect of the funds that go through all these three stages.

3.4.3 Working with volunteer Staff

All the three CSOs have some form of volunteers working with them. Mention has to be made of Action Aid that has a well staffed office in Salima. NICE also is relatively well funded with a number of permanent staff led by the District Coordinator recruited on permanent contract. Of the three organizations, CHRR is the least endowed in resource terms, even lacking the basic office requirements like computers and printers. The office space it uses is a donation from Salima Town Assembly.

NICE relies on volunteer staff to conduct civic education campaigns at grassroots level. These volunteers are of different backgrounds, with some holding public positions such as teachers. This also applies to CHRR. All CHRR staff in Salima are volunteers, including the District Coordinator. CHRR says that volunteers make the work of the CSO more sustainable as the organization cannot afford to have fully paid staff at all times. Funding is usually project based with a specific life span. Again the resource factor has led to some interesting findings on the type of people that are selected as volunteers, those on paying jobs or with sustainable business ventures.

Most of the District Coordinators are either primary or secondary school teachers. Some work in the health sector. This arrangement could however have inherent contradictions in the sense that while the volunteers may be less dependent on CHRR financially, it could imply that their commitment could be negatively affected as they concentrate more

on livelihoods issues and income generating activities that have immediate financial gains. For public servants, they might find some of the advocacy activities to be in direct conflict with their work ethics. For instance if the CSO was to engage in accountability campaigns targeting MPs, how would junior public servants such as public health assistants and primary school teachers fair when faced with the all powerful MP?

These discoveries contradict the popular view that NGOs have become too technical in nature as a result of their ability to rely more on professional staff. However, this contradiction has to be taken within the context of the grassroots structure at district level. For instance, CHRR has a lot of professional staff at its national secretariat and yet the picture changes drastically at the district level where it does not have even a single staff on full time contract. Instead of a contingent team of staff the organization has only a few volunteers led by a district coordinator who does not receive any salary at all.

3.4.4 Promoting pluralism - dealing with minority Groups

Within the participatory democracy framework, this study wanted to assess the level at which CSOs promote and integrate issues of minority rights in their programmes. To some extent, all the three CSOs in Salima recognize the need to work with minority groups. Both Action Aid and CHRR take the promotion of rights the poor, marginalized and vulnerable a central area of focus. That is why their programmes are deliberately targeted at such groups such as the aged, women and children as well as people living with HIV and Aids. NICE has economic empowerment programmes targeted at people with special interests such as those with disabilities and women groups.

But the three could not give a clear impression on the question of whether or not marginalized groups are better off working in their own groups or when they are integrated in wider groups with the rest of the community members. It does appear that both strategies are welcome. For Victor Sindani, the District Coordinator for NICE, it is better that such people work on their own so that they have full control over their affairs, He says “when special groups work on their own, they have full control over their affairs as they make their own decisions.” Action Aid seems to take a similar approach. They have encouraged the formation of theme based CBOs comprising members differentiated by their HIV status, gender and disability.

These approaches call for more discourse on the role of civil society in promoting the voice of minority groups in communities. The general argument is that CSOs should provide space for minority groups in public forums. When these minority groups are organized into special groups comprising those of similar characteristics then they are not being integrated into the wider community but are working in isolation. The question to be answered is - inclusion or isolation?

3.4.5 Training as an end product

All the three organizations are involved in one form of training. This training is targeted at different target groups. CHRR has provided training to traditional leaders to enhance their participation on democratic processes. At national level, CHRR has also targeted other stakeholders with capacity building training. These include members of the media,

political party leaders, police officers and female members of parliament. The rationale for these trainings is to make these trainees appreciate human rights issues and hence provide support to CHRR, including the promotion of policies and legislation that promotes women's rights and combat gender based violence.

CSOs must go beyond training and come up with mobilization strategies that motivate people to stand up for their rights, demand accountability from their elected leaders as well as relevant public servants. It was alluded to in Chapter 2 that there is a lot of ignorance about democracy in the rural areas. But this study reveals that knowledge on what democracy is all about is no longer the main issue. The issue is on what role citizens can take to further their democratic rights and responsibilities, among them taking part in activities that result in more vertical accountability.

The study has found that CHRR CBEs have not received adequate training in democracy to enable them play a leading role in promoting accountability of elected officials and participatory democracy. While they were able to provide the basic definition of democracy, they have not been exposed to detailed training in advocacy and lobbying. The training they have received has been on issues of human rights, gender based violence, women participation in politics and HIV and Aids. None of the CBEs that participated in the FGDs had received training in lobbying and advocacy, key instruments for facilitating community action. NICE has provided some good training on democracy to its para civic educators but they have not applied the knowledge gained to facilitate

vertical accountability. This could be due to the fact that NICE has a policy not to engage in advocacy and lobbying.

3.5 Membership issues in CSOs – inherent contradictions

It has been argued that CSOs with wide membership base have a greater capacity to influence public policy and promote pluralism. This is not a straightforward issue though. By their nature, membership based organizations tend to serve the interests of their registered members who are motivated by common issues of concern to the whole grouping. Most of these do not, as a matter of fact, consider themselves as NGOs. They include trade unions and farmers associations and women groups. On the other hand, NGOs focus not on serving their own interests but those of the wider population, hence the issue of membership does not arise in the sense of having a broad membership base that can become a powerful voice.

Again, it is wrong to conclude that all NGOs are not membership based. Some are and others are not. For instance, you could have an NGO that is established to promote rights a particular minority group. Such an NGO will restrict its membership only to people that meet its criteria. The point being put across is that the issue of membership base as a measure of success for civil society organizations in promoting democracy is not as straight as it seems. One requires a proper analysis of the organizations being studied and how they deal with membership issues.

CHRR is registered under the Trustees Incorporation Act (1966) and this means that in terms of ownership CHRR is a charity owned by the trustees. Whoever is involved in promoting the vision of CHRR is thus helping the trustees achieve their goal. The same analysis can be said of Action Aid which is also registered as a charitable organisation. NICE has already been identified as a government project and hence the question of membership does not even arise.

But the study has come across some elements of individuals and associations that identify themselves with a particular NGO and these are sometimes referred to as its members. In this case volunteering for one organizations is seen an expression of membership, though in a different sense. These include District Coordinators, Community Based Educators (also called Para Civic Educators) and other members of the sub committees. In Salima there are 106 individuals that are identified as members of CHRR by the District Coordinator. They are organized into human rights clubs. NICE has 462 volunteers, commonly referred to as para civic educators. These could also be referred to as NICE members. For Action Aid, the situation is different in the sense that they do not relate directly with community members. Rather than direct membership, Action Aid provides opportunities for partnerships with CBOs.

While this study finds that these CSO volunteers do not qualify as members in the conventional definition of membership, it has been noted that their status within the organizations becomes debatable. For instance, while the national offices of CHRR and NICE are quick to dismiss any thought that their organizations have members, their

District Coordinators had no problems in identifying their volunteers as members of CHRR. This shows that there is some form of membership that is not fully developed. This discovery makes it difficult to conclude about the membership structures for CSOs in Salima and has a bearing on the roles and responsibility of these members. The absence of clear membership criteria means that these CSOs are free not to involve these individuals in their decision making processes. Hence internal accountability of the CSOs to their constituency remains a big challenge.

It does seem that most CSOs have recognized their failure to get embedded into the societies that they work with and have opted to act as facilitators of other movements and networks without necessarily focusing on broadening their membership base. The immediate impact of this is that none of the NGOs has managed to organize a strong movement to effectively mount campaigns that would enable local communities hold their elected representatives accountable. This issue of membership is one of the factors for poor showing in terms of promoting popular participation by communities in local development initiatives.

The other aspect already alluded to earlier on, is that the process of decision making has weighed more heavily towards the top down approach as the relationship between the NGO secretariat and the local membership is not formalized. Local members have no responsibilities in the running of the organizations. They do not pay any subscription fees although they expect to be involved in some level of decision making and planning. They are contented to be consulted.

The CBEs and PCEs are part of the community and are encouraged to form human rights clubs and CBOs so that they are self sustaining. While identifying with a particular NGO for funding and technical support, the members have to look more towards their CBO or human rights club for membership and leadership influence.

3.6 Coordination and collaboration among CSOs

Coordination for CSOs in Salima District is achieved through the District Executive Committee of Salima Town Assembly that comprises all heads of government departments in the district and leaders of CSOs. The Town Assembly has a system of keeping profiles of all CSOs operating in the District. When a new CSO comes in, it is introduced through DEC and then its profile added to the list. Thus DEC provides a forum where all CSOs operating in the district can know who is doing what and where. This forum benefits both the CSOs and the District Assembly as a coordinating authority through which all development projects in the district are to be managed under the decentralization policy.

Coordination of CSO activities is through the District Development Committee (DDC) which is more a political arm of the Assembly while DEC is a technical subcommittee. DDC membership includes all elected councillors, Traditional Leaders and Members of Parliament as well as selected CSOs. Plans for any CSO to implement a project are discussed and approved by DDC. When some members feel a certain initiative will not add any value to their community they recommend that it be implemented elsewhere in

the district. Such recommendations do come when the proposed initiative is already being addressed by another CSO in the area.

At the time of this study DDC was not in place as all local government assemblies were dissolved prior to the 2004 elections. City, Municipal, Town and District Assemblies are thus working with only the technical arms without the political branches comprising elected councillors and nominated members.

Outside the DEC, CSOs in Salima have so far been working in isolation without strong mechanisms for collaboration among themselves, with the exception of closely linked CBOs working in theme based networks such as SAGNET and SAWEG. Membership to these networks is for CBOs but they benefit from technical support from NGOs who are seen to have more experience, knowledge and technical knowhow.

In 2008, the District Coordinator for NICE initiated a consultative process to establish a CSO forum in the district. The initiative was well received and the idea was endorsed. Terms of Reference and membership criteria are being developed and expectations are high that the forum will soon be formally established with a constitution and other operational guidelines. This idea is being encouraged in other District Assemblies in Malawi with the aim to have a coordinated approach to the work of CSOs. Where such forums are established, it becomes the role of the CSO coordinating institutions to act as a bridge between the rest of the CSOs and the District Assembly. In this way, the

Assembly is saved from the challenge of having to deal with each individual CSO on its own.

The district CSO forum being established under the leadership of NICE is expected to improve coordination among CSOs. The major motivation for the establishment of the forum is that it will promote joint implementation of activities in the communities and hence avoid duplication. When CSOs begin to plan together and work together, they hope to benefit from each others' capacities as they all have special skills in certain areas. Without collaboration there have been incidences when a particular area has been targeted by different CSOs with similar activities.

Secondly the idea will help to sort out the challenge of allowances that has made some CSOs fail to penetrate some communities due to high allowances that community leaders expect. The goal is to come up with a standardized allowance formula that should apply to all CSOs in the District. Due to the 'allowance culture' that has proved costly to the CSOs, some organizations have come up with a strategy of giving food during community rallies to attract crowds and this is seen as a better alternative to the traditional allowances paid in cash. Not all CSOs can afford to provide foodstuffs though. The problem is that CSOs with lower allowances fail to motivate local people to attend their meetings in favour of those that pay better.

3.7 Civil Society Networks

It has been observed that CSOs in Salima have been encouraging the formation of CBO networks to facilitate the achievements of their objectives. Two networks stand out as the most visible in Salima and both are a by-product of the work of Action Aid International Malawi, who has provided them with financial and technical support. The first is Salima Governance Network -SAGNET which was formed in June 2008. The other one is Salima Women Network on Gender – SAWEG. While Action Aid has provided them with financial and technical support in the form of training, the networks also draw upon the expertise of other CSOs such as CHRR and NICE.

As the name suggests, SAWEG is a network that promotes women's rights through economic empowerment initiatives, fighting gender based violence and promoting the participation of women in political and decision making positions. Currently, the network stepped up efforts to campaign for the election of women in the 2009 elections. The network has been organizing campaign meetings and conducting training sessions for aspiring female members of parliament. It has been reported that since 1964 no female member of parliament has been elected in Salima. In the 2004 parliamentary elections no woman won any seat.

With this background, SAWEG felt that the political landscape in Salima has favoured men. The immediate result of their campaign is that they managed to field at least one female candidate in each of the six constituencies in the district, representing various political parties and some standing as independent candidates. And the outcome of that is that at least one woman was elected to parliament to represent Salima North

West Constituency¹ in the 2009 parliamentary elections. Whether her election is a direct result of this campaign by SAWEG is subject of another study.

SAGNET is a network of CBOs. There is no individual membership. Initially the idea was to have only two CBOs per TA but the number is increasing as more and more CBOs are showing interest to join the network. Instead of each CBO handling a specific thematic issue, all of them work on almost all the themes in their areas of jurisdiction.

SAGNET has been involved in monitoring the implementation of the national fertilizer subsidy programme by monitoring the registration of beneficiaries and the actual distribution of coupons to the beneficiaries. During registration, the interest has been on checking if all the deserving people, especially the poor and vulnerable have been registered. During the actual distribution of the coupons the attention has been on whether the number of coupons for a particular area tallies with the information provided by the office of the District Commissioner. The network has been interested in any deliberate shortcomings in the system.

SAGNET has also been monitoring the implementation of the Social Protection Policy Pilot phase in Salima, one of the pilot districts under this new project by the Malawi Government. The Pilot project is also known as the Cash Transfer Scheme. Under the project, the Malawi Government provides cash to poor people to meet their basic needs. SAGNET is interested in the procedures for identifying beneficiaries for the project so as to ensure that only the poorest and deserving members in the community benefit. In one

¹ This information emerged after other sections of the thesis had already been processed.

instance, a potential beneficiary had his name removed from the list for no apparent reason. This person also happened to be HIV positive. When the matter was brought to the attention of SAGNET they instituted an investigation and found that the removal of the name from the list was done under dubious circumstances. They lobbied for corrective measures which were taken with the intervention of the District Assembly.

SAGNET has also embarked on a project to monitor the performance of public health facilities using a participatory approach whereby community leaders use score cards to assess their satisfaction levels of services offered by the health centres. The scoring is done once every six months with a view to check if there is some improvements in the areas identified by the community in collaboration with health workers. Only one assessment has been so far hence it is too early to see what the results are. The immediate challenge of this initiative is to win the cooperation of the health officials who are suspicious that it might jeopardize their jobs, assuming that the results are negative.

The involvement of ordinary members in these activities by SAGNET provides a very good springboard for public participation in decision making and holding leaders accountable for their decisions, actions and inactions.

3.8 CSOs and the promotion of vertical accountability for MPs

Very little has been done by in Salima to promote vertical accountability by MPs. There are no case studies of any successful attempts by CSOs and the communities that they serve to hold an MP accountable to the electorate. CSOs have not taken steps to facilitate community actions that would open up space for the local people to demand answers

from their MPs. While some training has been done on participatory democracy and accountability, this has not been followed by a process to facilitate community action. The communities are totally ignorant about what steps they can take to hold their MPs accountable.

From the experiences of SAGNET it can be deduced that there are some positive steps being taken to hold public officials accountable. Yet, not a single campaign has been carried out by the CSOs to mobilize entire communities to hold their MPs accountable. This was also confirmed by the findings of the FGDs with the community members in TA Kalonga and TA Khombedza.

Indications from this study are that there is need to start with lower levels of responsibility and move upwards. Governance Civil Society Organisations in Malawi are relatively new, mostly tracing their origins to the post 1994 election era and hence lacking experience in some of these issues. They seem to be taking positive steps but the pace is probably too slow to match with the expectations of the wider community at national and district level.

Between 2002 and 2005, CHRR implemented a project entitled “Good Governance and Human Rights’ funded by the Humanist Institute for Cooperation with the Developing World (HIVOS) of Netherlands. Salima is one of the districts where it was implemented for a period of three years. The project had training activities on citizen participation in democratic processes and how they can hold their elected representatives accountable. It

did not register much success though although some of the lessons learnt are being applied elsewhere where CHRR is still carrying out similar projects such as in Mangochi district. The problem is that training was seen as an end, that after people have been trained they were expected to carry out accountability campaigns on their own. “We never went beyond training. We did not incorporate strategies on what steps people could take when engaging in activities to hold their MPs accountable” (Levi Mvula, Acting Project Manager for CHRR).

CSOs can do more than just providing training and then expecting the citizens to act. Accountability processes require well planned, coordinated and executed campaigns. It has already been noted in this study that CSOs maintain loose communication lines with the grassroots structures, relying mostly on a team of volunteers. This could probably lead to a problem of lack of leadership to mount a successful advocacy campaign. Again the CHRR District Coordinator confessed that the training they received did not contain elements of advocacy and lobbying. For CHRR, the problem could also be related to the fact that some of its members are civil servants. Leadership is very crucial to conduct accountability campaigns for MPs who are already seen to be uncooperative.

For NICE, it is not very clear why they have never taken steps to hold MPs accountable. One reason could be an internal one on their policy not to engage in advocacy and lobbying. NICE has a policy that discourages the organization from engaging in advocacy campaigns, especially those that have the potential to be seen as politically partisan.

For Action Aid International Malawi, their contribution to the promotion of accountability is seen through the networks that it promotes, namely SAGNET, whose work has already been highlighted above.

Members of Parliament have been known to be hesitant when asked to cooperate in activities that are meant to assess their performance. According to Victor Sindani, District Coordinator for NICE in Salima, “MPs fear the unknown. They cannot face an open forum where people can ask them questions about their performance. During campaign time they make so many unrealistic promises that haunt them once elected”. MPs also fear that accountability forums may open up opportunities to their opponents to antagonize them and discredit their political careers. It is thus better to work within their own political structures where there is little room for dissent. Chilangwe of CHRR however agrees with the principle that MPs should be held to account and that communities should not treat them in the same manner they treat technical public and civil servants. His argument is that MPs should be held accountable by the constituents because they ascend to power through the power of the vote. He says, “They hold their positions on trust and this accountability is a mechanism for maintaining or withdrawing that trust.”

Suspensions raised by NICE and CHRR district coordinators seem to be vindicated by reports from the Parliamentary Liaison Project that is implemented by the Catholic Commission for Justice and Peace (CCJP) in selected constituencies in Malawi. In the

central region, the project covers selected constituencies in Lilongwe, Ntchisi and Kasungu. Lack of cooperation by MPs who suspect that holding consultative meetings with their constituents tends to de-campaign them is a key challenge that this project has encountered. This means that if and when communities want to engage their MPs, they must carefully plan their activities and find ways of dealing with the possibilities that the MP will not always cooperate. Levi Mvula of CHRR confirms the fear, “MPs often do not cooperate with CSOs when something has been addressed to their office unless it is deemed to be in their own interest” (Levi Mvula, former Acting Programme Manager).

NICE is trying to come up with an initiative similar to what CCJP is doing in other constituencies. The planned strategy is to organize meetings that will offer ordinary citizens an opportunity to interact with their MPs and raise their concerns through open meetings. Currently, MPs are circled by their party Constituency Committees which have been seen as a barrier to other community members that may wish to address the MP on an issue. Constituency Committees tend to believe that the MP is for their party and should only be accessed by party members. “When it comes to governance issues, MPs prefer to work within their own party structure where they are treated as bosses and the constituency committee is under their full control. Within that environment nobody can take them to task” Joseph Chilangwe, CHRR District Coordinator. This shows that while MPs serve the whole constituency, their accessibility is limited to their party members, the more reason for accountability measures to ensure they serve the interests of all.

This observation agrees with what Patel et al (2004) have observed about the dilemma of MPs being torn between satisfying the partisan needs of their party against those of the wider constituency. The challenge for MPs is to accept the fact that once elected they represent the interests of all constituents, including those from the opposing political camps. By working closely with party committee members, they are satisfying a group that supported them in the elections and also one that has the potential to ensure their come back at the next election. This leads to the issue of CSOs completing the work of political parties in interest articulation. While CSOs can also focus on certain special interests, they usually do not focus on partisan political interests.

Levi Mvula of CHRR is cautious about successes of any CSO attempts to hold elected leaders accountable. He thinks that such attempts are at present too ambitious and missing some steps. He argues that, “asking for accountability from MPs is probably a target too far. We must start with lower levels first such as head teachers of community schools, managers of community health centre and the police before we can shift into high gear and engage Members of Parliament.” His argument is supported by the CHRR district Coordinator for Salima Joseph Chilangwe who says that “generally speaking, Malawi has not reached that stage whereby local communities can be expected to hold their MPs accountable. There is no capacity in most CSOs at the moment.”

But if nothing has been done to try and hold MPs accountable, the CSOs should take the whole blame as they have not put up enough efforts so far while failing to utilize the opportunities presented to them. In 2006, CHRR and NICE district coordinators called

for a meeting for all MPs in the district to raise some issues of concern to the constituents. All the MPs from Salima attended the meeting. During the meeting, MPs were encouraged to maintain regular communication with their constituents. Some MPs also found it as an opportunity to give some highlights of what development initiatives they had undertaken since their election in 2004. Since that time no follow up meeting has been held with the MPs for no reason other than failure by CSOs to organize one.

From this case it can be deduced that not always will MPs refuse to cooperate with CSOs. Indeed both CHRR and NICE report that one of their strategies during the meeting was to avoid being aggressive and antagonistic. Rather they applauded the MPs for some of the achievements in their constituencies. This single case study gives the impression that the major reason communities have not mounted accountability campaigns is due to the fact that CSOs have not done enough.

Although this meeting provided a good opportunity for interaction between MPs and the local communities, the voice of the local man and woman was missing as there was no representative from the community. Ideally such meetings should be held in the constituency to ensure maximum local community participation.

The absence of mechanisms for holding MPs accountable to the constituents has created a gap that is resulting in strong sentiments in favour of having the Recall Provision back in the constitution. Most people are of the view that they have powers to recall an MP who is not performing to their expectations. Dismissing non performing members seems

to be the only alternative available to the people, and yet mechanism for recalling such MPs are nowhere in the constitution. This view came out strongly during the FGDs.

3.9 The Constituency Development Fund – a missed opportunity

In the past few years government has come up with a policy of channelling some development resources directly to the constituencies in all districts through the Constituency Development Fund. Funds are accessed by application to the District Commissioner. The application is to originate from the Area Development Committee and forwarded to the District Commissioner through the Member of Parliament. Ideally the identification of projects under this fund is supposed to be participatory but in practice there is a tendency by MPs to dominate the process, leaving very little room for input from the local community leaders. This view was corroborated by the Director of Administration who observed that there is no scrutiny of project proposals submitted by MPs. There is no procedure for checking whether the application was endorsed by the Area Development Committee.

During DEC Meetings, the DC or DPD provides a report on which projects are being implemented through CDF funds but his report is for information only. There is no discussion on the reports.

Ideally, the identification of projects under the CDF should offer an opportunity for local citizen participation in development initiatives. This would also ensure ownership of development programmes. In practice, this opportunity has not been maximized in

Salima. The District Assembly says that in most instances, MPs do not consult their constituents before deciding on which development project to initiate in a particular area.

But the situation will not remain like this forever, if what has been happening in TA Khombedza since 2006 is anything to go by.

TA Khombedza covers Salima South West Constituency, an area that has had no MP since the death of the previous MP in 2006. Since bye elections could not be held in time, the area has stayed close to three years without an MP. What has happened since then is that the Traditional Authority has taken over almost all responsibilities that normally go with the office of the MP. He holds monthly meetings with all his subordinate chiefs. He has also ensured that ADC meetings have taken place regularly and through such meetings plans have been drawn on what development projects to implement under the Constituency Development Fund. As a result of this, a number of projects have been carried out, mostly in areas of teachers' houses, class rooms and teachers' houses. Plans have also been drawn to work on some roads and bridges.

Before embarking on this research, the assumption was that the Constituency Development Fund can only be implemented through the MP. Indeed all constituencies with MPs will have their development projects submitted to the District Assembly through the office of the MP. That such projects can be submitted through the TA has come out as a surprise.

The District Assembly has no problems with the TA taking on the role of the MP in relation to submission of project proposals to be financed through the CDF. The District Assembly bases its argument on the fact that the TA is acting on behalf of the Area Development Committee, a subcommittee of the District Assembly that is chaired by the TA himself. Argues Mr. Markward Themba, Director of Planning and Development for Salima Town Assembly, “both the TA and MP are members of ADC, which is a subcommittee of the District Assembly. Projects cannot come to a standstill just because one stakeholder is not available. As far as we are concerned projects are identified through ADC”.

The ADC is under the chairmanship of the TA and is a development arm of the whole area although this is against the government policy. Both the TA and MP are members of ADC, also comprising heads of government institutions in the area and civil society organizations. This forum provides a very good opportunity for holding MPs accountable but has not been utilized so far. At this level, even the CBOs that have been excluded from DEC can have a voice.

That the ADC in TA Khombedza is able to discuss and make resolutions on development projects to be supported by the Constituency Development Fund is good news for the growth of participatory democracy at district level. But there is need for more research and comparative analysis on the composition and conduct of Area Development Committees. CSOs wishing to promote citizen participation in decision making processes

can make use of these forums that have been established through the decentralization policies and practices.

The finding also has political implications on the triangular relationship between the constituents, the MP and the TA. Situations could emerge where people are in a dilemma as to which office to turn to for development facilitation. Do they turn to the MP or the TA? As was seen earlier on, people of TA Khombedza show preference for the TA whom they regard to be above the MP in terms of authority.

3.10 CSOs and the State - Civil Society and the District Assembly

The literature review surveyed has described the relationship between the state and CSOs in Malawi as one that is characterized by friction, non cooperation and even suspicion. Considering that the local political landscape could be different, this study wanted to explore if it is any different at district level by assessing the relationship between CSOs and the District/Town Assembly. This relationship could have some bearing on the operations of the civil society in the district. Literature shows that a healthy working relationship between the state and the civil society allows the CSOs to operate more effectively, of course at times risking their independence from the state.

The CSOs covered in this study and the Salima Town Assembly confirmed that there is a positive working relationship between them. One factor that the CSOs mention is the fact that they are members of the District Executive Committee – DEC, a technical subcommittee of the District Assembly comprising heads of government departments and

leaders of Civil Society organizations. Since this study was conducted at a time when the councils had been dissolved, it was observed that the District Executive Committee has become a very important subcommittee of the Assembly with wider powers on development activities taking place in the district.

Chandiwila Chisi of Action Aid Malawi International believes that there is a big advantage when CSOs work with public institutions such as the District Assembly because in that case they have access to information and when they advocate on some issues they will do so with a basis. He contends that those that isolate themselves from public forums may run the risk of making critical statements that have no basis. He bemoans low levels of knowledge among some key government policies by government officials heading government departments at district level.

A visible sign of the good working relationship between the District Assembly and CSOs is that Salima District Assembly has donated free office space to CHRR. The two institutions also collaborate through a referral system of disputes that their institutions handle. The CHRR District Coordinator performs some paralegal services through advice, referral and mediation. He assists clients on issues of gender based violence, child labour and other family disputes such as claims for child maintenance. Sometimes the District Assembly has sought advice from CHRR on issues regarding chieftaincy disputes.

NICE is highly regarded by the District Assembly in Salima. As an organization that is spearheading the establishment of the civil society forum, NICE has been accepted by the District Assembly to be the contact institution on all matters pertaining to civil society. Action Aid also participates in all meetings of the District Executive Committee as a development partner. The study has therefore concluded that all the three CSOs under study enjoy a good working relationship with the district assembly. The district assembly cannot be accused to pose any negative influence on their ability to promote democracy in the district.

Regular, routine meetings of the District Executive Committee are funded by the District Assembly. However a practice has evolved whereby a member of the CSO community wishing to present a detailed report or action plan is required to pay lunch allowances to all the members of DEC. Initially this started as an ad hoc arrangement to give space to that CSO which had something to present for the attention of DEC. But it has become a tradition that all meetings initiated by CSOs obligate the CSO to pay lunch allowances to the participants. It does seem that whenever a CSO would like to have its agenda presented to DEC, such a meeting will be called in an extraordinary session hence the requirement for allowances to be borne by such a CSO. This is one element that seems to be a small dent on the otherwise good working relationship between the CSOs and the District Assembly. The issue of allowances is not only a bother to CSOs but also a distraction to the business of the district assembly as the allowances are becoming the main motivation for members of DEC to attend meetings. All DEC meetings, ordinary or extraordinary and called by and presided over by the District Commissioner.

While some financially well endowed CSOs have had no problem to meet this expectation, not all CSOs have the resources to organize such meetings. The result is that those CSOs that do not have enough funds to pay for lunches can only raise their issues through Any Other Business and such agenda do not receive the full attention of the DEC. But when a CSO has paid lunch allowances, it has full control of the agenda for that day. CHRR has had problems when asked to fund special DEC meetings but admits that it is something they never anticipated. “Traditionally our budgets are project based and have not included such activities but we are trying to come to terms with the changing realities and we are looking at ways of identifying resources to meet our obligations” says Levi Mvula, Acting Programme Manager.

It is feared that this scenario is having some negative consequences on the quality of DEC Meetings “DEC Meetings are slowly losing their meaning. Instead of the regular formal meetings we are seeing more and more of ad hoc meetings. Due to the lunch allowances that come with these ad hoc meetings, they are becoming popular among delegates.” (Victor Sindani, District Coordinator). Sindani also believes that special DEC meetings have contributed to the growing lack of seriousness on the part of CSOs and other government Heads of Departments who no longer prepare their obligatory monthly progress reports to DEC. All they do is come to listen to agenda of the CSOs and make comments.

A follow up question was on whether all CSOs in the district are invited to DEC meetings. What the study has found is that it is only registered NGOs that are allowed membership to DEC. Exceptional cases do arise when some emerging CBOs that are almost attaining the NGO status are invited. If the assembly deems that by necessity a certain CBO should come and present a report, then a special invitation is extended. The study wanted to find out what guidelines are provided by legislation on composition of DEC. The finding is that there is no provision in the Local Government Act (1998). The absence of guidelines in the legislation means that the Assemblies are at liberty to decide which institutions can participate in the meetings of the DEC.

While it is tempting that for purposes of wide representation DEC should open up to CBOs and networks, consideration has to be made of the problem of numbers. CBOs are so many that it is almost impossible to invite all of them. But networks can be managed since they are not so many. What would still require some attention is double membership for the very CSOs that make up a particular network. The reason for making this recommendation is to cast the CSO net wider than just a few NGOs as the definition of civil society covers CBOs as well.

The study also wanted to know whether minutes of DEC Meetings Minutes are distributed to all members, including CSOs. The distribution of minutes would complete the picture in assessing the closeness of the two parties under study. What has emerged is that minutes are not distributed but they are read and adopted at the next meeting.

Through this process the assembly is convinced that there is ownership of the business contained in the minutes.

The conclusion of this study is that there is a healthy working relationship between the state and CSOs in Salima, contrary to the picture that emerges at the national level where the relationship between the state and CSOs has been characterized by conflict and mistrust. The District Executive Committee is the forum that brings together district level heads of government departments and CSO leaders. While this forum is lauded for providing opportunities for interaction between CSOs and government department leaders, there are concerns that the practice of requiring CSOs pay allowances for participants in order to have their agenda presented at the meetings could be divisive and distractive.

3.11 Chapter Summary

The chapter has presented a detailed outline of the efforts and challenges that characterize the contribution of CSOs in promoting democracy in Salima district. While the general finding is that the efforts are inadequate, the study has found that opportunities do exist for more CSO engagements with both the state and the wider community. Apart from difficulties associated with getting the cooperation of MPs, there is a positive atmosphere provided by a district assembly that is supportive of the work of CSOs. In drawing conclusions about failure by CSOs to promote vertical accountability, blame is placed solely on the CSOs who have not put in place strategies for achieving their objectives. They lack grassroots structures for engaging with local structures such as VDCs and

ADCs. Very little effort has been taken by the CSOs to mobilize communities for such action.

And on a positive side, the study has revealed that the efforts taken by networks such as SAGNET and SAWEG could act as a springboard and learning ground for more CSO engagement with public and elected officials to promote vertical accountability. The study has found that contrary to popular opinion, people of Salima are well informed about democracy and role of MPs.

CHAPTER 4: CONCLUSIONS AND IMPLICATIONS OF THE STUDY

4.1 Introduction

This chapter contains some conclusions on the objectives that the study intended to achieve. The chapter also makes reference to some relevant developments that require further inquiry in the study of CSOs in Malawi in their democracy promotion project. These relate to the relationship between NGOs and CBOs as well as the changing definition of civil society when it relates to government initiated projects that face an identity crisis as is the case with the National Initiative for Civic Education.

4.2 Summary of the study Findings

The key hypothesis of this research project is that CSOs make a significant contribution to the promotion of democracy at district level but their efforts are hampered by lack of effective mechanisms for community participation in their activities and low levels of collaboration with the state machinery. The hypothesis has been confirmed in as far as the ability of CSOs to facilitate community participation in democratic processes is concerned. There is little that has been done in this area. The findings are however not conclusive on the question of whether or not CSOs are making a significant contribution to the promotion of democracy in Salima. Looking at the contribution of the three organizations covered in this study, it is clear that their levels of contribution vary. For instance, CHRR is less concerned about the promotion of participatory democracy while NICE's major contribution is in the field of election related civic education. For Action Aid International Malawi, their main contribution to the promotion of participatory

democracy lies in their efforts to promote greater women representation in elected offices.

The study has found that CSOs in Salima have made some progress in establishing a grassroots presence through community based educators, human rights clubs and some forms of committees but more remains to be done as they are faced with numerous challenges, some internal and others external. The first one is that CBOs at community level are engaged in too many issues with little specialization. This has led the promotion of participatory democracy look peripheral in their work. At the grassroots level, people are knowledgeable about democracy but there is no clear link that this knowledge was gained through the work of CSOs covered by this study. Communities cite the radio as a major source of information. Awareness raising about the meaning of democracy is no longer the main issue in Salima. What is needed is for CSOs to play the role of facilitating peoples' participation in public life. CSOs should go beyond training and instead work with communities to take direct action on issues of public concern.

The issue of vertical accountability has received very little attention in Salima, especially with respect to accountability for MPs. That so far no single MP has been subjected to any accountability process is not convincing. The major reasons for this are that CSOs have not done much to facilitate such processes by communities and are themselves lacking in terms of capacity and experience. There are high levels of eagerness from the communities to do something but the CSOs have not played their role adequately. For CHRR, their democracy promotion agenda is the least recognized within the organization

and none of their current projects in Salima are focused on democracy promotion. Even their training materials suggest that the organization is more into issues of combating gender based violence and addressing human rights issues of people infected and affected by HIV. It is also clear that the little that they did in terms of educating the communities about democracy was dependent on the availability of a donor funded project. This brings to light the question of sustainability of CSO activities in Malawi.

The relationship between CSOs and the District Assembly is very cordial and collaborative, a sharp contrast to what has been reflected at national level in the literature consulted. This shows that there is more room for collaboration between CSOs and the state machinery. The requirement that CSOs pay lunch allowances for organizing DEC meetings is a matter of concern. Most DEC members are resident within Salima Town Assembly and have no justification to demand lunch allowances for doing their work. The problem is that this issue seems to be much broader than it looks. It is not practiced in Salima only but other districts as well and has the potential to affect the whole decentralization process.

4.3 CBOs and NGOs – emerging literature gaps

The study has found that NGOs are engaging and working with CBOs which are community based. While this might have worked to make their work more sustainable, this strategy is serving to remove them further from the same communities that they want to serve. It is because of such approaches that some of the CSOs such as CHRR cannot have a voice in ADCs and VDCs as the organization is not well known at those

grassroots levels where its presence has relied so much on volunteers that are not registered members of the organization.

This study has also revealed that CBOs are becoming appendages of local and international NGOs, with NGOs placing so much faith in the CBOs to carry out their missions in the form of direct delegation. This development calls for new insights into the evolution of NGOs and CSOs in Malawi. Studies that limit themselves to what the NGOs have done, without reference to the work of the CBOs on the ground will be incomplete. The picture emerging in Salima, for instance, is that when NGOs have conducted training for a particular group of people, they expect the group to continue with the actual democratic promotion processes on their own. That is why after training CBEs, they are advised to go and form human rights clubs. The formation of these clubs is an attempt to reach out to many people by extension while avoiding the operational costs associated with such activities.

By choosing to delegate some of their responsibilities to CBOs, NGOs are probably disinterested in establishing their own grassroots base. Most scholars that have written on the virtues of civil society point to having wide grassroots bases as a factor that enable CSOs deliver their agenda because it helps them have a clear knowledge of how a particular community operates. What the CSOs are doing in Salima runs parallel to such ideas about civil society.

4.4 The state and Civil Society in Salima

If at national level CSOs can claim that their relationship with the state is not cordial and collaborative, then the story is very different at district level, if the situation in Salima is anything to go by. The state, as represented by the District Assembly enjoys a very good working relationship with the CSOs. Any failures by the CSOs to fulfil their obligations cannot be attributed to the influences of the district assembly.

The emergence of NICE on the civil society forum makes an interesting discovery. Although it is a well known fact that most local CSOs in Malawi have received funding from foreign government and other international agencies, rarely has the Malawi Government played a direct role in sustaining the growth of CSOs in the country. As Mwalubunju (2007) argues, the enactment of the NGO Act (2000) by the Malawi Government was largely seen by CSOs as an attempt to suppress the emergence of human rights and governance CSOs. These fears were on the basis of some specific provisions in the legislation that prohibit CSOs from engaging in activities that are deemed political in nature.

For the Human Rights Consultative Committee, a membership network comprising more than fifty NGOs, the bill contained sections that were contrary to the spirit of the national constitution. In a press statement issued on January 10th, 2001 the grouping challenged section 20 (3) (v) that makes membership to the Council for Non Governmental Organisations in Malawi (CONGOMA) compulsory. In their view this section is contradiction to section 32 of the Republic of Malawi Constitution which stipulates that nobody shall be compelled to belong to an association. Summarising their major concerns

on the Bill, HRCC said, “of particular concern are requirements for approval from the responsible ministry, membership to CONGOMA and prohibition of electioneering and politicking. There are no objective criteria for defining the word electioneering and politicking and therefore they are vulnerable to subjective interpretation”.

Involvement in electioneering and politicking are also grounds on which an NGO can be suspended, according to the law. It is difficult to imagine a democracy promotion project that is not political in nature. While the government might have been concerned with partisan politics, the absence of a clear definition meant that it was up to the government to judge if an activity was political or not.

As a government project, NICE is not bound by this piece of legislation but finds itself in the same policy dilemma as they struggle with the question of whether or not to engage in advocacy and lobbying. Their organizational policy is not to engage in any form of advocacy and lobbying. To unpack the debate about the place for NICE in the CSO community there is need to give a short comparison with other democracy promotion projects where the Malawi Government has been involved. These are the Democracy Promotion Project and the Development Broadcasting Unit that were already referred to in Chapters 1 and 3.

When the Malawi Government through the Inter-Ministerial Committee on Human Rights and Democracy came up with the Democracy Promotion Project, CSOs were suspicious that the government wanted to have full control over their funding and

expressed their reservations publicly. Despite these fears, a number of CSOs have received funding for civic education activities since the 1999 elections. During the 1999 parliamentary and presidential elections, the Church/NGO Consortium (a four member CSO grouping) was a major recipient of funding through this DCP. Since 1999 the IMCHRD has continued to provide funding both to CSOs and public institutions through DCP which is in its third phase now. These developments have ushered in a new chapter in the relationship between the state and the CSOs. It has proven that the government and CSOs can and do work as partners. What is of direct interest to this discussion is that similar projects that have been funded by DCP have had no problems for their implementing partners to be engaged in advocacy and lobbying.

NICE as an organization does not conduct advocacy activities, at least on paper. The reason for doing this is based on the misplaced argument that a government project cannot lobby or advocate against its own government. It is also argued that advocacy and lobbying compromises impartiality. A clear example of this is that during election time NICE conducts election monitoring but never issues any public statement on what is going right or wrong, leaving that work to the NGOs. How long NICE will stick to this policy remains to be tested.

NICE's policy of not being involved in advocacy and lobbying is taking a different dimension on the ground. In Salima, SAGNET organized a demonstration to Parliament when there was a budget impasse in 2007. NICE was one of the organizations that was involved in the demonstrations and some of its members took part in the demonstrations.

But in accordance with the organization policy, the District Coordinator did not play a visible role. He was just involved in providing technical support to the organizers and mobilizing his members to participate. That the District Coordinator found it necessary to participate in the demonstrations while at the same time trying to work within the organizational policy by making their participation secretive proves that there is lack of ownership of the policy within the organisation.

In trying to compare what was the status of this policy elsewhere in the central region, contact was made with the District Coordinators for Nkhotakota, Dedza and Ntchisi. It was revealed that the situation is not any different in these districts. For instance, it was learnt that Nyika Press Club of Mzuzu organized a public debate and they chose NICE offices in Nkhotakota as a venue for the event. When NICE authorities at the secretariat in Lilongwe heard about it they asked the District Coordinator if he had clearance from the regional office for accepting to host such an event. But in his own opinion, the District Coordinator thought that this was a straightforward matter whereby NICE is fulfilling its goals of promoting the growth of democracy in this country. With pressure from the secretariat, another venue had to be identified for the debate. Again when one compares such debates and the ones for parliamentary candidates, there seems to be no clear lines of distinction on matters of partisanship.

The impression this study has taken is that at District Level, NICE officers are more flexible when dealing with democracy and human rights issues while the national office is keen to stick to its operational principles of not engaging in any form of advocacy. The

findings also point to the fact that this policy will not stand the test of time as has been seen to be the case during elections. If NICE wants to contribute to the promotion of democracy, then its policy of not engaging in advocacy has to change as it is a deterrent factor to achieving the organizational objective.

These developments do attract some academic attention with regard to the evolution of NICE as a government project to one that is more or less an NGO. This study has shown that there is potential for NICE to eventually evolve into a fully fledged NGO once its current funding agreement comes to an end. In related developments, the Development Broadcasting Unit already made efforts to register as an NGO but the parent corporation refused to endorse the decision².

The policy that NICE follows on advocacy and lobbying contradicts the operational framework of the Democracy Consolidation Project referred to earlier on. The Democracy Consolidation Project actually advocates for vibrant local organizations and movements that should not only participate in public life but also hold their leaders accountable. The DCP Project document clearly states that one of its outcomes is ‘Increased and more effective participation of communities in decision-making and in advocating changes to and implementation of policies, laws, and practices which affect their livelihoods and rights and holding public bodies accountable’. For DCP, accountability should be at all levels of public life, not only MPs. Public Officers responsible for managing service delivery institutions are called upon to demonstrate

² As this thesis was being finalized, it has emerged that DBU has split, with a section of its staff registering an independent NGO while MBC has maintained a fraction of staff under the same name.

their ability to offer services that are in line with respect for human dignity. DCP is one of the institutions that have funded the DBU which has radio listening Clubs that focus on governance at the community level in Salima.

The fact that DCP has been able to work with and fund so many CSOs challenges the common argument that the relationship between CSOs and the government is always one of suspicion and hatred. Before falling into the trap of generalization when comparing the two projects, mention has to be made of the fact that there is a different approach to the working relationship between the Malawi Government and UNDP on one hand and the Malawi Government and the European Union on the other. The European Union seems to have been moved by GTZ to come in and support the NICE Project. What this leads to is the issue of diplomatic policies. With NICE under the initial management of GTZ (an arm of the German Government) it was probably a diplomatic decision to keep NICE away from advocacy issues and distinguish it from the local, advocacy NGOs of that time. Again it has to be stated that NICE is restricted from receiving financial support from any other donor apart from the European Union. On the contrary, the Democracy Consolidation Programme acts as a basket fund with a number of multi lateral donor partners.

This comparison of the three government owned projects leaves us with the impression that CSOs are not homogeneous in character. Each has to be analysed separately in order to have a complete picture of what it is. It has also shown that the policy of NICE not to engage in advocacy activities lacks basis as projects in similar situations have

demonstrated. There is also room for more comparative studies on the evolution of government initiated projects that appear to adopt contradictory policies on democracy and good governance.

4.5 Areas for more research and analysis

From this study, a number of issues have emerged that will require further research and analysis. Firstly, in terms of strategies that CSOs put in place to promote democracy, it has been found that in Salima, the democracy promotion agenda is not at the core of the agenda for the CSOs that have been studied. Most of the CSOs are concerned with a variety of issues such as HIV and Aids, gender, food security and livelihoods. The impression given is that CSOs are no longer putting emphasis on their role to promote democracy values and practices among the local communities. On one to one basis, Action Aid International scores more points than CHRR and NICE because of the role that the two networks that it supports are playing. These networks are clearly contributing, to some degree of success, to the participation of women in politics as seen by their mobilization that led to women candidates standing in all constituencies in the district during the 2009 parliamentary elections. The work of SAGNET in assessing the performance of public institutions also stands as a stepping stone to more work in future. NICE has so far only concentrated on civic education meetings on democracy and human rights and they have good plans to promote interaction between constituents and MPs, which will lead to more accountability.

Considering that Action Aid International is an affiliate of Action Aid International, and NICE is not a full member of the civil society community, one gets the impression that there is lack of home grown CSOs that are engaged in promoting democracy in Salima. That the participatory democracy initiative CHRR engaged in ended as soon as the project wound up leads to the conclusion that such efforts are vulnerable to donor fatigue.

The study has revealed that there are no clear criteria for membership to CSOs. Membership is one of the features that most analysts point to as a factor that enables CSOs mobilize communities into action groups and engage with their representatives. Yet, in this study it has been found that none of the CSOs have a wide membership base. Other options must be considered therefore on how the deficiency could be dealt with. The opening up of linkages between NGOs and CBOs could provide the answer.

While much has been said about internal democracy for the CSOs, there is need to provide best practices or examples of what it takes for a CSO to be said to be internally democratic. There is need for some benchmarks that can stand as minimum requirements. Consideration also has to be made of what kind of CSOs we are dealing with. CSOs are not a homogenous group and therefore we cannot expect all of them to operate within the same rules. Some are membership based while others are not.

4.6 Significance of the findings of the Study

This study has shed some light into the efforts being put forward by CSOs in trying to contribute to the growth of democracy in Malawi. Relying on the participatory

democracy theory, the study has found that the CSOs in Salima fall short in terms of mobilizing masses to participate in the public life. What can be concluded from this study is that CSOs in Malawi are unique and heterogeneous. The study has only looked at three CSOs but already there are differences between them in terms of how they deal with issues of membership, grassroots structures, networking and collaboration. Action Aid International has clearly settled for the approach of working with local networks of CBOs in the district. The National Initiative for Civic Education and Centre for Human Rights and Rehabilitation have some form of individual membership structures that are not formalised.

Reverting to the literature about the role that CSOs played during the transitional phase of Malawi's democratization process, it is recalled that CSOs actively engaged both the state and the wider community. It was involved in more than just civic education. It participated in the negotiations for a new constitutional arrangement as well as in negotiating the calendar for the referendum and general elections in 1993 and 1994, respectively. What is emerging in Salima is that CSOs are contented to be involved in civic education. They are not keen to take proactive steps on matters of vertical accountability for members of parliament and other public officials. Only a glimpse at the work of two networks supported by Action Aid International Malawi gives some optimism that CSOs can do more than mere civic education. This provokes some thoughts about the ability of the so called governance and advocacy CSOs to survive. The situation in Salima suggests that there is no CSO that is wholesomely committed to democracy promotion. The available CSOs have had to mainstream democracy into other

welfare promotion projects. This does not auger well with the high demand from local communities for functional civic education programmes that can empower them to play a more active role in public issues.

Literature that has been consulted also points to the fact that the political transition of 1992/1994 ushered in the emergence of governance CSOs that gained prominence over the developmental CSOs that had been tolerated by the one party state. And yet this study points to the fact that governance CSOs are now venturing more in developmental issues and the so called developmental NGOs are playing a more active role in governance issues. There is a kind of convergence of roles between these two forms of CSOs. This becomes the conclusion when one looks at how active Action Aid International has been in Salima in promoting the Salima Governance Network and Salima Women Network on Gender while CHRR and NICE are venturing into HIV and Aids, environment, food security and as livelihoods. The civil society is surely evolving and taking on new forms.

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Appendix 1: List of individuals Interviewed

1. Mr. Chandiwila Chisi : Action Aid International Malawi
2. Mrs Nicky Ndovi : Centre for Human Rights and Rehabilitation
3. Mr James Mumba : District Coordinator, NICE, Nkhotakota
4. Mrs Hajra Alli : District Coordinator, Lilongwe Urban, NICE
5. Mrs Victoria Munthali : Coordinator, Salima Women Network on Gender
6. Mr Levi Mvula : Centre for Human Rights and Rehabilitation
7. Mrs Alefa Mlanga : Action Aid International Malawi
8. Mrs Lusungu Dzinkambani : Development Broadcasting Unit
9. Mrs Edna Malonje : Development Broadcasting Unit
10. Mr Mwangupili : Salima Governance Network
11. Mr Victor Sindani : National Initiative for Civic Education – Salima
12. Mr Dokali : Salima District Assembly
13. Mr Markward Temba : Salima District Assembly
14. Mr Joseph Chilangwe : Centre for Human Rights and Rehabilitation
15. Mr Jeff Kabondo : National Initiative for Civic Education
16. TA Khombedza : Salima

Appendix 2: Data Analysis Summary Sheet – Key Informant Interviews

Name/Type of data source	Organizational Profile and Strategy	Membership/Decision making	Networking and Collaboration	Accountability mechanisms/experiences	Critical points/Observations
Chandiwila Chisi, Advocacy and Campaigns Coordinator, Action Aid International Malawi	Action Aid focus: Combating poverty by addressing issues of exclusion. People have to be given opportunities to develop their lives. Research has shown that women and girls are the most excluded in most aspects, including forms of exclusion that emanate from patriarchy Action Aid has worked in Salima since 1995 and covers all the TAs This is unique. In most cases we just cover a few TAs. We use a targeted approach because we want to be visible and effective. Before Action Aid ventures into a district a poverty analysis is done using participatory methodologies to ensure that peoples input informs the findings. Usually districts with the highest levels of poverty are selected. Participatory Rural Appraisal ensures that the voice that matters is taken	Action Aid is not a membership organization. It encourages people to work in committees/groups where they can share ideas on how to address some of their problems. “We have worked with CBOs that are voluntarily formed. Some CBOs that we have worked with have developed into fully fledged NGOs such as NAPHAM and Tovwirane Aids Support Organization”. Action Aid works by mobilizing people to take part in public life. “We open space where people can have a voice” We identify and strengthen people’s movements and CSOs to stand up for their rights. At national level such space is offered through the annual Social Forums that are held in solidarity with other partners from across the SADC Region and beyond.	Action Aid considers a vibrant civil society, networks and social coalitions as indicators of democracy at work. Relationship with District Assembly Close relationship through DEC. Our plans form part of the District Development Plan which also feeds into the Malawi Growth and Development Strategy. Action Aid considers its work to be complementary to government efforts to alleviate poverty. We lobby within DEC for the change we hope to influence. Identify problem. On one hand we are a service provider and hence stand on the same side with District Assembly Officials. On the other hand we stand on the people’s side by	“When people are able to be organized into community action groups and through such forums are able to demand the fulfilment of their rights it means democracy is as work” Chandiwila Chisi Action Aid’s contribution to democracy promotion in Malawi is through building and sustaining vibrant civil society organizations and <u>networks</u>. Through these forums people find space where they can voice out issues of concern in public forms as well as get the necessary courage for them to approach service providers and duty bearers to demand their rights. No direct friction between Action Aid and the District/Town Assembly but not our approaches to doing things can be a source of concern to the district assembly because of the way we work with	Some CSOs seem eager to criticize government officials but they usually do so without adequate knowledge about how government departments function. Unfortunately indications are that even some public officials do not understand key government policy documents and hence do little to promote such policies. DEC meetings are becoming a routine. They are there for sharing of information but they do not provide that space for a critical reflection on issues affecting the district. DEC meetings are a convenient political forum but not a vibrant one for

	into consideration. Let the people identify what key problems they are facing, let them, also priorities which problems they want to address and using what mechanisms.		empowering them to stand up and demand their rights.	communities and empower them to demand services while at the same time we are considered to be a service provider.	thrashing out critical ideas.
Alefa Mlangi Action Aid District Coordinator – Salima 08 601 921 or 05 799987	Action Aid works in all TAs in Salima Focus on women's rights, women representation in parliament, violence against women	Te work of Action Aid is mostly through two networks, SAGNET and SAWG which are membership networks operating in all the TAs in Salima They both have working committees and their own Board of directors			
Interview with Mwangupili; Chairman, SAGNET	SAGNET was formed in June 2006 as an initiative of the CBOs. So far, Action Aid is the only donor partner but there are indications that GTZ might also come in. SAGNET works in six thematic areas of Food security, HIV/Aids, Gender, Human Rights, Child Labour and Initially the plan was to have two CBOs per TA but membership has increased to more than two in some TAs. In monitoring the fertilizer subsidy	Each group is lead by a Coordinator but in practice all members work together as a team dependent on the demands of work. For instance, when monitoring the implementation of the Fertilizer subsidy, we were all involved.		We have been monitoring some health centres through a participatory process that uses score cards. A few health centres have been scored in the first phase. The plan is to score them every six months and check if there are any perceived improvements in client satisfaction levels. It is too early to draw any conclusions as the process has just started. However we meet challenges as health staff think that we are on fault finding missions	Challenge is that public officials are not always free to provide information. For instance at some point ADMARC officials refused to give us information regarding how much fertilizer that had received under the subsidy programme. They also did so after we presented a letter from the DC. Challenge: As CBO members, we

	programme, we have been checking whether the recipients are genuine ones and also on whether or not coupons meant for one TA are diverted to other areas. WE start with the registration process. Where shortfalls or challenges have been noted, we compile a report and submit to the District Executive Committee for action. Some of our reports were also shared with the Parliamentary Committee on Agriculture and the Civil Society Agriculture Network (CISANET). Before the distribution exercise begins we check with the office of the DC to find out how many coupons have been allocated per TA and then when the actual distribution takes place we check of the numbers tally or not.			We have so far monitored the provision of funds to the beneficiaries to ensure no corrupt practices are entertained. For instance there was an incident whereby a potential beneficiary of the funds, who also happens to be HIV positive had his name removed from the list. After we followed up on the issue he was able to get the money under the Social Protection Policy Monitoring the implementation of the Social Protection Policy, Monitoring the performance of local health facilities through a participatory mechanism that uses score cards	lack skills in advocacy and lobbying. Our work also requires a lot more resources than are currently available. SAGNET has not yet taken direct action to ensure accountability of MPs. having inadequate resources is one of the problems. But MPs have been present whenever we have presented our report during DEC meetings.
Mr Dokali Director of Administration – Salima	Relationship with CSOs Healthy relationship. Interaction through meetings,	Mechanisms for collaboration District Executive Committee District Development	Coordination Any new initiatives are approved by DDC. Proposals are reviewed and		DEC Minutes are not really distributed but they are read during DEC Meetings

	briefings. District Assembly expects CSOs to present reports on monthly basis. They do prepare reports but commonest mode of dissemination is through presentations at DEC and DDC Meetings. After presentations recommendations are made by the committee and we make follow ups on these recommendations. Data Base for CSOs WE have a list/profile of all CSOs working in the District. DEC is the central point New ones are introduced through DEC and their profiles added to the main profile of all VSOs working in the District. In DEC CSOs are allowed but not CBOs. However there have been some instances when some growing CBOs have been invited. All CSOs that have formerly introduced themselves to DEC are invited to DEC Meetings. DEC Minutes are not really distributed but they	Committee DEC is more of a technical department of the Assembly while DDC is a political department. DDC include all traditional leaders and political party leaders as well as MPs while DEC is for Head of Departments and CSO leaders. Ideally DEC should meet once a month but in reality there are so many ad hoc meetings called by various stakeholders wishing to update DEC and new things. Sometimes we meet twice a month. CSOs in Salima NICE, CHRR, Action Aid, Development Broadcasting Unit Outreach CSOs have outreach programs and help to educate people about their rights and democracy but they face mobility problems to reach out to all the areas. They are primarily engaged in sensitization campaigns.	recommendations made. If stakeholders feel some initiative in already being addressed in their area they recommend that it go to another place. This is done through DDC where there are MPS, traditional leaders and other stakeholders. There is CSO forum coordinated by NICE. Forum should be able to harmonies CSO work and also build capacity for the ones that are still emerging and lack in experience.	where they are adopted before new agenda is tackled. “DEC meetings are demand driven”. Constituency Development Fund Ideally plans are supposed to come from ADC and VDC. In practice MPs have dominated the process. DC has no business in asking whether the projects submitted have gone through a participatory process at initiation stage. Thus in practice there is lack of community participation and MPs single-handedly deciding where to implement a project. The role of MPs is to mobilize their constituents to prepare and submit through the MPs office proposals for development processes. The problem is that the DC has no
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	are read during DEC Meetings where they are adopted before new agenda is tackled.				authority to scrutinize whether the proposals coming from through the MP has gone through such a participatory process.
Interview with TA Khombedza Traditional Chief	He recognizes CHRR, Action Aid and NICE as CSOs working in his area. He also mentions Primary Justice Project. There are no restrictions on which NGOs can operate in the area. “Democracy is good but without proper civic education people understand it differently. People can abuse others in the name of democracy”	We have a committee that is responsible for the CDF. They identify projects, come up with a budget, prepare quotations and submit the request for funding. The committee ensures inclusivity. If the MP was in charge then some people would be excluded for political reasons	NGOs are doing a good job but their activities are not sustainable. Their activities are short term and dependent on donor funding Civic education has to be continuous and sustainable.	“I work as TA, MP and Councillor since the death of the MP in 2006 and suspension if local government elections”. Councillors must come back. There is a big gap” Our role as chiefs in undermined because we are not protected by the Constitution. We have no voice. Senate should be reintroduced in the constitution	Section 65 (Recall Provision) should be retained in the constitution. Senate must come back in the constitution There must be constituency offices for MPs so that local people can easily access them. Chief must be educated on democracy NGOs must be accountable and transparent. Sometimes things that are given for free but local leaders tell beneficiaries that they are loans.
Interview with Victoria Munthali – Coordinator , SAWEG 09 925 129	SAWEG promotes women’s rights. We started in 2005 and we have members in all TAs. There are 22 CBOs as registered members and some	We support women through training 52 women were trained in women rights and participation of women in politics.			

01 262 419	are also broken into human rights clubs. There are 15 human rights clubs. Total individual membership stands at 2, 240 members Themes: Women's rights HIV and Aids Governance Gender Based Violence Food Security All these areas are not really separate because they all fall in the major category of women's rights There is a board, Coordinator and Project Officers, all volunteers. Network is housed by Action Aid	The idea was to excite their interest in standing as candidates in local elections and legislative elections. Of these 22 showed interest to stand as MPs. These received further training at regional level from CHRR. Six will be standing in the 2009 legislative elections, covering all the five constituencies of Salima.			
17th July 2008 Interview with Mr Levi Mvula: Acting Programme Manager Centre for Human Rights and Rehabilitation	In Salima we have only 1 project at the moment on Ending Gender Based Violence, which happens to be implemented in all 8 districts that we operate in Malawi. Been in Salima since 1995, more than ten years. The other project was focusing on Rights of People Living with HIV and Aids but wound up last year.	CHRR has participated in all previous elections by doing civic education. We assume that the majority of the people in rural communities are illiterate and they cannot participate effectively in national events unless they are provided with civic education messages. CHRR has had capacity building		"Asking for accountability from MPs is probably missing the first step. What we are encouraging communities is to look beyond MPs. They should start by asking for accountability from lower level duty bearers such as public officers at district level, managers of community based institutions such health centres, police units etc"	Up to 2005 CHRR had a HIVOS funded project on promoting good governance and Human rights at community level but it was phased out from Salima. Even at that time emphasis was on training programmes that emphasized

	We have negotiated for a follow up project that will focus on community response to issues of HIV and Aids. CHRR is part of a national campaign to increase women representation to 50%. CHRR has started advocacy campaigns with political party leaders to adopt policies that promote the inclusion of women in decision making positions. Secretariat – District Coordinator- Area Coordinator (TA Level) - Zone Coordinator – CBEs CHRR is member of DEC. In Zomba we were asked by DC to fund a DEC Meeting but we did not have ready funds for this. We are looking at possibilities of raising resources to meet this cost which is relevant. Not sure whether special groups are more successful when they integrated to the rest of society of where they form their own groups.	programmes for the police, Women parliamentarians and the media for them to appreciate human rights issues. At community level we have also provided similar training to traditional leaders. Apart from the secretariat staff, everyone else works on voluntary basis and this ensures sustainability. Most of the coordinators and other volunteers are teachers (mostly serving teachers and a few retired). CHRR is not a membership organization. There are no clear criteria for membership. Here and there you meet people who claim to be CHRR members but there is no clear policy on this. We work with CBEs and CBOs. Local Participation in Programme Design Top down approach has been the tradition. However we are now trying to organize regular quarterly consultative meetings with our volunteers so that		<u>Levi Mvula.</u>	role of citizens in holding their elected representative accountable. Little investment was made on capacity building for strategies on how that could be achieved. As a result very little was gained in holding MPs and other leaders accountable. One problem is that MPs usually do not cooperate with CSOs when issues are addressed to their office. Currently there is such a project in Mangochi and local citizens have tried to petition their MPs to address some of the problems affecting their livelihoods but there is no response. “MPs are very difficult to work with. They rarely cooperate” Issues of public accountability and participation
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	In Mangochi when people with disabilities were advised to form their own group to access MARDEF funds they thought such a recommendation amounted to discrimination and segregation and they launched a big protest through Malawi CARER. Most projects in the past would start without a baseline and hence community input was severely limited.	we share ideas more regularly. Some donors have agreed to incorporate such meetings into our budgets which is a good development. <u>Gender</u> Institutionally, women enjoy a favourable ratio of 2:1 in CHRR. They are in decision making positions and it is not surprising that gender programmes are in almost all the impact areas. We also have projects on children's rights – child labour, national displacement (some form of child trafficking taking place within the national borders)			do not feature in our current projects in Salima. But in other districts we have embarked on issues of capacity building training for local communities.
<u>Interview with JD Chilangwe – CHRR District Coordinator</u>	<u>Membership and Coverage</u> CHRR operates in TA Kalonga and TA Khombedza Current membership at 106. Civic education programmes have focused on human rights, gender, HIV and Aids, domestic violence. (Democracy did not feature in his initial response).	In the past we would just receive new projects but now they have started consulting us. There are annual review and planning meetings which we attend. "This is good. As people that are on the ground we are more familiar with community needs and therefore by consulting us our organization get the best input on what programmes to implement."	<u>Relationship with Assembly</u> It is very good at the moment. There is mutual collaboration. We are part of DEC and we are invited to all DEC Meetings. We refer cases to each other on regular basis. The biggest evidence of our good relationship is the fact that the office space we occupy is offered by the Assembly	"The reason MPs have to be held accountable is that they ascend to positions on the basis of a vote. There is an element of trust. So we cannot compare them to other public officials." "Generally in Malawi time has not reached that stage where local people can really be expected to hold their elected representative	<u>Constituency Development Fund</u> The Constituency Development Fund offers an opportunity for the people to decide for themselves what developments to initiate in their communities. In theory the process starts at VDC level, then ADC

	Coordinator has also established clubs in TA Mwanza and TA Kambalame where there is no funding from the organization. CHRR has been in Salima for over five years. We support democracy through civic education and training targeted at CBEs and chiefs		for free. CHRR and Action Aid support Salima Women Network on Gender – Gender, a local membership CBO that promotes women participation in politics and other forms of public life. Since 1994 there has been no woman MP in Salima. The last one in Kamuzu days was a nominated MP under the one party regime.	accountable. We are still far in terms of coming up appropriate and effective strategies. MPs prefer to work through their party structures where they are considered as bosses and rarely can they be taken to task on anything. The constituency committee becomes an appendage of the MP.” For those communities that may have attempted to convene meetings with their MPs the biggest challenge is lack of cooperation from MPs. Some effort: in 2006 CHRR Coordinator and NICE Coordinator convened a meeting with all MPS in Salima and they all turned up. Some issues of concern to the constituents were discussed, including the need to fulfil campaign promises. Appreciation was made to two MPs, one who had bought mobile phones for all TAs and another who recruited teachers for primary schools using own money.	Level before recommendations go to the MP who forwards them to DC through Director of Planning. DEC is briefed on what projects are being undertaken at a particular time but not for debate. In practice, MPs single-handedly chose which projects to implement and once they submit a request to the DC they get the projects done. Members of DEC confess total ignorance on how CDF functions. People feel powerless without power of recall. They want recall provision back in the Constitution. Some feel that this powerlessness is making the whole electoral process futile. This frustration may lead to voter apathy in next elections.
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					Note: there was no voice from the community in this forum.
19 th July 2008 Interview with Victor Sindani Salima NICE District Coordinator	Coverage: All six TAs NICE has 462 volunteers. Knowledge we impart through training is expected to translate into better input by participants at VDC and ADC Meetings. CSOs in Salima are trying to come up with a collaborative forum that will help solve problems of duplication of services in the district as well as help to harmonise the allowance system which seems to be a big distraction to project implementation. Minority Rights NICE works with CBOs that promote minority rights. Assist them to get organized so they can get funding. Examples include PODCAM and NAPHAM. By coming up with CBOs minority	Participation District Coordinators participate in annual review and planning meetings where we draw our national programmes. These annual meetings do not give room for the voice of the local person from the community.	DEC: “DEC Meetings seem to be slowly but steadily losing their meaning and value. Rather than the regular meetings with appropriate agenda, we are seeing more and more of special meetings where such and such an organization makes a briefing about some project that they are pursuing. These meetings have brought about the allowance culture problem.	There are signs that people are applying knowledge gained. One CBO leader was taken to task by a community that summoned him to account for funds that he had misused. NICE is contemplating to begin facilitating constituency forms where MPs will be interacting with their constituents. Accountability MPs fear the unknown. During campaign time they create so many ghosts through false campaign promises and these ghosts come to haunt them once they are in office. MPs also fear that accountability forums may provide space for their opponents to antagonize them. Hence they are safer to work with their own party members at constituency level.	The tradition of having an organization pay lunches for DEC meetings is creating dominance of some CSOs. Those that cannot pay have less influence over the DEC agenda. Again it is found that most CSOs do not have budget lines for such meetings and are caught off guard when advised that they must pay. Most people tend to come for lunch allowances. At the same time, this tendency has meant that some government officials as well as CSOs are not taking seriously their monthly reporting requirements. The tendency may also create a situation of

	groups make their own decisions and have control over their projects. It empowers them to make their own decisions.				dominance by wealthy organizations at the expense of those that cannot pay for lunches.” Victor Sindani
23 rd July 2008 Interview with Lusungu Dzinkambani 09 952 174 Project Manager Development Broadcasting Unit – DBU	2 Radio Listening Clubs 1 Club on Ndizathuzomwe focuses on governance issues 1 club focuses on HIV issues. Most programmes have focused on the so called primary level service providers, those in close contact with the community Dialogue starts at the lowest level of contact and then goes up the responsibility ladder depending on how much success is registered at each level Biggest client also is the district assembly since most projects are now managed through the assembly Sometimes MPs have been engaged also but that has not really happened in Salima. Also issue of Constituency Development Fund has not featured in Salima but in other districts people			Ndizathuzomwe club promotes good governance by facilitating dialogue between local communities and service providers, who include head teachers, health officials, extension workers, and district assembly officials.	

	have asked for a share of the funds Also elsewhere people have tasked their MPs to explain why they do not reside in their constituencies In Salima and elsewhere people are asking for the reintroduction of the recall provision in the constitution “We have mostly concentrated on development issues rather than political issues” Lusungu Dzinkambani				
Interview with Edna “Malonje” District facilitator- Salima DBU Edna 08 339 622	Democracy Club: TA Mwanza HIV Club TA Bibikulunda Rarely are issues referred to higher level duty bearers such as government ministers. Clubs do not participate in DEC because they are not registered on their own But DBU does organize some DEC Meetings and can have a voice.	Ndizathuzomwe Club has ten members with equal representation between men and women. HIV Aids Listening Club has 12 members. WE deliberately encourage them to have more women in committee	Ndizathuzomwe Project involves the whole community when recording a programme but it’s the ten committee members that have received training and take the lead when coming up with an activity. Clubs localized issues, including those that can be sorted out within the community.	In some instances the clubs have to claim to be CBOs in order to get some benefits At some health centre in TA Mwanza instead of children receiving free phala (porridge their parents were being made to work in gardens of the health officials to access the facility. This attracted the attention of the club which initiated a dialogue process that culminated in the Minister of Health coming to address the community and the malpractice was dealt with. The case also helped other communities who held about in on radio. In Dowa the project addressed issues of coupons. Challenge: Efforts	

				not well known in Salima as the project is too localized in one TA.	
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Appendix 3: Data Analysis Summary Sheet – Focus Group Discussions

Description of group	Knowledge about Democracy	Features of a democratic govt	Role of Citizens	Issues of CSOs and Accountability	Critical points/ Recommendations
FGD at Mtanda Village TA Khombedza Salima South West Constituency 5 Men 6 Women (11 in total) CSOs in the area NICE, CHRR, PAC	<u>People Understanding of Democracy</u> Right to form parties Having many political parties Government of all the people Human rights Freedom of speech Freedom to do whatever one wants.	<u>Features of a Democratic Government</u> Freedom to oppose The right to participate Right to form parties There is respect for human rights	<u>Role of citizens in a Democracy</u> The right to participate There is freedom to work in NGOs Participation in development work Chief should monitor the performance of MPs The electorate should mobilize resources to build houses and offices for MPs Only candidates that stay in the constituency should be elected.	<u>How should elected leaders relate to the electorate</u> They should listen to the peoples' problems Should stay with the people in the constituency Should organize regular meetings and listen to people's problems Should fulfil their campaign promises They should not stay in town, away from the constituency <u>Any experiences in trying to hold their elected representatives accountable</u> No one has ever done anything to hold their elected representatives accountable, individually or collectively “We do not know what to do” “We do not know where to go” “We trust our	“CSOs have never conducted any meeting in this area since I was born” “Nothing is happening here. CSOs do not conduct meetings here” What should be done? MPs should stay in the constituency Electoralates should elect candidates that stay in the constituency A law should be passed to prevent MPs from leaving their constituencies once elected

				chiefs to do something if there is a problem” “We are afraid of the government”	
FOCUS GROUP DISCUSSION AT NTHENGA VILLAGE, TA KALONGA Salima Central Constituency 10 participants: 4 men and 6 women CSOs operating in the area CSOs CBOs NICE Youth Clubs Action Aids Samala Support Group CHRR Primary Justice	<u>What is democracy?</u> Respect for human rights Freedom Respect for other peoples’ rights Freedom of political parties to operate CSO Activities Case handing HIV Prevention Human rights education	Features of a democratic government Political parties free to operate	Role of citizens in a democratic government Choosing leaders through voting in elections Opposing leaders when need arises What can citizens do when MPS not acting according to their expectations? There should be a recall and a fresh vote Citizens should speak to their MP and discuss issues The MP should be given more time to improve performance	Challenges Once elected MPs do not hold meetings. This creates a communication gap between the MP and the local people Experience in holding elected Reps accountable “nobody has ever done that” Our major problem is ignorance. We do not know what to do and where to go when we have an issue to raise with our MP” “We do not know what to do in such instances” “We do not know where to go” “We need civic education so that we can gain knowledge on how to go about the problem’	What needs to be done? People should have the right to raise their concerns about their MP. We should have the right to replace our leaders MPs must ensure they fulfil their promises to the electorates Are CSOs contributing to the promotion of Democracy? No. Their activities are erratic. They do not hold regular meetings in the area “A NICE anangobwera kamodzi basi
Participants					
Community Based Educators,	<u>Support received from CHRR</u>	<u>Perceived role of citizens in a</u>	<u>Experiences in promoting accountability</u>	<u>Some challenges</u> Most MPs stay	<u>Recommendations</u> MPs should stay in their constituencies

Centre for Human Rights and Rehabilitation	They have been trained in human rights, gender, domestic violence, participation of women in politics and HIV and aids. Only two participants received training in democracy (during a funded project in 2005)	<u>democracy</u> Voting in elections Participation in development work Defend their rights Note: nobody mentioned promoting accountability of elected leaders	<u>of MPs and other elected leaders</u> No direct action. No MP has been held to account for his/her action and inactions by local communities in Salima. Sometimes people send concerns through chiefs CBEs themselves have not taken the initiative to hold MPs accountable.	in cities, away from their constituencies Political rallies are dominated by party MP's party followers and there is no two way dialogue. CSOs have not been well trained in advocacy and lobbying CBEs themselves have not been trained in advocacy and lobbying. CBEs are not consulted when CHRR is designing new projects. Only the District Coordinator is consulted, sometimes.	so that they are accessible Accountability should be promoted through local governance structures such as Area Development Committees and Village Development Committees, with involvement of traditional authorities. People prefer that the recall provision be re-instated in the constitution.
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