PARTICIPATION OF MEMBERS OF PARLIAMENT DURING QUESTION TIME IN THE PERFORMANCE OF OVERSIGHT ROLE OF PARLIAMENT (1999 - 2004)

M. A. (POLITICAL SCIENCE) THESIS

RODNEY KACHULE

UNIVERSITY OF MALAWI
CHANCELLOR COLLEGE

MAY, 2011

PARTICIPATION OF MEMBERS OF PARLIAMENT DURING QUESTION TIME IN THE PERFORMANCE OF OVERSIGHT ROLE OF PARLIAMENT (1999-2004)

M.A. (Political Science) Thesis

By

RODNEY KACHULE
B.A. (Humanities)-University of Malawi

Submitted to the Department of Political and Administrative Studies, Faculty of Social Science, in partial fulfilment of the requirements for the degree of Master of Arts (Political Science)

UNIVERSITY OF MALAWI
CHANCELLOR COLLEGE

May, 2011

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.

RODNEY KACHULE

RK

Signature

13-05-2011

Date:

Certificate of Approval

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

Signature: Nandin Patel Date: 8th June 2011
NANDIN PATEL, PhD, (Associate Professor)-Catholic University of Malawi
Main Supervisor

Signature: _____ Date: 8/06/11
BLESSINGS CHINSINGA, PhD, (Associate Professor)-University of Malawi
Member, Supervisory Committee

DEDICATION

To my father for being that constant pillar of inspiration,

To my brothers and sister (Mphatso, Rashid, Harvey, Mayesero and Zione) for always urging me on in life,

To my late mother for teaching me the essentials of life, more importantly for teaching me to believe in myself, she remains my first great teacher.

ACKNOWLEDGEMENTS

I owe so much to various individuals and institutions who have in many different ways helped me complete this work.

I am immensely indebted to my supervisors, Associate Professor Dr. Nandin Patel and Associate Professor Dr. Blessings Chinsinga, for their invaluable guidance in the entire course of my thesis research and writing. Their insightful comments have helped me to mould the thesis to its current shape.

My deepest gratitude is further extended to the following members of the Department of Political and Administrative Studies: Mr. B. Dulani, Prof. L.B. Dzimbiri, Dr. M.K. Hussein, Mr. H. Kayuni, Mrs. T. Chikapa-Jamali and indeed all other members of the academia of the Chancellor College community I interacted with during my studies. Many thanks should also go to Prof. L. Savsand and Dr. Espen Dhale of the Department of Comparative Politics, University of Bergen, Norway. By interacting with all these individuals during course work and other informal academic discussions, I have gained a lot of insights into the complexities of the political science discipline and academics in general. They have taught me how to swim in the deeper academic waters, one manifestation of which is the production of this thesis.

I would also like to thank in a special way the MA (Political Science) course coordinator, Dr. A.L. Chiweza, for her many efforts that ensured the smooth running of the programme.

The Norwegian Government which enabled me to study for MA (Political Science) program through its NOMA scholarship also deserves my sincere and special appreciation. I also truly recognise the input from members of parliamentary Secretariat and all the individuals I interviewed during my research.

To Emmanuel Liwimbi and David Kayuni thank you for your constant constructive criticism of my work. To the entire MPS 2008 class, I will always cherish the wonderful team that we were, I have learnt a lot from you. Great thanks to many friends, relatives and work colleagues for your support.

Ultimately, I give my profound thanks and praise to the almighty GOD for the blessing of life and the possibilities within it without which the completion of my thesis could have been a mere an unfulfilled dream.

ABSTRACT

This study examines the performance of MPs in the oversight role of the National Assembly of Malawi by looking at the questions they raise in the House during a particular oversight instrument called question time. The study adopted a qualitative research design using analysis of documents and in-depth interviews to obtain information. The information obtained included the nature and number of questions asked by each MP, individual MPs' motivations, incentives and challenges during question time, in order to understand how and why MPs use this time. The study demonstrates that the majority of MPs participate in question time. Most of the questions MPs ask focus on constituency development than national policy issues as the MPs' primary motivation is the desire to be seen by the constituents that they are committed to representing the constituents' interests in the belief that this will lead to their re-election. The study also reflects that the role of the Speaker and Standing Orders constrain MPs' use of question time as an instrument of oversight. It also reveals the relationship between use of parliamentary question time, on the one hand and MPs' party membership and gender, on the other hand. The study therefore concludes that MPs in the parliament of Malawi use question time to ask questions that are more constituency development oriented than national policy oriented ultimately to ensure their own political survival in the House. The central argument of the study is that participation of MPs in question time reflects that question time is more of a tool for vertical representation than oversight (horizontal accountability) owing to the electoral system and political culture prevailing in Malawi.

TABLE OF CONTENTS

LIST OF FIGURES

LIST OF TABLES

LIST OF ACRONYMS AND ABBREVIATIONS

AAPPG	Africa All Party Parliamentary Group
AFORD	Alliance for Democracy
DFID	Department for International Development
DPP	Democratic Progressive Party
FPTP	First Past the Post (electoral system)
MBC	Malawi Broadcasting Corporation
MCP	Malawi Congress Party
MEDI	Malawi Entrepreneurs Development Institute
MP	Member of Parliament
NDI	National Democratic Institute
UDF	United Democratic Front
UNDP	United Nations Development Programme
UNECA	United Nations Economic Commission for Africa
USAID	United States Aid Agency for International Development

CHAPTER ONE

INTRODUCTION

1.0 INTRODUCTION AND BACKGROUND OF THE STUDY

This chapter presents the background, problem statement, objectives, key assumptions, justification and significance of the study. It also discusses the outline of the thesis. This study examines the participation of Members of Parliament (MPs) in the oversight role of the National Assembly of Malawi by looking at the questions they raise in the House during question time. The study specifically focuses on the 1999-2004 parliament.

Parliament is regarded as one of the institutions at the very core of a functioning representative democracy. The centrality of parliament in a democracy stems from an assertion of its explicit linkage to the ordinary people. Parliament in a properly functioning democracy comprises popularly and freely elected members, conferred with constitutional powers to act on behalf and in the interest of a political community in an open and transparent manner (Hague et-al, 1992:287). It is a forum through which the will of the people is expressed in the process of deliberation, dialogue and compromise (Beetham, 2006: 2). It is on the basis of this understanding that parliament is regarded as the very symbol of representative government, that makes binding decisions in form of laws and policies on behalf of all in the country. Representation is what makes parliament to be democratic and in turn makes it have a fundamental impact in shaping the very democratic character of a particular country.

Indeed, democracy is said to be realised if, *inter alia*, parliament considers the voice of the people in its processes of approving policies and passing laws.

Parliament has three basic functions which are central to a political system. These are legislation, representation, and oversight (Johnson, 2001:2; UNDP Practice Note, 2003:5; Patel, 2008:22). Thus every parliament is entrusted with a responsibility "...to analyse, criticise, and pass or reject policies and proposals of government; to voice the desires and anxieties of the mass of the citizens and to protect their liberties against any abuse of power by the government and to participate in the law making process" (Johari, 1982: 436). However, the three functions are interrelated and complement each other.

For example, MPs through the instruments of Auditor General and Public Accounts Committee check on Government by ensuring that public resources allocated to various programmes meant to benefit the public are used for intended purposes. In this sense, oversight and representation functions overlap each other as MPs are checking on the abuse of government power they are at the same time representing the interests of the people by ensuring that the people get the services they need from the allocated public resources. Indeed as argued in the AAPPG Report (2008:17) "as representatives of citizens' concerns and interests, parliaments are responsible for overseeing the executive and holding it to account-crucially by reviewing public funds and how they are used."

Parliaments are also said to be pivotal to good governance as they are "a point in the governance system where citizen-state relations (vertical accountability) come into contact with executive-legislature relations (horizontal accountability)" (Hudson and Wren, 2007: 14). Being involved with both vertical accountability mechanisms (through representation) and horizontal accountability mechanisms (through

oversight), parliaments have in fact a responsibility of transmitting and translating vertical accountability issues into horizontal accountability ones and vice -versa. This is what Hudson and Wren (2007:14) imply when they argue that "an effective parliament is one which performs its horizontal accountability functions in a manner which is in tune with the wishes of the citizen-voters on whose behalf it acts."[1]

Notwithstanding the foregoing, parliamentary oversight in comparison to legislative and representation functions has generated little interest in the scholarly world. This is despite the fact that parliamentary oversight is equally central in effecting accountability, promoting good governance, and ultimately contributing towards democratisation and democracy consolidation[2].

Wiberg (1995), Wang (2005), and Bailer (2009) agree with the observation that the oversight function is a relatively neglected but important study area. This observation is one of the reasons that motivated my study to focus on the oversight function of parliament.

In addition, on the oversight function itself, the scholarly world has given relatively less attention to parliamentary question time in comparison to other instruments of oversight such as parliamentary committees. However, the few scholars who have studied the oversight instrument of question time have brought up various discoveries that are worth of further intellectual pursuit. Such discoveries have raised debates regarding the nature of question time and the factors that affect its utilisation. For

---

[1]Parliamentary Oversight refers to the function of parliament in which parliament on behalf of citizens oversees the decisions and activities of the Executive and holds the Executive to account for such decisions and actions. A detailed discussion of the concept of parliamentary oversight has been presented in the Literature Review chapter.

[2]Hudson and Wren (2007:12) contend that oversight ensures state accountability to its citizens. This accountability together with state capability (ability of the state to formulate and implement policies that are effective in reducing poverty) and state responsiveness (the state's desire to identify and meet the needs of its citizens) constitute good governance. In turn good governance forms the heart of democracy.

example, studies by Rasch (2005), Wang (2005) and Bailer (2009) have shown that, contrary to the traditionally accepted understanding, question time is more than an instrument of oversight and in some cases not an instrument of oversight at all. They have also established that how question time is utilised varies according to, *inter alia*, different political and social contexts as well as motivations of individual MPs who utilise it.

Given that how question time is understood and utilised differs from one country to another, it makes it imperative to adopt a country-based case study approach if one is to adequately grasp the phenomenon of parliamentary question time.[3] To this end, my study zeroed-in on Malawi as its case study, with specific focus on MPs' participation or utilisation of question time in parliament.[4]

---

[3] Wiberg (1995:184) while showing the limitation of cross-national comparison studies on the forms of parliamentary questioning also makes a case for country specific case studies in understanding parliamentary questioning as follows: "...there is a rich variety in the forms of parliamentary questioning in the parliaments under study. Indeed, there are no two parliaments with exactly identical forms of questioning. Even where the names of these forms are identical in their English translation, they are by no means even functionally equivalent. Interpellations, for one, have the same title in different political systems but different forms, contents, functions and consequences. The conditions for questioning as well as other aspects vary to a large degree from parliament to parliament".

[4] Participation in this study simply means the raising of questions by individual MPs during question time. Participation in the study has been used interchangeably with utilisation of the question time. Question time in this case is a specific time reserved for MPs to ask questions to Ministers in parliament (NDI, 2000:25).

1.1 THE NATIONAL ASSEMBLY OF MALAWI

The Malawi National Assembly is established under Chapter VI of the 1994 Republican Constitution. Section 66(1) of the constitution defines the National Assembly as a directly elected Chamber whose primary purpose is legislative in nature. Subject to the constitution, it has the powers to carry out such functions as specified in section 66(1) (a) to (f). Section 62(1) of the Constitution stipulates, "The National Assembly shall consist of such number of seats, representing every constituency in Malawi as shall be determined by the Electoral Commission." Accordingly, the composition of the national assembly at the time of study was 193 members, elected through direct universal suffrage for a period of five years, representing every constituency in Malawi.

In strict sense, in Malawi the National Assembly is different from parliament. As reflected in sections 48(1) and 49(1) as well in the definitions section of Standing Orders, parliament means the supreme legislative body of the Republic of Malawi that consists of the President and the National Assembly. My study was preoccupied with the questions MPs asked in parliament. These questions were directed to ministers only and not to the President. Hence, my study focused on the National Assembly. Nevertheless, the study used these terms interchangeably.

The National Assembly in Malawi has been in existence since the colonial era. However, its ability to fulfil its mandated roles has always been mediated by the prevailing political realities especially the political regime of a particular time. For example, in 1966 Malawi changed to one-party state following an introduction of its new Republican constitution, which made the Malawi Congress Party the only recognised party that could legally operate in the country. With specific reference to the legislature, the 1966 constitution of Malawi under section 23(d) stipulated that no

one could be elected to the National Legislature without being a member of the MCP (Patel and Svasand, 2007:82).

Furthermore, the new constitution also allowed the State President to appoint people of his choice to parliament in addition to those elected. This made the National Legislature virtually an extension of the MCP and reduced its role to the mere rubber-stamping of the Executive decisions.

The then prevailing authoritarian one-party regime made the National Assembly impotent especially in its oversight role. As observed by Phiri and Ross (1998:10) an intolerant political culture characterised by hero-worship, centralised authority structures, exclusiveness, and intimidation of potential critics were the hallmarks of the one-party regime which was given formal status by the 1966 Republican constitution of Malawi. In this kind of regime, all executive authority was concentrated in the office of the Life President thereby making checks and balances very limited and ineffectual (Phiri and Ross, 1998:11).

The above scenario was not only unique to Malawi, indeed as pointed out by AAPPG Report (2008:17) in most post independent African states, the 'big man' rule through informal patronage networks often took precedence over the formal functions of the state. Separation of powers and legislative involvement was largely symbolic as the president became the father of the nation and the parliament was his political household.

However, with reference to Malawi, following the June 1993 referendum the country changed its system from the authoritarian one-party state to a multi-party democracy. This change created new expectations from the public as it anticipated that the MPs would now no longer owe their allegiance to the will of the Life President and the party but to the interests of the people. The public expected that parliament would

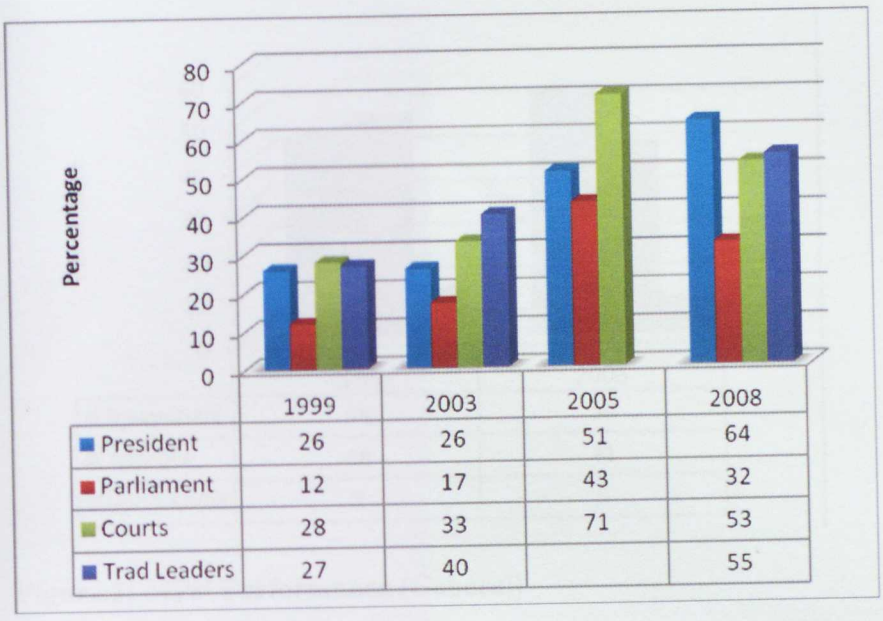
be now better placed to actively engage the Executive over the latter's decisions[5]. Ever since then, parliament has been the centre of public scrutiny both at an individual MP as well as at institutional level.

1.2 PRELIMINARY ISSUES: PUBLIC PERCEPTION OF PARLIAMENT AND INDIVIDUAL MPs' PERFORMANCE

As part of the public scrutiny, various surveys have been conducted to measure the people's opinion on parliament and parliamentarians. One of such surveys is the Afro barometer[6]. In contrast to the high expectations the public had on parliament in the immediate aftermath of 1993 referendum, the results of the Afro barometer surveys reflect that the people are generally dissatisfied with MPs and parliament as a whole. This is evident in the graphs below.

[5] "The advent of a multi-party legislature in Malawi placed high demands and expectations on this arm of government, which is the most accessible and visible of the three arms of government" (Patel, 2008:22). Similarly, research by Africa All Party Parliamentary Group (AAPPG) revealed that the transition away from dictatorships to multiparty politics made most African parliaments, which hitherto were traditionally weak, to start exerting some sort of influence over the Executive. Malawi parliament was among the case studies that reflected this trend (AAPPG Report, March 2008: 14).

[6] Afrobarometer Surveys, launched in October 1999, are a series of national sample surveys on the attitudes of citizens in selected African countries towards democracy, markets and other aspects of development (Afrobarometer Paper No. 16, 2002:iii).



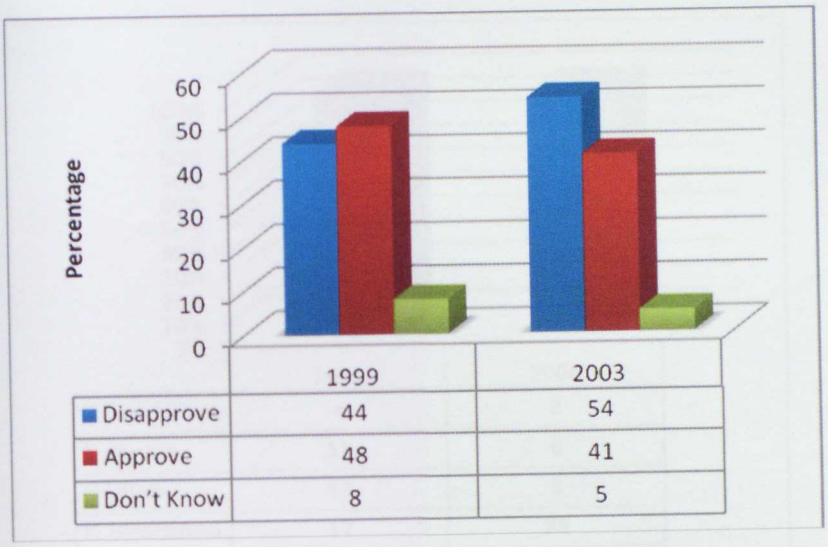
	1999	2003	2005	2008
President	26	26	51	64
Parliament	12	17	43	32
Courts	28	33	71	53
Trad Leaders	27	40		55

Figure 1: Level of Trust in Various Public Institutions

Source: AfroBarometer Rounds 1 to 4.

As shown in figure 1, in all the four rounds of Afro barometer Surveys that span from 1999 to 2008, parliament has been consistently one of the public institutions that is least trusted by the public. When compared to the office of the President, the Courts of law and Traditional leaders, parliament has always been the lowest in terms of the levels of public trust in these institutions.

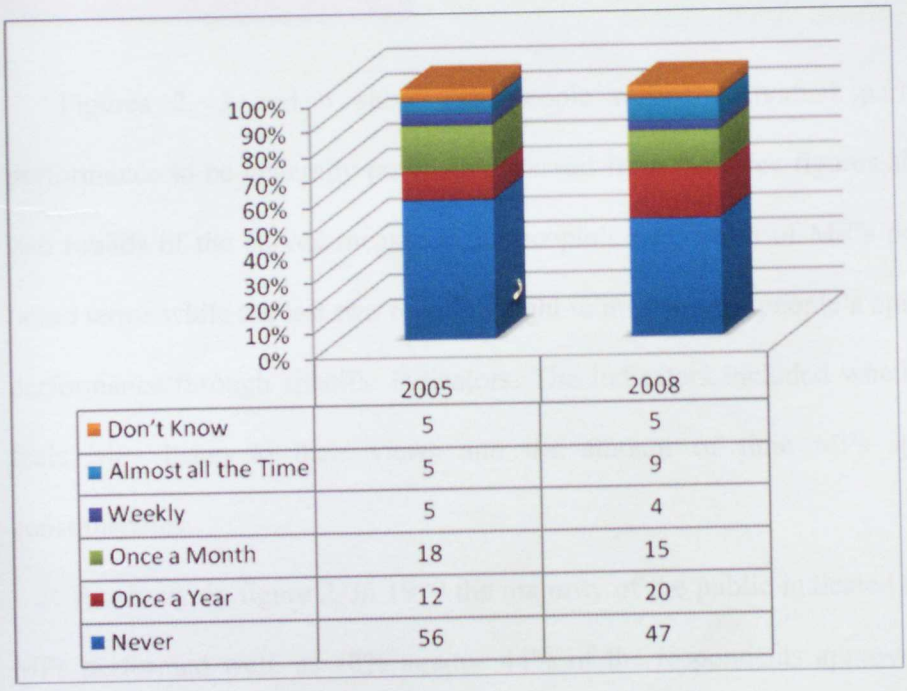
The people's dissatisfaction is also evident in their opinion regarding individual MPs' performance. Figures 2, 3 and 4 below reflect this.



	1999	2003
Disapprove	44	54
Approve	48	41
Don't Know	8	5

Figure 2: MPs' Performance (General)

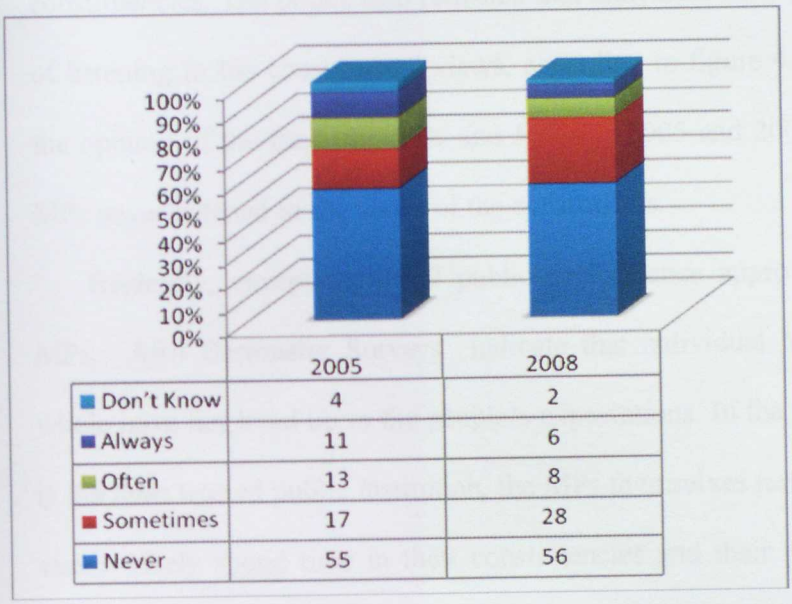
Source: AfroBarometer Rounds 1 & 2



	2005	2008
Don't Know	5	5
Almost all the Time	5	9
Weekly	5	4
Once a Month	18	15
Once a Year	12	20
Never	56	47

Figure 3: MPs' Performance (Time Spent in Constituency)

Source: AfroBarometer Rounds 3 & 4



	2005	2008
Don't Know	4	2
Always	11	6
Often	13	8
Sometimes	17	28
Never	55	56

Figure 4: How Often MPs Listen to Constituents

Source: AfroBarometer Rounds 3 & 4

Figures 2, 3 and 4 show that people regard individual parliamentarian's performance to be generally poor. As observed from the three figures above, the first two rounds of the survey measured the people's perception of MP's performance in broad terms while the last two rounds sought to measure the people's opinion on MP's performance through specific indicators. The indicators included whether the public feels MPs listen to their views and the amount of time MPs spend in their constituencies.

As shown in figure 2, in 1999 the majority of the public indicated that individual MPs performed well, as 48% against 44% of the respondents approved the general performance of the MPs. However, by 2003 public perception was different as 54% against 41% disapproved the MPs' general performance thus reflecting majority public discontentment with parliamentarians' performance.

The public discontentment referred to above, continues to appear in the next two rounds of 2005 and 2008, respectively. As is evident in figure 3, 56% and 47% of the

respondents in 2005 and 2008, respectively, felt that their MPs never spent time in the constituencies. The public also reflected that individual MPs performed badly in terms of listening to the constituents' views, according to figure 4. As reflected in figure 4 the opinion of the majority, 55% and 56% for 2005 and 2008, respectively, was that MPs never listened to the views of the constituents.

Evidently, except the 1999 public performance approval ratings of individual MPs, Afro Barometer Surveys indicate that individual MPs and parliament as a whole have not lived up to the people's expectations. In the public's view, parliament is the least trusted public institution, the MPs themselves never listen to the people's views, rarely spend time in their constituencies and their performance is in general poor. The public discontentment with individual MPs' performance reflects a problem of representational gap –the inability of parliamentary performance to satisfy citizens' expectations.

The above scenario is not confined to the Afro barometer surveys alone. Even the newspapers have repeatedly reported concerns over the huge backlog of bills that awaits parliamentary attention as parliament spends more time on "political bickering" and passes only a few bills during each sitting (*The Daily Times*, 22nd March 2000:2, 30th May 2000:2, 13th June 2000:2, 20th April 2006:4). Indeed, the following excerpt from the editorial comment in the *Daily Times* of 18th January 2006 best captures such a concern:

> Who doesn't know why the House has an overflowing pending tray of bills? All what matters are party agendas that in most cases only benefit political fat cats. The MPs turn the purported honourable House into a kindergarten where all unimaginable child play takes centre stage at the expense of national business. Time meant for development issues is spent on trivia like settling political scores. There are MPs who hardly participate in the deliberations but they have no shame to claim full sitting allowances. As long as the type of deliberations in the House remain political, it is hard to imagine that any sitting of parliament will ever empty the pending tray.

Individual MPs in the National Assembly of Malawi have also been an object of study by some scholars such as Matiki's (2003) "Linguistic Exclusion and the Opinions of Malawian Legislators". Matiki's study examined the efficacy of introducing indigenous languages, particularly the national lingua franca, Chichewa, into the legislative assembly in Malawi. Among its findings were that some MPs did not fully participate in the deliberations of the House as they were handicapped by the use of English, the official language in parliament:

> ... my observation of parliamentary proceedings showed that participation in debates is often limited to those who are very proficient and fluent in the English language. Even in cases where the speech is read from a prepared script there are still serious problems in communicating in the English language (Matiki, 2003:164).

The 2006 constitutional review process was another arena that attracted debate regarding individual MP's participation in parliament, with some quarters arguing that language and educational qualifications were contributing factors to why some MPs do not fully take part in parliamentary proceedings. Proponents of such school of thought submitted that minimum educational qualifications of Malawi School Certificate of Education (M.S.C.E.) or University Diploma be introduced for MPs on the basis that it would ensure better capacity for understanding bills and issues generally which in turn would improve MPs' participation in parliament. Others counter argued by holding that educational qualifications do not affect an MP's participation in parliament and that changing the language would be costly (Malawi Law Commission, Constitutional Review Issues Paper, 2006: 15-16).

In addition to problems of representational gap, inadequate if not non-participation of majority MPs on the floor of the House, the UNECA Report (2005) and Patel (2008:21) observe that the Malawi National Assembly, despite the

introduction of multiparty politics, is still subservient to the executive. Thus, the legislators also have problems in competently fulfilling their oversight role.

Much of what has been presented in the foregoing stems from public perception, which is further compounded by the fact that there is no standard measure of performance as well as of what is adequate or inadequate participation of individual MPs in parliament. Nevertheless, this is still an issue as this kind of public perception adversely impacts on the social legitimacy of the legislature and in turn on the fulfilment of its mandated roles (Wang, 2005: 6; Patel and Tostensen, 2006:4).

While the Afro barometer surveys, print media, Matiki's study and Malawi 2006 constitutional review reflect that the "performance" and participation of some MPs in parliament is not "satisfactory", studies by Wiberg (1995), Rasch (2005), Wang (2005), and Bailer (2009) indicate that there exists a window of opportunity (space) for MPs' participation in the form of parliamentary question hour which MPs elsewhere exploit to convince their constituents that they are actively fulfilling their mandated roles in parliament.

1.3 PROBLEM STATEMENT

As the foregoing preliminary sections reflect, individual MPs in Malawi face representational challenges, as their performance does not satisfy the peoples' expectations. Contrary to the expectations of the immediate post 1993 referendum, MPs are also not yet able to actively engage with the executive in the fulfilment of their oversight role as the legislature is still subservient to the executive. Furthermore, the public view many MPs as not participating fully in the business that comes on the floor of the House. In short, individual MPs in Malawi simultaneously face vertical accountability (representation) and horizontal accountability (oversight) setbacks.

Individual legislators in Malawi continue to have problems in convincing the public that they are adequately fulfilling their oversight and representation functions, yet they have at their disposal an instrument of parliamentary question time whose utilisation has a potential of helping to address, simultaneously, the above-mentioned problems.

Parliamentary question time, on the one hand, formally serves the traditional function of controlling and holding the executive accountable (oversight/horizontal accountability function) and on the other hand, informally acts as that window of opportunity (space) for MPs' participation to convince the constituents that they are actively fulfilling their interests (vertical accountability/representation function). Given its dual functionality, parliamentary question time is capable of helping in reversing the problematic *status quo*, which Malawian legislators experience.

The scenario painted above therefore begs the question of how do MPs in Malawi participate or utilise the oversight instrument of question time. This question presupposes that question time is essentially a tool for oversight. Indeed, question time in Malawi was established primarily as an instrument of oversight. A critical look at Standing Order no 57(a) that stipulates the official purpose of question time in Malawi reveals this. Notwithstanding the foregoing, my study also recognised that the question time is used for other purposes as well, and it considered this fact in its research.

Within the broader question of how do MPs utilise question time in Malawi, were the following specific questions: during the period under study (1999-2004), how many times did parliament meet? How many questions were asked in parliament and what were the questions in terms of constituency development or national-policy orientation? How many MPs asked the questions and who asked the questions in terms

of gender and party membership?[7] How many questions did each MP ask and what were their motivations in asking the questions?

The follow-up questions were what political, social and cultural contexts, in which question time is utilised, prevailed in Malawi during the 1999 to 2004 period. How do these factors help in explaining utilisation of question time in Malawi? These follow-up questions were premised on the understanding that how the question hour is understood and utilised varies from one country to another based on social, cultural and political factors peculiar to each country.

1.4 AIM OF THE STUDY

The aim of the study was to examine the oversight role of MPs in the National Assembly of Malawi by looking at the questions they raise on the floor of the House through a particular oversight instrument called "parliamentary question time". In other words, the study sought to look at the participation of MPs in parliamentary question time in the fulfilment of their oversight responsibility.

1.5 OBJECTIVES OF THE STUDY

The main objective of the study was to investigate how MPs utilise parliamentary question hour in delivering their oversight responsibility. The specific study objectives were therefore as follows:

(a) To find out how frequently individual MPs use parliamentary questions.

(b) To establish the purpose(s) behind the questions posed.

---

[7]Individual MPs' gender and party membership were selected on the basis that these were among the personal attribute factors that have been recurrently cited in the literature as having an influence on individual MP's participation in the House. The further questions on MP's gender and party membership were: How did male and female MPs utilise question time? How did MPs belonging to party in government and party in opposition utilise question time? Do different party loyalties influence MP's use of question time?

(c) To determine MPs' prioritisation of issues in terms of constituency vis-à- vis national focus through questions MPs ask in parliament

(d) To determine from the questions, the depth of knowledge of MPs on the operations of government.

1.6 ASSUMPTIONS OF THE STUDY

The following two key assumptions guided the study's empirical investigation as well as conclusions.

1) MPs ask more questions on national policy issues than on constituency development issues to control the Executive rather than for individual personal benefits such as re-election.
2) Individual MPs' party membership, gender as well as their country's political, social and cultural context determines the number and nature of questions that the MPs ask in Question Time.

1.7 JUSTIFICATION AND SIGNIFICANCE OF THE STUDY

The study focused on the participation of MPs in parliamentary question hour in the fulfilment of their oversight responsibility in the National Assembly of Malawi from 1999-2004. The study recognised the fact that MPs do participate at various levels such as the parliamentary committee and plenary which are equally significant. It was also aware that functions of parliament are not limited only to oversight. However, there are several factors that motivated the researcher to confine the study to the oversight role of parliament, particularly focusing on the instrument of parliamentary question time.

One of such factors is that internationally it has been observed that in comparison to the legislative and representation functions of parliament, "the oversight role of parliament has in general had little focus in the theoretical literature [despite the fact

that] this function is of prime importance when examining the committee work as well as the functioning of the plenary assembly e.g. the question hour in the legislature" (Wang, 2005:9). Even the topic of parliamentary questioning itself, as argued by Wiberg "is not an overly researched area of legislative acting" regardless of the view that, "parliamentary questioning, in practice, is much more and perhaps is mostly something other than a game where elected representatives control the executive. Control is perhaps not among the motives of MPs at all" (Wiberg 1995: 183).

Bailer (2009:2) adds weight to the view that parliamentary question time is a scantly attended to study area as reflected in the following observation:

> When searching about parliamentary question hours in the current political science literature, one is amazed at how little information and analysis is available about this legislative activity, which gives easy room for parliamentarians' expression and concerns. Listening around practitioners and legislative experts in Switzerland one finds that the parliamentary question hour does not have a prominent status in contrast to legislative debates and legislative initiatives.

Similarly, Rasiah (2007:25) contends that Question Time is a relatively neglected study area as "Very little analysis has been found of Parliamentary Question Time discourse in any country" given that "most of the studies focus on parliamentary debates and speeches".

The case of Malawi is not different from the foregoing as relatively much focus has been placed on constituents-MP relations and issues of elections (vertical representation and vertical accountability) than on the executive-legislature relations, which are at the core of oversight and horizontal accountability[8]. Furthermore, relatively little recognition has been placed on parliamentary question hour when

[8] For example, most Afro barometer surveys have focused much on public opinion on the relationship between constituents and MPs rather than on Legislature-Executive relations. This is also the case with "Effective Leaders? Views from East and Central Africa" a 2002 British Council survey.

compared to parliamentary committees as a tool with which parliament can effect its oversight function over the executive. As such, my study focused on MPs' utilisation of parliamentary question hour in order to add knowledge to this relatively neglected but important study area. My study brings in an empirically grounded understanding of parliamentary question time in Malawi, how it is used and why it is used in such a way. It also shows the implications of the way MPs use question time on the executive-legislature relations, constituents-MP relations, on the functioning of the parliament of Malawi and Malawi's democracy as a whole.

The study concentrated on the parliamentary term of 1999-2004 only as parliament met regularly during this tenure when compared to 2004-2009 period[9]. One of the possible reasons the 2004-2009 parliament did not meet regularly was the Executive's desire to minimise the heat from the "ever-confrontational" majority opposition in the House. In addition, the study concentrated on 1999-2004 only because elections in Malawi result in high MP turn over. It would have been therefore difficult to compare individual MPs' participation in two terms of parliament as only a few MPs from the previous parliament retained their seats in the next parliament.[10] The study also left out the 1994-1999 parliament as this parliament was under immediate transition from the one party dictatorship regime and as such had a lot to learn in as far as issues of oversight and horizontal accountability were concerned.

---

[9] 1999-2004 parliament had 17 meetings as compared to 2004-2009 parliament which had 12 meetings. SOURCE: Summary of parliamentary sittings compiled by Parliamentary Secretariat.

[10] In the 2004 elections out of 193 Members of Parliament 140 were elected as new Members thus only 53 were retained. Similarly in 2009 elections out of 193 Members of Parliament 143 were elected as new Members thus only 50 were retained. SOURCE: Parliamentary Secretariat records, The *Daily Times* June 22, 2009.

1.8 STRUCTURE OF THE THESIS

The structure of the thesis is as follows: chapter one constitutes the introduction of the study and among other things presents the introduction, background and problem of the study. The second chapter discusses the study's literature review and theoretical framework. Chapter three outlines the study's research design and methodology. Chapter four discusses the study's findings, analysis and interpretation of the findings. The fifth and final chapter contains the conclusion of the study as well as recommendations for policy and further research.

CHAPTER TWO

LITERATURE REVIEW AND THEORETICAL FRAME WORK

2.0 INTRODUCTION

This chapter reviews the literature that relates to the issue of MPs' utilisation of the question time as an instrument of oversight. This involves discussing concepts that are essential in understanding the issue of MPs' utilisation of question time as well as clarifying the relationships between such concepts. The concepts include parliamentary oversight, executive-legislature relations, accountability as well as parliamentary question time itself. This chapter also highlights the dominant themes and debates arising from the various empirical studies on the utilisation of the question time. The themes and debates highlighted are specifically those that have motivated the direction of my study. The chapter further draws out implications of such themes and debates on the theoretical frameworks and problem statement of the study. It also presents the political representation and political accountability as the theoretical frameworks used by the study in dealing with the study's problem and justifies their use in the study.

2.1 LITERATURE REVIEW

2.1.1 CONCEPTUALISATION OF KEY ISSUES

A number of issues are crucial in understanding the question of MPs' utilisation of parliamentary question hour in the fulfilment of oversight role. The following sections

discuss the issues/concepts and show how they are critical in understanding the study's problem at hand.

2.1.2 PARLIAMENTARY OVERSIGHT

Parliamentary/legislative oversight is one of the three basic functions of parliament, the other two functions being representation and legislation. The origins of parliamentary oversight can be traced to the late 14th century British House of Commons. It arose when the British monarchy demanded to increase levels of taxation in order to meet its increased needs. In response to the monarchy's demand, the House of Commons asked for a right that could allow it to ask the Crown to account for the monies collected from the people in form of taxes (Commonwealth Parliamentary Association Workshop Report, 2001:2-3). The granting of such a right contributed to a fundamental transformation of the British parliament from being a mere consultative forum to a level where it could actively engage with the monarchy (Commonwealth Parliamentary Association Workshop Report, 2001:2-3). However, the feature of parliamentary oversight has become almost universal as parliaments of other countries in the world have adopted and adapted it.

Scholars generally agree that parliaments are the institutions that hold governments accountable to the electorate by using the function of legislative oversight (Pelizzo and Stapenhurst, 2004; Johari, 1982:436; Hague and Harrop, 2001:227). However, the idea of what exactly parliamentary oversight function entails varies according to different individual scholars. The Research Paper of the National Democratic Institute (2000:19) defines legislative oversight as "the obvious follow on activity linked to law making. After participating in law-making, the legislature's main role is to see whether laws are effectively implemented and whether in fact they address and correct the problems as intended by their drafters." In this sense,

legislative oversight entails monitoring and reviewing the actions of executive organs of government for possible rectifications. It is driven by experience that laws and public programmes often do not turn out as expected or intended, whether due to design flaws, implementation problems (misinterpretation or maladministration), or social or economic changes (USAID Handbook on Legislative Strengthening, 2000 :8).

The above definition is problematic in that as observed by Pelizzo and Stapenhurst (2004:3) it only focuses on the role parliament plays in overseeing government policies and actions after they have been enacted yet in practice parliament also engages the government before the policy is enacted. Nevertheless, the value of this definition resides in the fact that it reflects one of the principles behind legislative oversight thus public policy or law should be administered in accordance with the legislative intent. It also reflects the reality that the concept of oversight is an essential corollary to the law making process since legislative function does not cease at mere enactment.

Pelizzo and Stapenhurst (2004:4) refer to legislative oversight as "the behaviour of legislators and their staff which affects executive behaviour". While this definition rectifies the shortfall highlighted in the first definition, it is vague, as it does not specify what exactly these executive and legislators' behaviours are and how legislative behaviour affects executive behaviour.

Uhr (2001:10) conceptualises oversight by focusing on the accountability side of democratic governance. He argues that scrutiny and oversight are the two prominent forms of democratic accountability[11]. In his view scrutiny refers to "the investigation

[11] Democratic accountability means holding those entrusted with the responsibility or authority to decide on public affairs accountable to the elected representatives or directly to the people (Bonn and Urscheler, 2007:2).

of the 'whys' of organisational conduct, particularly where there is considerable discretion exercised by the officials under investigation" while he conceives oversight as "the investigation of the 'hows' of organisational conduct, particularly where there is a greater expectation of official compliance with authorised policy."

In this sense, scrutiny typically targets official explanations of policy makers (public and political review of government operations) while oversight typically deals with justifications by administrative officials of the implementation of policy (technical review of government operations). Uhr (2001: 12) further distinguishes the two by holding that scrutiny is a more general term referring to the activity of reviewing government performance while oversight is a more specialised form of accountability focusing on a narrower range of defined operations.

The above distinction highlights how scrutiny and oversight complement each other in enhancing accountability. The two aspects ensure that both the policymaker/politician who makes policy and the bureaucrat who implements that policy are covered in as far as issues of being held accountable in their official duties are concerned . "Accountability is best served where parliamentary systems are able to mobilise public *scrutiny* of the executive branch and to subject government operations to sustained *oversight* by parliamentary and other specialist authorities" (Uhr, 2001: 14).

However, Uhr acknowledges that the distinction between scrutiny and oversight is often blurred in practice as most of the "administrative" decisions contain considerable "policy-making". He further observes that "in practice, activities of scrutiny and oversight tend to merge. The terms are frequently used interchangeably, and many accountability arrangements reflect aspects of both forms" (Uhr, 2001: 13).

The discussion in the foregoing shows the variations in the conceptualisation of parliamentary oversight amongst scholars as well as the shortfalls in such conceptualisations. Despite such differences in the conceptualisations, one still discerns one common underlying feature that gives a basic understanding of what parliamentary oversight actually entails- an activity of parliament that essentially involves checking on the activities of the Executive.

Drawing from such a basic understanding of legislative oversight and within the scope of this study, I advance the following working definition of legislative oversight: a parliamentary activity which aims at compelling public officials (both cabinet ministers and civil servants) to provide information about, explain and justify their official actions *ex post facto* and their intentions *ex ante*.

While my study is preoccupied with parliamentary question time, which is essentially *ex post facto* in nature, it still recognises the fact that there are other aspects of oversight, which question the executive's decisions *ex ante*. For example, hearings in committees and hearings in the chamber question the executive's justifications in coming up with the-yet-to-be enacted policies and laws. The definition of oversight adopted in my study is therefore broad enough to cover all these aspects.

2.1.3 THE RELATIONSHIPS: PARLIAMENTARY OVERSIGHT, ACCOUNTABILITY AND DEMOCRACY

In line with the definition of legislative oversight adopted above, the relationship between oversight and accountability is that of a means to an end. Oversight contributes to accountability by compelling public officials (both cabinet ministers and civil servants) to provide information about, explain and justify their official actions *ex post facto* and their intentions *ex ante*. Parliament exercises its oversight function in order to realise the accountability of the executive. As argued by Hudson and Wren

(2007:12) "Oversight is about keeping an eye on the activities of the executive, and – on behalf of citizens –holding the executive to account."[12]

Accountability refers to "a relationship between an actor and a forum, in which the actor has an obligation to explain and justify his or her conduct, the forum can pose questions and pass judgement, and the actor may face consequences" (Bovens, 2007:450). Accordingly, accountability is realised when an actor (in this case public officials) in response to queries from the forum (in this case parliament) has explained and justified its decisions and actions, in turn the forum has passed judgement and imposed sanctions on the actor[13].

The conceptualisation of accountability in the foregoing reflects two core dimensions of accountability namely, *answerability*-the requirement to inform, explain and justify- and *enforceability* – the capacity of accounting agencies (such as parliament) to impose sanctions (Schedler, 1999:14-16).

As argued by Hudson and Wren (2007:12) state accountability in combination with state capability and responsiveness constitute the core of good governance, which in turn is said to be the bedrock of democracy. In agreement, Bonn and Urscheler (2002:8) observe that accountability is deeply rooted in democracy as it deals with the issue of how people can be involved in government (by checking its activities) either

---

[12] The above clearly shows how questions of legislative oversight are intricately intertwined with issues of accountability and representation. This provides the preliminary basis for linking political representation and political accountability theories (which better expound representation and accountability issues) to the study's main question of MPs' utilisation of the question hour as an instrument of oversight.

[13] Question time as a tool for oversight leads to accountability in so far as it obtains and makes public information that casts light on government activities and performance which in turn is used by the MPs and public at large to examine and eventually pass judgement on government policies and performance (DFID, 2004:31).

through their elected representatives or directly through elections. In this sense, parliamentary oversight, accountability and democracy are related.

However, Pelizzo and Stapenhurst (2004:20) are against the uni-directional relationship presented above. In their study, they, among other things, established that the more democratic the countries were, the more oversight tools they had at the disposal of their parliaments. This meant that high levels of democracy were directly related to high oversight potential of parliaments in such countries.[14] This led to the question of what causes the other –does the adoption of additional oversight tools make countries more democratic or is it because countries are already democratic that they adopt additional oversight tools? (Pelizzo and Stapenhurst, 2004:20). In response, they concluded that the relationship is bi-directional:

> If what distinguishes democratic regimes from non-democratic ones is that they entail representation, accountability and responsiveness, and if oversight tools are the institutional instruments that contribute to keeping governments accountable, then it is not surprising that democratic countries may want to adopt oversight tools. Yet as a country's oversight potential increases, so does the level of democracy, thus providing a virtuous circle (Pelizzo and Stapenhurst, 2004:20).

2.1.4 OVERSIGHT AND PARLIAMENTARY QUESTION TIME

Parliament fulfils its oversight function by the use of various oversight instruments that are at its disposal. The forms of oversight instruments parliament uses vary from one country to another. These oversight tools include parliamentary committee hearings, hearing in plenary sessions of parliament, commissions of inquiry, questions, question time, interpellations, the office of ombudsman, auditor general, and the Public Accounts Committees (Pelizzo and Stapenhurst, 2004:4).

---

[14]Pelizzo and Stapenhurst defined oversight potential as the number of oversight tools at the disposal of a country's parliament. Their aim was to find out whether oversight potential is related to a country's form of government, level of democracy and level of income.

In order to clarify the nature of these tools Roberta Maffio classified them along two dimensions: timing of the oversight activity and locus of utilisation (inside or outside parliament) (as cited in Pelizzo and Stapenhurst, 2004:4-5). If legislative oversight is effected before the government enacts a specific policy or before government becomes engaged in a specific activity then the oversight tools used are called "instruments of control *ex ante*". Such tools include hearings in committees and hearings in the plenary sessions of parliament. However, oversight tools are referred to as "instruments of control *ex post facto*" if parliament performs legislative oversight after the government has enacted a policy in order to check whether the policy is properly implemented. Among such tools are questions, committees of inquiry, and interpellations (Pelizzo and Stapenhurst, 2004:4-5).

As for the second dimension, oversight tools are classified as either internal or external depending on whether they are established inside or outside parliament, respectively. According to this conception questions, question time, interpellations, hearings, parliamentary committees are internal oversight tools while ombudsmen and auditors general are external oversight tools (Pelizzo and Stapenhurst, 2004:4-5).

According to Maffio's classification, parliamentary question time is therefore (in relation to legislative oversight function) an internal instrument of control *ex post facto*.

2.1.5 CONCEPT OF PARLIAMENTARY QUESTION TIME

Parliamentary question time refers to a specific period reserved for the raising of parliamentary questions in parliament (NDI Research Paper, 2000: 25). Parliamentary questions are in this case those questions that MPs ask during parliamentary question time. Hence, parliamentary questions and question time are closely intertwined both conceptually and practically such that a discussion of one cannot be separated from

that of the other. There are several kinds of parliamentary questions. The most common forms are oral questions, written questions and interpellations[15] (Wiberg, 1995: 185).

2.1.6 PARLIAMENTARY QUESTION TIME IN MALAWI

The parliament of Malawi is among those that use the device of question time. In Malawi, it is one hour and fifteen minutes long. It is scheduled for "Tuesdays, Thursdays, and Fridays and in the case of questions addressed to the President, on Wednesdays, after prayers and the disposal of routine proceedings" (Malawi Parliament Standing Orders No 50 (3)). The questions raised during this time are officially for purposes of "obtaining information on a matter of fact within the official responsibility of the Minister, Deputy Minister or Member questioned, or to press for official action" (Standing Order 57 (a)). Hence, parliamentary questions in Malawi formally serve two functions-soliciting Government information and compelling government action wherever necessary.

Accordingly, Ministers in responding to the questions have to explain and justify work, policy decisions and actions of their Ministries. In this sense, question time in Malawi is basically designed to serve as an instrument of oversight.

The forms of questions prevalent in the parliament of Malawi are questions for oral replies, questions for written replies and supplementary questions. Oral questions are those questions whose replies are given by Ministers orally in the House. The House also allows for follow-up questions known as supplementary questions whose

[15] An oral question is a question that is often asked during question time and most typically is handed in writing in advance, but is also presented orally by the relevant MP or at least answered orally by the responding minister in the chamber. A written question is a question, which is both asked and answered in writing only. Interpellations are questions that seek information from Government on a problem of general interest of substantial importance; it involves a debate on the problem, which ends without further action or with a motion of censure on Government (Wiberg, 1995: 185).

purpose is to seek elucidation on "any matters of fact regarding which an answer has been given" (Standing Order 56(1)). My study was preoccupied with oral and supplementary questions since they involve visible participation of MPs on the floor of the House.

2.1.7 PROCEDURE OF ASKING QUESTIONS IN PARLIAMENT

MPs are given forms on which to write their questions that are then submitted to the Office of Clerk of Parliament. In the office of Clerk of Parliament, Table Office Clerks are responsible for helping the MPs by editing the questions to ensure that the questions comply with the rules of the House. They also offer advice to the MPs on language, style, content and clarity of the questions. The Table Clerks then request the MPs to check if the original message in the question has been maintained, although this rarely happens in practice due to time constraints.

After the editing and verification of the questions, they are then submitted to the respective ministries for answers. The ministries are given not less than six working days for the answer to be given (Standing Order No. 50 (1)). In other words, *notice of a question* is not less than six days and its aim is to enable the Minister to prepare the answer to the question. The Clerk of Parliament places notices of questions on the Order Paper in the order in which they were received (Standing Order No. 50 (2)). In other words, questions that the Secretariat received first are tabled first.

On the day the question is supposed to be asked, the Speaker calls the number of the question and the name of the MP in whose name the question appears. The MP rises to confirm that the question appearing on the Order Paper is indeed his/hers. The Speaker then calls the responsible Minister to respond to the question. After the response from the Minister, the Speaker then gives a chance to the Members to ask follow-up (supplementary) questions.

However, the practice is that the Member who asked the original question gets priority over others when it comes to asking supplementary questions. In addition, only supplementary questions that relate to the original question are entertained as Standing Order No 56(2) empowers the Speaker to disallow any supplementary question that introduces matters not arising from the original question.

The number of supplementary questions allowed for each original question varies according to the resolution of the House at that time. For example, during 1999-2004 the number of supplementary questions per original question was at the discretion of the Speaker whereas in the current parliament (2009-2014) according to the resolution of the Business Committee of the House the number of supplementary questions for each original question is strictly two. The aim of such restriction is to dispose as many questions as possible that appear on each day's Order Paper.

After the MP who asked the original question has asked his supplementary or has decided not to, the Speaker may call other MPs to put forward their supplementary questions, usually alternating between the Government and Opposition sides. MPs will rise in their seats to attract the Speaker's attention in what is known as attracting the "Speaker's eye." After the exhaustion of supplementary questions, the Speaker calls the Member whose question appears next on the Order Paper. This process is repeated until the end of question time. According to practice, an MP has an opportunity of only one question on the Order Paper per day[16].

Of critical significance within the scope of my study, was the question of the relationship between the role of the Speaker and provisions in the Standing Orders, on

[16] Sources on the procedures of asking questions in the parliament of Malawi as described above are the interviews with parliamentary clerks and the Standing Orders of Parliament.

the one hand, and MPs' utilisation of question time as an instrument of oversight, on the other hand.

2.1.8 THE DEBATE: PRIMARY FUNCTION OF PARLIAMENTARY QUESTION TIME

There are two contesting views regarding the primary purpose of parliamentary questions and parliamentary question time. For purposes of my study, I have classified the two views as traditional view and emerging view of parliamentary questions.

2.1.8.1 TRADITIONAL VIEW OF PARLIAMENTARY QUESTIONS

There is wide spread consensus amongst scholars that parliamentary questions are the traditional form of oversight in a parliamentary system; that were originally developed in the British parliament and are now found in other parliaments of various political systems all over the world[17].

The consensus is evident in the way scholars conceptualise parliamentary questions. For example, NDI (2000: 24) defines parliamentary questions as "a mechanism by which legislators can request information from the executive leaders and call them to account on policy actions." Similarly, Bailer (2009:2) asserts that "legislative questions are a traditional parliamentary instrument used to control the government." Wiberg (1995:184) shares the same view when he observes that "overseeing the executive and putting parliamentary questions is one form of controlling the government of the day and its administration." Bird (2005: 354) also reflects the same view as she highlights that "this procedure [of parliamentary questions] obliges Ministers to explain and defend the work, policy decisions and actions of their department". Pelizzo and Stapenhurst (2004: 5) too classify

[17]" 'Oral Questions' the term used for questions without notice in Britain, are generally thought to have their origins in 1721, with the first recorded question put in the House of Lords" Britain's Question Time was officially instituted in 1869 (Rasiah, 2007:8).

parliamentary questions as an *ex post facto* oversight instrument used for purposes of controlling the executive. Evidently, the traditional view advances that parliamentary questions are essentially instruments of oversight that are designed to control and hold the executive accountable.

From the conceptualisations above, the traditional view advances the following as the primary functions of parliamentary questions. Firstly, parliamentary questions solicit information from responsible Ministers on matters of public importance that fall under the Ministers' jurisdictions. Secondly, they press for Government action as it is called upon either to start or complete a project, to provide certain public facilities or to take action on any public affair. Thirdly, they allow MPs to put across the views and mood of the public to the Government, especially on current issues. Fourthly, they expose Government's faults in various policy areas. They also act as a test on an individual Minister's competence in tricky and difficult situations under his responsibility specifically by raising spontaneous supplementary questions (Beetham, 2006: 133, Wiberg, 1995: 180-181).

In brief under the traditional view, the basic functions of parliamentary questions are to "obtain information, to query a particular government policy or action, or to embarrass the government" (DFID, 2004:31). In relation to achieving democratic accountability, their main value is in extracting and making public information that casts light on government activities and performance. MPs and the public at large in turn use this information to examine and eventually pass judgement on government policies (DFID, 2004:31).

The implication of the traditional view on the central question of my study (how do MPs in Malawi utilise parliamentary question time) would be MPs utilise it

primarily for purposes of holding the executive accountable. However, according to the emerging view of parliamentary questions this may not be necessarily the case.

2.1.8.2 EMERGING VIEW OF PARLIAMENTARY QUESTIONS

This view is essentially a critique to the traditional view's argument that parliaments and parliamentarians use parliamentary questions and question time primarily for purposes of overseeing the executive and holding it to account. The emerging view contends that the traditional view is highly formalistic and legalistic. This (in the emerging view's contention) makes the traditional view overlook the political realities on the ground that are important in understanding the functions of parliamentary questions. The view further holds that if these realities are considered, one discovers that controlling and holding the executive accountable is not necessarily a primary function of parliamentary questions and in some cases this is not their function at all. The following observation by Wiberg (1995:183) reflects a typical emerging view of parliamentary questions:

> The typical political science textbook treatment [of parliamentary questioning] is mostly influenced by the formal, legal description in which the practical realities play a far too insignificant role at the cost of an overexertion of the formal, but politically often-irrelevant conditions and constraints. What is especially disturbing in these presentations is the almost total absence of the political dynamics involved in questioning. Parliamentary questioning in practice is much more and perhaps is mostly something other than a game where elected representatives control the executive. Control is perhaps not among the motives of MPs at all.

The predominant observation in the emerging view is that while parliamentary questions and question time are basically oversight tools intended to get horizontal accountability from the executive, they are often exploited by individual MPs to achieve vertical accountability/representation for personal gains especially re-election. In relation to this, Wang (2005:14) observes that in Tanzania "question hour is seen as

the MP's prime opportunity to prove to his/her constituents that s/he is working hard to promote their interests and has become popular among the MPs and the population at large." This was despite that MPs frequently perceived the answers, which the ministers provided to be of little value. Based on this, Wang ultimately concluded that the question-and-answer session contained little value for horizontal accountability but rather strengthened bonds of vertical accountability.

Similarly, Rasch (2005: 21) reveals in his study that MPs in Norwegian parliament use the question time to advertise constituency concerns and build personal reputation in the belief that this will earn them re-nomination from the district party and re-election from the district voters. This is further collaborated by Wiberg (1995:214) who points out that "today it is the norm, that for electoral and other reasons, representatives are expected to be active in order to survive in the political games. This means, among other things, more questions."

Bailer (2009:1) adds further weight to the views made by other scholars mentioned above by pointing out that "parliamentary research finds that parliamentary questions and question times offer the opportunity for parliamentarians to challenge the government or to raise issues which are more low-brow politics, and more citizen- than policy-oriented".

2.1.9 DUAL FUNCTIONALITY OF QUESTION TIME

From the foregoing, it is evident that parliamentary question time has a dual functionality since apart from being an oversight tool over the executive (horizontal accountability), it is also regarded as that space for participation to be utilised by MPs in convincing their constituents that they are actively fulfilling the roles for which they were elected into parliament (vertical accountability). Indeed the following conclusion

by Rasch (2005:21) aptly summarises the issue of dual functionality of parliamentary questions and question time:

> Parliamentary questions are a means for MPs to exert control of cabinet ministers and government action. Questioning also is a kind of individual activity which may serve electoral or vote-seeking purposes for the questioner, in addition to –or instead of- the more policy and office related purpose of control of government.

However, the primary importance that MPs accord to either of the two functions in their actual utilisation of question time depends on the absence or presence of certain factors. This is the central argument in the emerging view, thus, the actual use of parliamentary questions and question time as instruments of oversight is mediated by the context in which they are used. It observes that their actual utilisation varies from one country to another. From the findings of various studies, the emerging view asserts that different countries are characterised by different political, social, cultural, institutional factors as well as individual MPs' attributes that shape the use of parliamentary questions and question time.

The political factors include the electoral system, party system and constitution. Among the institutional factors are the formal rules and procedures of the "game" as well as the interaction between the formal and informal practices. People's perceptions of the roles of parliament and parliamentarians as well as the people's expectations from such roles constitute an example of the social and cultural factors. The individual factors include knowledge and skills of individual MPs in the performance of their duties as well as their motivations in utilisation of parliamentary questions and question time (Hudson and Wren, 2007: 15-19)

In relation to my study, the critical question is how do MPs in Malawi utilise question time – the traditionally understood instrument of oversight –in the fulfilment

of their roles? What political, social, cultural and institutional contexts prevail in Malawi in which MPs use the question time? Could these contexts/factors help to explain how or why MPs use parliamentary question time?

There is an abundance of literature that discusses the above-mentioned factors and how such factors shape the play of politics in Malawi. For example, "The Multiparty Promise Betrayed: The Failure of Neo-Liberalism in Malawi" by Nixon Khembo, *Government and Politics in Malawi* edited by Nandin Patel and Lars Svasand, "Decentralisation Opening a New Window for Corruption: An Accountability Assessment of Malawi's Four Years of Democratic Local Governance" by Richard Tambulasi and Happy Kayuni as well as *Democratisation in Malawi: A Stocktaking* edited by Kings Phiri, and K. Ross. However, such literature has rarely discussed these factors specifically in relation to MPs' utilisation of question time. In fact, according to the knowledge of the author of this study, the literature that has seriously discussed MPs' utilisation of question time in Malawi is almost non-existent.

This literature review discusses some of the factors mentioned in the foregoing, focusing on their relation to the oversight function of parliament in general and question time in particular. The purpose is to draw out implications of such factors on MPs' utilisation of question time from the perspectives of various scholars.

2.1.10 INDIVIDUAL MPs' MOTIVATIONS IN THE USE OF QUESTION TIME

It has been observed that asking of questions for oversight purposes is often ineffectual, characterised by relatively few incentives and is politically costly to those who raise them (NDI, 2000:19-21). Despite this, question time and parliamentary questions remain one of the most commonly found and popular oversight tools[18]

[18] Pelizzo and Stapenhurst in "Tools for Legislative Oversight: An Empirical Investigation" found that parliamentary questions were present in 82 of the 83 countries they researched on thus representing

(Wang, 2005:14; Rasch, 2005:3). This has prompted scholars to search further on why individual MPs continue to ask questions during question time. Such a search has made various discoveries. The underlying fact in such discoveries is that individual MPs are more motivated by individual personal gains (the predominant one being re-election) than the collective goal of controlling the executive. This highlights that there are other motivations to asking questions in parliament than controlling the executive alone.

Mayhew (1974:21-24) identified three electorally oriented activities that US congressmen engaged in. These were advertising, credit claiming and position taking. Advertising refers to "any effort to disseminate one's name among constituents in such a fashion as to create a favourable image, but in messages having little or no issue content." Credit claiming is defined as "acting so as to generate a belief in a relevant political actor (or actors) that one is personally responsible for causing the government or some unit thereof, to do something that the actor (or actors) considers desirable." Position taking is "the public enunciation of judgemental statement on anything likely to be of interest to political actors" (Mayhew, 1974:21-24). These three act as motivations for individual MPs' actions in parliament whose main goal is re-election.

Wiberg, by identifying a list of micro functions that questions fulfil for individual MPs, also showed that MPs ask questions in the chamber in order to fulfil Mayhew's above-mentioned reasons. He discovered that MPs asked questions in order to, *inter alia,* gain personal publicity, show concern for the interests of constituents, build up a personal reputation in some particular matters (cited in Bailer, 2009:2-3). These correspond to the legislators' three electorally oriented roles identified by Mayhew.

96.3% while question time was present in 75 countries, representing 84%. This highlights that parliamentary questions and question time are among the most commonly found oversight tools.

As already shown in the preceding sections of this study, Wang (2005:14) and Rasch (2005: 21) established that MPs in Tanzania and Norway, respectively, used parliamentary question time to show concern for the interests of constituents and gain personal publicity with the ultimate aim of getting re-elected.

The significance of individual MPs' personal motivations in explaining the use of parliamentary questions is also reflected in the findings made by Bailer (2009). She discovered in her study that MPs who had ambitions to make a full time career in the Swiss parliament and those who were in their early stages of legislative career asked more questions as a way of showing activity and commitment. She concluded in her study that in the Swiss context individual MP's decision to ask more questions during parliamentary question hour was determined more by career-oriented reasons than the desire to represent citizens' concerns.

From the discussion above it is evident that a critical examination of individual MP's motivations in asking parliamentary questions helps in explaining why and how MPs use question hour. As reflected in the foregoing discussion, MPs use parliamentary questions also for vertical representation to convince the watchful constituents that they are committed to their interests in the belief that this will earn them personal benefits, especially re-election.

While the scholars discussed above agree on the explanatory power of MPs' motivations on the use of parliamentary questions, they also highlight the country-specific nuances (in which they conducted their respective studies) that mediate the influence of such motivations. For example, Wang (2005) shows how high party discipline and neo-patrimonial politics prevalent in Tanzania shape Tanzanian MPs' motivations in asking parliamentary questions. Likewise, Rasch (2005) points out how

the Norwegian proportional representation electoral system contributes to Norwegian legislators' re-election motives in asking questions in parliament.

The above discussion briefly reflects the centrality of individual MPs' motivations on how and why MPs participate in question time. It also shows the significance of specific political, social and cultural contexts in shaping MPs' motivations and their use of question time in general. .

Against the backdrop that literature in Malawi shows little regard on the issue of what motivates MPs to ask parliamentary questions and under what particular political, social and cultural contexts, my study examined these issues to fully understand how and why MPs utilise question time in Malawi.

2.1.11 POLITICAL CONTEXT AND UTILISATION OF QUESTION TIME.

The constitution is one of the factors under the political context category. The significance of the constitution is that it prescribes the formal rules and procedures that govern the conduct of politics in a country ("rules of the political game") (Patel and Tostensen, 2006: 1). As pointed out by Wang (2005:5) the constitution "stipulates the basic structures, powers and relationships of the different organs of the political system." It defines the form of government, the electoral process and the distribution of power among the political actors in the state. In this way, the constitution fundamentally affects the functions of parliament and parliamentarians, which include oversight by use of question time.

2.1.12 EXECUTIVE-LEGISLATURE RELATIONS

The constitution through its distribution of formal powers to government organs affects executive-legislature relations. The relationship between the executive and the legislature is essentially a relation of powers, of one influencing the other, whether through *de jure* or *de facto* means. These power relations determine the ability of

parliament to hold the executive accountable. As such, executive-legislature relations are essentially accountability relationships between the executive and legislature.

With reference to the *de jure* dimension, the issue of constitutional powers is central in the analysis of the relationship between the two institutions as it is one of the pertinent factors in determining the balance of power between the two. As observed by Patel and Tostensen (2006:4) "the constitutional powers conferred upon parliament define the framework within which it operates. They largely determine and delimit the room of manoeuvre that parliamentarians have when facing the executive". Wang (2005:5) advances the same argument by making the following observation:

> ....the analysis of constitutions should never be neglected since it stipulates the basic structures, powers and relationships of the different organs of the political system. The formal powers should be looked into as a means of identifying and examining areas where the distribution of power relations between the executive and legislature is unbalanced in favour of the executive.

Nevertheless, scholars such as Patzelt (1994:109) and Norton (1998:6-7) realise that constitutional powers granted to parliament are necessary but not sufficient for explaining the powers of legislatures given the frequent discrepancy between formal and actual powers. Hence, one should turn to informal factors in order to explain the *de facto* workings of the accountability relationship between the legislature and the executive (Wang, 2005:4). This review has discussed these *de facto* (informal) factors under the segment of social-cultural factors.

The constitution also determines executive-legislature relations by prescribing a country's form of government.[19] The form of government that a country adopts not only structures executive-legislature relations but also more importantly determines the ability of its parliament to hold the executive accountable. In relation to this

[19] There are three basic constitutional forms of government-presidential, parliamentary and hybrid (mixed) systems of government (NDI, 2000:5; Sharkey, Dreger and Bhatia 2006:9).

observation, the commonly held view amongst scholars such as Eberlei and Henn (2003:9), Gyimah-Boadi (1998) and Patel and Tostensen (2006: 15) is that presidential forms in contrast to parliamentary forms of government often produce a dominant executive, which makes parliament virtually incapable of holding it accountable. They partly attribute this to the extensive formal powers that the constitution in presidentialism accords to the executive in relation to the legislature. In the circumstances that the executive dominates the legislature, the implication is that MPs will not be able to use question time as an instrument of oversight or if they do, its use would be ineffectual.

Within the same executive-legislature relations, literature shows that the capacity of parliament to hold the executive to account is also influenced by its own internal features. These features include parliament's committee system, party and party groups in parliament and characteristics of the chamber (Wang, 2005; Patel and Tostensen, 2006:4).

Indeed, these internal features determine legislative viscosity that is the degree to which parliament is compliant or free from the executive[20]. For parliament to effectively carry out its oversight role and hold the executive to account it must have high viscosity which is the hallmark of an autonomous and assertive parliament. The studies of Patel and Tostensen as well as Wang show that the parliaments of Malawi (1999-2004) and Tanzania (1992-2005) had low viscosity such that they were often subservient to the executive.

Evidently, the concept of executive-legislature relations is an essential tool for understanding the extent to which MPs are likely to utilise question time as an

[20] Legislative viscosity refers to the capacity of parliament to resist legislation initated by the Executive (Wang, 2005:8).

instrument of oversight. It helps in detecting in whose favour the balance of power tilts between the executive and legislature, and the resultant implications of the same on parliament's ability to hold the executive accountable through oversight function. The implication is that if a parliament fails to exercise its oversight function in general it is unlikely that MPs will use question time for oversight purposes.

2.1.13 MP's PARTY MEMBERSHIP AND UTILISATION OF QUESTION TIME

A political party is another factor that is claimed to have an influence on the performance of parliament and parliamentarians. As pointed out by Hudson and Wren (2007:18) a very dominant ruling party, the lack of an effective opposition (or the idea of an opposition) and an overly strict party discipline that constrains MPs' actions are among the factors responsible for poor parliamentary performance in terms of holding the executive accountable.

Similarly, Ahmed and Khan (1995:573) argue that the presence of majority opposition members in parliament encourages the exercise of oversight function. They premise their argument on the findings that there was a substantial increase in the number of questions asked in parliament as a result of a large proportion of opposition MPs that won seats in the 1991 parliament of Bangladesh. Rasch (2005:12) too established that from 1993 to 2005 around ninety percent of all ordinary questions were asked by MPs of opposition parties in the Norwegian parliament. This supports the significance of opposition MPs in parliamentary questioning. Bailer (2009:7) discovered that party size in parliament was closely related to the percentage of questions asked, thereby highlighting the importance of party's legislative strength in parliamentary questioning.

Literature on the relationship between political party and parliamentary questioning generally reflect that although MPs ask questions in parliament in their

own individual capacity they are not completely detached from their parties. To varying degrees, they remain representatives of their respective parties. As such, the side to which individual MPs belong in the opposition-ruling party divide, level of party discipline, among other aspects of the party factor, are significant in understanding utilisation of question hour. Accordingly, another critical question for my study was to what extent does an MP's party affiliation explain the utilisation of question time in Malawi?

2.1.14 ELECTORAL SYSTEM AND ITS IMPLICATIONS ON THE UTILISATION OF QUESTION TIME.

Electoral systems also have a bearing on the functioning of parliament and parliamentarians, including the utilisation of question time. DFID (2004:7); Lindberg (2005:44); Matlosa,(2002:54) contend that majoritarian electoral systems unlike proportional representation systems tend to produce clear direct accountability relationships between MPs and their constituencies which furthers clientistic voting behaviour. This in turn makes MPs to be more constituency-than-policy responsive (Lindberg, 2005:44; USAID, 2000:11).

Contradicting the above, Rasch (2005:21) showed that MPs in Norway used question time to advertise constituency concerns and build a personal reputation for their own re-election. This reflects that, against the traditional views, incentives for building a personal vote also exist in closed list systems of proportional representation which makes MPs to be constituency responsive too. Rasch's findings strengthens observations by Nohlen (1996: 43), Matlosa (2002: 58), Lindberg (2005: 43) that the effects of electoral systems vary from country to country depending on concrete historical, social, economic and political conditions of the countries.

In the case of Malawi, there is considerable amount of literature that discusses issues of elections and how they shape political behaviour. However, none of such

literature relates the electoral system to the MPs' utilisation of the question hour in parliament. This was one of the gaps in the literature that my study intended to fill.

2.1.15 SOCIAL AND CULTURAL FACTORS

Beyond the *de jure* dimension, the ability of parliament and parliamentarians to question the government is also influenced by the *de facto* or informal practices that are conditioned by the historical, social and cultural circumstances peculiar to each country. A focus on the informal realities therefore addresses the inadequacies of the explanatory power of the formal factors already highlighted in this review. This is why Helmke and Levitsky (2004:725) argue that "Scholars who fail to consider informal rules of the game risk missing many of the most important incentives and constraints that underlie political behaviour." AAPPG Report (2008:17) supports Helmke and Levitsky's argument on the significance of the informal in explaining political behaviour. This is evident in the following Report's observation:

> Today, African parliaments formally reflect western-style parliaments and draw little on traditional practices. Informal patronage networks, however, are very influential. Based on personal historical obligations, geographical ties or community/family links, these networks co-exist with, overlap with, and sometimes conflict with institutions in the formal sphere-including parliaments.

In the context of social relations, the citizens' expectations of their representatives are regarded as one of the factors that influence the behaviour of individual MPs and the functioning of parliament in general. "What MPs deliver is partly a function of what citizens understand and expect of them. This includes the relative emphasis that constituents and the broader population place on the different roles that MPs are supposed to fulfil" (AAPPG Report, 2008: 22; Hudson and Wren, 2007:4).

Hudson and Wren (2007:19) further point out that the informal understandings of representation and accountability can sometimes be at odds with formal (liberal democratic) notions of accountability. When that happens a disjuncture arises that

undermines the ability of parliaments to perform their expected roles, and to promote the public good. In such circumstances MPs find that they are expected to provide school fees, medical bills, roads and financing for their constituents and constituencies, rather than being expected to represent citizens' interests in processes of legislation and oversight (Hudson and Wren, 2007:19). The Afro barometer Surveys in Malawi reflect the observations raised by Hudson and Wren. The surveys show that the majority of citizens expect the MP's most primary role to be delivery of development to constituencies in the form of healthcare, roads and schools, among others.

Such expectations as highlighted above, are fuelled and entrenched by, according to Barkan et al (2004), Chabal and Daloz (1999), Lindberg (2003), the neo-patrimonial social system that characterises many developing countries. In this system, "big men" look after their constituents through providing them with the resources to which their position within the state allows them access (Hudson and Wren, 2007:19).

Social legitimacy is another informal factor that shapes the functioning of parliament. Social legitimacy refers to the extent to which the mass and elite publics in society are supportive of parliament in the fulfilment of its roles (Wang, 2005:6). If parliament enjoys a high degree of social legitimacy its confidence to actively engage the executive increases. A high degree of social legitimacy therefore makes parliament better placed to fulfil its oversight role (Patel and Tostensen, 2006:4; Wang, 2005:6). Evidently, social legitimacy has implications on the extent to which parliament will effect its oversight role which also involves *inter alia* utilisation of question hour as an instrument of oversight.

2.1.16. SECTION SUMMARY

This literature review has highlighted the centrality of such concepts as legislative oversight, accountability, parliamentary question time and executive-legislature relations in understanding MPs' utilisation of question time. It has also shown the dual functionality of question time and the debate regarding what is the primary function of question time between, on the one hand, the collective oversight function of holding the executive accountable and, on the other hand, achieving purely vertical accountability for individual MPs' personal gains. Finally, it has discussed some individual MP characteristics, internal characteristics of parliament, political, social and cultural contexts that constrain or encourage the oversight function of parliament and their implications on the utilisation of the question hour.

2.2.0 THEORETICAL FRAMEWORK

Political representation and political accountability theories constituted the theoretical framework that guided my study's research as well as the analysis and interpretation of the study's findings. This section justifies why my study adopted these theories. It outlines the basic tenets that define the two theories and show their relevance to the scope of my study.

Parliamentary question time by virtue of its dual functionality lies at the interface of representation (vertical accountability) and oversight (horizontal accountability) functions of parliament. On the one hand, parliamentary question time is formally an instrument of oversight meant to hold the executive accountable, while on the other hand, it informally serves as that opportunity for individual MPs to show their constituents that they are actively fulfilling the people's interests in the hope of getting re-election.

However, the two functions that question time serves are better understood within the framework of political representation and political accountability theories. The two theories, especially within the context of representative democracy provide the philosophical underpinnings of the two functions by explaining the *raison d'être* of such functions in the polity. The theories also underscore how the oversight and representation functions of parliament are related. This provides one of the grounds on which my study adopted the two theories.

Beyond the question time, political representation and accountability theories are critical in explaining the roles and relationships of various political actors in a representative democracy. Through their explanations, they also illuminate our understanding of the political behaviour of such actors in the fulfilment of their roles and in the interactions they make in their relations. For example, the two theories explain the relationships between the ordinary citizens, legislature and the executive. Specifically, political representation advances that the legislature and executive are public institutions exercising the political power that ultimately derives from the people by means of delegation as expressed in elections. The individuals in such institutions (representatives) exercise the political power on trust and on behalf of the people, as the ultimate end of public power is the fulfilment of the people's interests or wishes.

However, as political accountability theory advances, in reality the exercise of such power is not always for purposes of furthering the interests of the people, as representatives sometimes use it for personal interests that are in direct conflict with those of the people. Political accountability further advances that to avoid such abuse of power, control mechanisms meant to ensure that decisions and actions of representatives really fulfil the interests of the people, should be instituted. The control

mechanisms realise their aim by compelling representatives to give an account for actions taken and by holding them to account for those actions (through accountability). Among the control mechanisms is the legislative oversight function that is realised, *inter alia*, by use of question time.

As the foregoing discussion briefly reflects, the two theories are useful analytical tools for understanding parliamentary question time in terms of the functions it serves and the behaviour of those who use it. A discussion of the basic tenets that define the two theories is necessary in convincing us further about their relevance to the scope of my study.

2.2.1 POLITICAL REPRESENTATION

Representation according to Pitkin's (1967) definition simply means "acting in the best interest of the public" (cited in Przeworski et-al, 1999: 2). As a political principle, representation refers to a relationship in which "an individual or group stands for or acts on behalf of a larger body of people" (Heywood, 2000: 143). Similarly, Johari (1982:465) defines representation as a "process through which the attitudes, preferences, view points and desires of the entire citizenry or a part of them are, with their expressed approval, shaped into governmental action on their behalf by a smaller number among them, with binding effect upon those represented."

The above definitions reflect one common theme that is representation is about a small group of individuals that is empowered by a larger group to take some action on behalf or in the interest of the larger group. The definitions also reflect that inherent to the concept of representation are issues of consent, legitimacy and delegation of authority. These are the same issues that are also at the heart of modern democracy.

Indeed as observed by Heywood (2000:144) and Pitkin (1972: 2), the theory of political representation has acquired significance in that it is widely viewed as the only

practical form of democracy in modern circumstances. The core idea of democracy is popular sovereignty: an understanding that the ordinary people are the ones who ultimately hold political power. However, the people do not directly exercise such power due to various constraints (Strom, 2000:266-267). The power instead is realised through representation as it is delegated to a few selected individuals who utilise it on behalf of the whole. Delegation is thus at the core of most modern governments, more especially in representative democracy. Indeed, as observed by Strom (2003:5) "representative democracy implies a chain of delegation from voters to those who govern."

Political representation by virtue of being a relationship in which a larger group of individuals temporarily and voluntarily transfers power to a smaller group of individuals for the latter to use it in the fulfilment of the interests of the former, also constitutes principal-agent relations. The former in such an arrangement is known as the principal while the latter is called the agent.

Given that representation entails delegation of authority from a larger body to a smaller body, the theory of political representation therefore defines the link between the governed and those who govern and implies that through this link, the views of the governed are articulated or their interests are secured (Heywood, 2004:233). Such linkage between the governed and those who govern is what makes representation critical for representative democracy. As pointed out by Heywood (2007:74) "this form of rule [representative democracy] is democratic only insofar as representation establishes a reliable and effective link between the government and the governed."

The fusion of representation and democracy has fundamental implications on its resultant product, which is representative democracy. The following are some of the implications. Firstly, it shapes the relationship between government and the people by

highlighting that the locus of power in representative democracy is the ordinary people and not those who govern. Secondly, those who hold governing positions do so based on the consent of the governed, which the governed (the people) express through elections, and the exercise of power in those positions is primarily for the benefit of the governed. Thirdly, since those elected hold positions of trust they are as such accountable and responsive to the ultimate owners of power, the people, hence the subjection of the elected representatives to checks and balances as well as periodic and regular elections. It is for this reason that Bakken (2004: 2) argues that "representation is a benchmark of democracy as it entails popular influence in the political decision making process. In democratising countries, representation is important to breed popular consent, regime legitimacy and democratic consolidation."

The foregoing notwithstanding, it has to be noted that the relationship between democracy and representation is a highly contested issue. Against the view highlighted above that representation is a means through which modern democracy is practiced, some other scholars such as Rousseau, Ake (2000) and Sono (1993) contend that there is nothing democratic about representative democracy, as democracy means nothing other than direct participation of the citizenry in the affairs of government, Athenian style. A third view to the debate holds that, as highlighted by scholars such as Lefort and Ankersmit, representative democracy should not be viewed from a standpoint of direct democracy, as representation constitutes a democratic model in its own right. According to this view, representation *is* democracy (Nasstrom2006:322).

Parliament within the theory of political representation is an institution through which the people exercise their power to realise their wishes.[21] Indeed representation

[21] Parliament is regarded as the single most important institution of representation. As observed by Brennan and Hamlin (1999:109) "An essential feature of political representation is that a mediating

function of parliament exists in the first place because parliament itself is an institution of representation that is tasked with the responsibility of ensuring that the interests of the people are reflected in the various policies, laws and other actions of government. In fact, it can be argued that the other two functions of parliament (oversight and legislation) derive their significance from representation as they are executed on behalf of the people. The utilisation of question time for representation purposes by some MPs (as reflected in the literature review), could therefore be explained in terms of individual MPs' awareness of the principal-agent relations they have with the public at large and the implications of such relations on the survival of their political career. In other words, such MPs know that as agents they are obliged to do what people expect from them otherwise various accountability mechanisms will be sanctioned on them.

Nevertheless, it has to be pointed out that there is no single coherent theory of political representation (Heywood, 2007:248; Brennan and Hamlin, 1999:109). Firstly, the term representation itself has multiple meanings, which lead to different understandings of representation. According to Pitkin (1972:11), there are at least four different conceptions of representation. These are formalistic, descriptive, symbolic and substantive representation. Formalistic representation refers to "elective" representation in which one is authorised to exercise certain powers and is held accountable for the same. Thomas Hobbes is one of classical proponents of formalistic conception of representation (Birch, 1993: 74). Descriptive representation signifies the physical semblance between that which is representing and the represented (the state of representativeness or microcosmic representation). Thirdly, representation also means being symbolic implying "standing for". In this sense, a female MP may

---

assembly is set between the citizenry and political decision making. Representation involves indirect decision making or agency."

represent women merely by her presence in office (Tremblay, 1998: 439). The fourth conception of representation, substantive representation, refers to "acting for" as in case where one articulates the opinions, wishes or interests on behalf of others (Tremblay, 1998: 439).

Another area of controversy within the political representation theory hinges on how elected representatives should behave in fulfilling their role of representation (Birch, 1993: 69). In answering the question how should a representative act, some theorists (the notable ones being Edmund Burke and James Madison) view a representative as a trustee, thus, a free agent who independently makes decisions according to his own judgement and conscience in the best interest of those he represents. Others hold a representative to be a delegate or a mandated agent "who follows instructions and expresses the attitude, support, opposition and fears of the people back home and votes in harmony with their views on public policies" (Abcarian and Masannat, 1970: 178). Contrary to the two views, a third school of thought asserts that in practice a representative is neither absolutely a trustee nor delegate but a combination of both. A representative may act as a trustee in one circumstance and as a delegate in another. This view refers to a representative as politico (Abcarian and Masannat, 1970: 178).

The above three role orientations of a representative are useful in understanding the behaviour of a representative in the fulfilment of his/her duties. These role orientations are important in explaining how MPs utilise question time by focusing on the question of to what extent do such role orientations shape an MP's utilisation of question hour.

In its manifestation of principal-agent frame, political representation is characterised by further problems. Firstly, it assumes that the principal(s) has

homogenous preferences or interests which the agent must represent. This is contrary to reality as even a single principal has diverse and sometimes conflicting interests/preferences. Indeed as argued by Pitkin (1967: 214), a political representative of an elected legislature has a constituency to represent rather than a single principal/individual and that creates a problem as to whether such unorganised group can have an interest for him to pursue, let alone a will to which he could be responsive.

The second problem is that an agent often has multiple principals whose interests he must represent and be held accountable to. For example, an MP as a political representative has to represent the constituency, party, interest groups, nation as well as himself. This raises the dilemma in terms of duties and obligations as to which one he must represent given that issues emanating from the multiple principals are many, conflicting and complex. The normative prescription, as stipulated in the various countries' constitutions, that national well-being than partial interests should take precedence in the duty of a representative, is in reality not always feasible (Strom, 2003:6).

Political representation theory also suffers from the problem of its applicability outside the context of the Western world. As argued by Chabal and Daloz (1999:54) political representation theory in its liberal conception is essentially a Western model, as it does not easily fit with African political realities. They assert that in Africa the identity of a representative is as significant as his roles in that all politicians whether elected locally or nationally are expected to be spokespersons and torchbearers of their community, typically reflecting the identities and characteristics of their communities. Furthermore, the instrumental notion of representation is the norm in Africa as the primary role of a representative is expected to be the defense and furtherance of

communal interests rather than the elaboration of the national well- being. Accordingly, representation entails active improvement of the material condition of the community represented on the easily verifiable notion that all other officials will act in the same way. Legitimacy of a representative in the African context is essentially a function of an extent to which he is an embodiment of his community but more crucially the degree to which he demonstrates success in obtaining for the community resources which it would not otherwise receive (Chabal and Daloz,1999:55).

The foregoing shows the shortfalls of political representation theory and therefore its limitations in terms of explanatory power. Nevertheless, as reflected in the discussion, political representation theory remains one of the useful tools for political analysis in as far as the representation function of parliament (and by extension, utilisation of question time for representation purposes) is concerned.

2.2.2 POLITICAL ACCOUNTABILITY

Closely linked to political representation is the idea of political accountability. As already highlighted in the literature review accountability is essentially a principal-agent relationship in which an agent (actor) justifies and explains actions taken to a principal (forum) and the principal in turn imposes sanctions on the agent for those actions. Accountability as such involves *answerability* (the requirement to inform, explain and justify) and *enforceability* (the capacity of accounting agencies, for example parliament, to impose sanctions) (Schedler, 1999:14-16).

There are various kinds of accountability as well as different rationales that justify the significance of accountability in a political system. For example, Bovens (2007:461) advances fifteen types of accountability based on the following four classifications: to whom is account to be rendered (nature of accountability forum),

who should render an account (nature of the actor), which aspect of conduct should be accounted for (nature of the conduct), and the nature of obligation (vertical, horizontal or diagonal accountability).

This study, however, was preoccupied with political accountability only which is deemed as "an extremely important type of accountability within democracies" especially when viewed from principal-agent perspective (Bovens, 2007: 455). There are three perspectives that justify the importance of political accountability within the polity.

The first one is the democratic perspective which argues that accountability helps citizens to control those holding public office (Bovens, 2007: 463). Given that the people (principals) delegate authority to representatives (as agents) for purposes of fulfilling the interests of the former there is need to control the agents if such a purpose is really to be realised. It is in this sense that Fresko (2004:1) observes, "the need for accountability arises because the principal seeks to get an agent to do something for him or her."

The democratic perspective of accountability recognises agency problems inherent in delegation whereby the agents (representatives) may fail to act in the best interest of the principal (in this case the people) or may consciously act contrary to the will or interest of the principal[22]. Ultimately, agency problems result in abuse of public power, which militates against the very wishes of the people it was supposed to serve. Accountability therefore arises as a counter-measure against the possibility of agency problems. Regular, free and fair elections are one of the accountability mechanisms that seek to control the behaviour of agents and therefore reduce agency problems.

[22] Agency problems are caused by adverse selection –systematic selection of "wrong" agents, those with inappropriate competences or preferences for the task of governing- and moral hazard –when agents have incentives and preferences to take unobservable action that is contrary to the interest of the principal (Strom, 2000: 270-271).

Citizens use elections *ex ante* and *ex post facto* "to select agents in the first place and to subject them to sanctions and possible 'de-selection' after the fact," respectively (Strom, 2003: 9). Elections constitute vertical accountability- a situation where the forum (principal) formally wields power over the actor (agent) due to the hierarchical relationship between the two (Bovens, 2007:460). Often vertical accountability refers to the holding of elected officials accountable directly by the people themselves.

The above perspective provides the theoretical basis for understanding why, as reflected in the literature review, MPs could use question time to convince their constituents that they are fulfilling their interests in the belief of gaining re-election.

The second rationale for political accountability stems from a constitutional perspective in which accountability is perceived as a means for the prevention of corruption and abuse of power. Entrenched in the liberal tradition of Locke, Montesquieu and American Federalists, the underlying conviction in this perspective is that "the remedy against an overbearing, improper or corrupt government is the organisation of 'checks and balances', of institutional countervailing powers" (Bovens, 2007: 463). In short, the people's interests are secured through a limited government in which the tyranny of absolute power is checked. This perspective manifests itself in practice in the form of horizontal accountability. Horizontal accountability refers to autonomous institutional mechanisms put in place to check the discharge of responsibilities by officials by calling into question and punishing improper conduct. The relationship of checks and balances, separation of powers between the three branches of government- the executive, judiciary and parliament- comprises a typical example of horizontal accountability (Patel and Tostensen, 2006:3).

Indeed, legislative oversight function, which is at the heart of executive-legislature relations, essentially seeks to check on the exercise of executive power on behalf of the people who are the ultimate principals in a representative democracy. The utilisation of question time for oversight purposes finds theoretical explanations within this perspective of accountability. Question time is designed to extract information from government relating to government activities. MPs and the public at large use such information to examine and pass judgement on government policies and performance (DFID, 2004:31). This makes government to be cautious in its exercise of power for fear of repercussions its negative performance may have on public opinion.

The third rationale originates from the learning perspective in which political accountability is viewed as a tool that makes and keeps government agencies and individual officials effective in delivering on their promises (Bovens, 2007:463). The central argument in this perspective is that accountability offers a regular mechanism to confront those holding public positions with information about their own functioning and forces them to reflect on the successes and failures of their past policy. In addition, the public nature of the accountability process teaches others in similar positions what is expected of them, what works and what does not work (Bovens, 2007 464).

This perspective is better placed to explain MPs' utilisation of question time especially when question time is viewed as means for putting across to government the views and mood of the public on current issues. This feedback confronts government about its own performance on current and pertinent public issues.

Political accountability as theoretical framework has limitations too. As pointed out by Born and Urscheler (2002:7) political accountability is limited in that government is only accountable to the majority and not the minority of parliament. If

the majority of parliament is the same as those in the executive, legislative oversight is often almost non-existent. Governments also avoid accountability by grouping popular with unpopular measures. Furthermore, governments have an immense information advantage over parliaments and, in turn, parliamentarians have information advantage over their voters. By hiding such information accountability is also thwarted.

The above specify some of the particular circumstances in which accountability may not work thereby highlighting the need for looking at context to supplement the explanatory powers of both political representation and accountability theories. Indeed context is vital for understanding why MPs would use (or not use) question time for oversight purposes in one circumstance and not in another.

2.2.3 SECTION SUMMARY

As reflected in the section, political representation theory and political accountability frame are closely associated. As observed by Strom (2000:267) "representative democracy features a chain of delegation from voters to those who govern [which is] mirrored by a corresponding chain of accountability that runs in the reverse direction." It is because those who govern do exercise delegated public power on trust and on behalf of the people that they are held accountable to ensure that the exercise of such power really fulfils the wishes of the people.

In this sense, it may be argued that accountability is in essence an offshoot of representation. This provides the rationale for combining the two in my study as accountability completes the 'story' of representation. The two theories clearly articulate the rationale and significance of representation and accountability in the political system. They also explain the behaviour of political actors in the fulfilment of representation and accountability. They as such provide a firm basis for understanding

MPs' utilisation of question time in the fulfilment of oversight and representation functions of parliament.

CHAPTER THREE

RESEARCH DESIGN AND METHODOLOGY

3.0 INTRODUCTION

This study used a qualitative approach in its research. This chapter highlights the justifications for adopting such an approach in my study. It also shows the operationalisation of the study's research design by discussing the study's population, the sampling procedures, data collection methods and data analysis tools that the study used.

3.1 RATIONALE FOR ADOPTING A QUALITATIVE RESEARCH APPROACH

My study was set against the background that relatively little had been written both locally and internationally on parliamentary questions and parliamentary question time. This made my study to be basically exploratory in nature. Briefly, it explored how and why MPs in Malawi utilised parliamentary question time from 1999-2004. In an attempt to answer the "why" part of the study's main research question, the study also went in-depth in seeking individual MPs' motivations for raising parliamentary questions during question time.

The foregoing merited the adoption of a qualitative research approach. This stance finds support in Creswell (2003:23) who argues, "If a concept or phenomenon needs to be understood because little research has been done on it, then it merits a qualitative approach." Likewise, Stein (1980) asserts, "qualitative methods can be used to explore

substantive areas about which little is known or about which much is known to gain novel understandings."

Creswell (1994:1) defines qualitative research approach as "an inquiry process of understanding a social or human problem, based on building a complex, holistic picture, formed with words, reporting detailed views of informants and conducted in a natural setting". Similarly, Strauss (1998:13) conceives qualitative research approach as "any type of research that produces findings not arrived at by statistical procedures or other means of quantification". While Strauss concedes that some of the data in qualitative research may be quantified, he holds that an analysis of such data is essentially interpretative thus marking another distinct feature of qualitative research. Denzin and Lincoln (2005) refer to qualitative research approach as a situated activity that involves an interpretive and naturalistic approach that entails studying issues in their natural settings and attempting to make sense of or interpret phenomena in terms of meanings people bring to them.

The three above definitions underscore the core features of qualitative research approach that distinguish it from other research approaches such as quantitative and mixed research approaches. These are that it is essentially textual in its orientation, interpretative in its analysis and done in a natural setting. Such features reflect the philosophical assumptions about ontological, epistemological, methodological and axiological claims that underpin qualitative research. Some of the assumptions have been reflected in the operationalisation of the study design.

3.2 OPERATIONALISATION OF THE STUDY DESIGN

3.2.1 POPULATION

The study was concerned with the utilisation of question hour as an instrument of oversight in parliament by MPs, hence individual MPs comprised my unit of analysis. However, parliamentary clerks and members of the academia with in-depth knowledge on parliament of Malawi were also included to get insightful information and experiences of what goes on in parliament in relation to parliamentary question time as a way of illuminating my study.

3.2.2 STUDY'S SAMPLE AND SAMPLING METHOD

The study's sample comprised eight MPs, four members of the academia and four parliamentary clerks. The study used a purposive sampling technique in order to come up with rich information cases that were exploited in the in-depth interviews. Based on the study's analysis of the Hansards, the researcher selected cases of MPs for in-depth interviews in terms of the *number* and *nature* of questions that each MP asked in parliament. Accordingly, two MPs were selected based on total number of questions asked by each MP in the House that is one MP was selected for asking the highest total number of questions and the other MP for asking the least total number of questions in parliament. The study selected the other two MPs by identifying those who asked the highest and lowest number of questions, respectively, that were specific to constituency development. The next set of two MPs was those who had the highest and lowest number of national policy oriented questions, respectively.

The criterion for selecting the last two MPs was based on identifying the one with the most and the other with least number of supplementary questions asked in parliament.[23] Thus, eight (8) individual MPs were purposefully sampled to serve as rich information cases for in-depth interviews. The number of interviews for individual MPs were stopped at eight because of "information saturation," that is each next case interviewed provided information that was repetitive of the previous cases. Furthermore, in the spirit of qualitative research approach that thrives on a few but information-rich cases, eight cases were deemed sufficient to serve the purpose they were identified for in the study.

The study also selected four (4) members of the academia and four (4) parliamentary clerks. These two sets of four were identified on the basis that they had extensive knowledge regarding the procedures, operations and rules of the game that govern parliamentary question time and the bearing of the same on the utilisation of question time that could bring further insights into how MPs utilise question time. These two sets of four were the only individuals available with such knowledge.

3.2.3 DATA COLLECTION METHODS

3.2.3.1 REVIEW OF THE DOCUMENTS

My research started with an analysis of parliamentary Hansards for the period of 1999 to 2004. Specifically, the analysis involved looking at the total number of questions MPs asked in parliament from 1999 to 2004, how many MPs asked the questions, how many questions each MP asked, and the MPs who asked the questions in terms of attributes of

[23]The selection alternated between MPs with the highest and lowest number of questions on each of specified criterion above in order to involve both those who actively participated and who minimally (or did not) participate in question time. The aim was to get a balanced picture regarding MPs' utilisation of question time and the factors that drive or constrain them in the participation of question time.

gender and party membership. It also focused on what questions MPs asked in terms of constituency vis-à-vis national policy orientation.

The first aim in analysing the Hansards as described above was to generate data that could reflect on how MPs utilised question time in terms of nature of questions asked, MPs' frequency of use of questions both in total (collectively) and individually, and who used them according to gender and party membership. The second aim was to identify cases of individual MPs in terms of number and nature of questions they asked in parliament that could provide the study with rich information on MPs' utilisation of question time during in-depth interviews.

3.2.3.2 IN-DEPTH INTERVIEWS

After the analysis of the Hansards and sampling, the study conducted in-depth interviews with the purposefully sampled eight (8) MPs, four (4) members of the academia and four (4) parliamentary clerks by using flexible interview guides. The study used an audio recorder to record these interviews and later on transcribed the recordings. The aim of in-depth interviews was to obtain in-depth data on the views, experiences and motivations of MPs regarding parliamentary question time, which would better explain how (and why) MPs utilise question time in parliament. Specifically, the interview questions focused on each MP's personal conception of parliamentary questions and question time (in terms of significance and relevance to their work, as well as functions they serve); experiences with procedures governing parliamentary question time (in terms of challenges, incentives and satisfaction of their expectations) and reasons (both formal and informal) for asking questions in parliament.

Another reason for in-depth interviews was to get insights on the procedures, operations and rules of the game that govern parliamentary question time and their bearing on the utilisation of the same from those who have had extensive knowledge on the issue (members of the academia and parliamentary clerks). Hence, the interview questions also focused on procedures, operations and other rules of the game that govern question time and how these shape MPs' participation in question time.

The above was in tandem with the philosophical assumptions about epistemological claims that underpin a typical qualitative research. Epistemologically, qualitative research paradigm holds that knowledge is personally experienced thus historically and socially constructed as human beings create meanings from their constant interpretation of the world they engage with, such that ".....the goal of research then is to rely as much as possible on the participants' views of the situation being studied" (Creswell,2003:8). Accordingly, the researcher of this study had to closely interact with those he was studying through in-depth interviews.

3.2.4 TYPES OF DATA COLLECTED

(a) Primary Data

In-depth interviews, which the study conducted, were the source of the study's primary data. As such, views of the interview respondents constituted the study's primary data.

(b) Secondary Data

The study derived secondary data from the review of documents. Parliamentary Hansards for the period of 1999-2004 were a major source of secondary data in the study as they contained data on the number and types of questions as well as names, gender and

party membership of MPs who asked those questions in parliament. Other sources of secondary data included books, journal and newspaper articles, which contained critical discussions on parliamentary questions, question time, and oversight-concepts that were central in my study. These other sources of secondary data included materials both from Malawi and other countries. .

3.2.5 DATA ANALYSIS

After collecting data through the review of Hansards and in-depth interviews, the study conducted data analysis. Data analysis essentially involves making sense out of the collected data. The study used content analysis as a tool for analysing the data collected. Content analysis refers to the study of recorded human communications such as books, paintings, speeches, letters and laws. It focuses on, *inter alia,* who said what, to whom, why and how (Babbie, 2007:320). Babbie's conception of content analysis is shared by Mouton (2001:165) who defines it as "studies that analyse the content of texts or documents (such as letters, speeches, annual reports) [whereby] 'content' refers to words, meanings, pictures, symbols, themes or any message that can be communicated."

My study involved analysing recorded human communications that is parliamentary questions from MPs to Ministers found in the Hansards. In-depth interviews with MPs, members of the academia and parliamentary clerks also recorded data about, among other things, the views, experiences and motivations of MPs regarding utilisation of question time. All this kind of data from review of Hansards and in-depth interviews required reduction, categorisation and interpretation in order to make sense out of it, hence, the use of content analysis was appropriate to achieve all this.

3.2.6 ETHICAL CONSIDERATIONS

Before the interviews, respondents were told the purpose of the study and were asked for their consent to be interviewed. Respondents were also assured that there views will be kept confidential. The study therefore has kept anonymous the views of respondents that have been presented in this paper by not attributing names to any of the views.

3.2.7 LIMITATIONS OF THE STUDY

Since my study focused on specific period (1999-2004) and had a small sample of MPs, parliamentary clerks and members of the academia from which in-depth information was collected, its research findings cannot be generalised to other parliamentary terms such as 2004-2009. In addition, the study concentrated on a specific instrument in parliament-parliamentary question time-as such, its findings cannot hold true for all other proceedings in parliament.

The study's limitation highlighted above is inherent in the qualitative research approach it adopted. As pointed out by Burnham (1999:3) "qualitative research is very attractive in that it involves collecting information in-depth but from a relatively small number of cases" However its "emphasis on knowledge in-depth is at the expense of being able to make generalisations about the phenomenon as a whole" (Burnham, 1999:3).

Furthermore, the study was also limited in that the researcher could not access some of the required information from parliament. Most of the information at parliament based on section 60(2) of the constitution of Malawi was treated by parliamentary secretariat as "absolutely privileged." Consequently, the study had to drop some of the questions it sought to answer. For example, the question of whether there are differences in the utilisation of question time between MPs with high educational qualifications and those

with low educational qualifications was dropped as MPs' educational qualifications were classified by parliamentary secretariat as confidential and privileged information. Nevertheless, this did not incapacitate the study from meeting its overall aim.

3.3. CONCLUSION

This chapter has highlighted the research approach adopted by the study and the rationale for adopting such an approach. It has also shown the operationalisation of the study's research design.

CHAPTER FOUR

RESEARCH FINDINGS AND DISCUSSION

4.0 INTRODUCTION

This chapter gives out a detailed presentation, analysis and interpretation of the study's findings. For each study objective, the chapter first highlights what the findings were and then advances various explanations for the findings by drawing from the relevant literature and theoretical framework. It also discusses the implications of such explanations on the study's main research question.

4.1 FREQUENCY IN THE UTILISATION OF PARLIAMENTARY QUESTIONS

The findings on the frequency in the utilisation of question time consisted four categories: total number of sittings of parliament between 1999 and 2004, number of MPs that asked the questions, total number of questions asked in the House and number of questions each MP asked in parliament.

4.1.1 NUMBER OF PARLIAMENTARY SITTINGS

The study established that from 1999-2004 the Malawi National Assembly had seventeen sittings. The longest meeting had thirty-three days (27th June-5th August 2003), while the shortest one was only a day long (30th December 2003 extra ordinary meeting).

Its first and last meetings were on 16th July 1999 and 11th March 2004 respectively[24]. The frequency of meetings per year was as indicated in Table 1 below.

Table 1: Number of Parliamentary Sittings in a Year.

YEAR	NO. OF MEETINGS
1999	2
2000	3
2001	3
2002	3
2003	5
2004	1

The number of meetings parliament conducts in a year has implications on the fulfilment of its mandated roles. As argued by Patel and Tostensen (2006:5) parliament's "ability to check the executive is to a great extent dependent on the frequency and duration of the sittings, which determines the time available for deliberation on bills and motions." The parliament of Malawi is a part time one when compared to other parliaments in the world that meet almost the whole year. Comparatively the parliament of Malawi has very few and short meetings[25]. This means that parliament in Malawi has limited time in which to conduct its business.

The issue of time constraint in the Malawi National Assembly is reflected, with specific reference to question time, in large number of carry over questions either from the previous day or previous sitting of parliament[26]. Due to constant carry over of questions,

---

[24] SOURCE: Compilation of parliamentary sittings by parliamentary secretariat.

[25] For example, Zambian parliament has between 200 and 290 sitting days in a year compared to parliament of Malawi's 75 to 100 sitting days in a year (Patel and Tostensen, 2006:12).

[26] Often the number of carry over questions per day hovered between 8 and 9. However, in many circumstances the number of carry over questions was very high. For example, on 2nd December 1999, it

there were delays in tabling of some of the questions thereby making them stale and irrelevant to the circumstances. In this way, limited time negatively affected the utilisation of question hour as an instrument of oversight as MPs could not question government on current pertinent issues due to delays in the tabling of questions.

The Speaker's constant reminders to MPs and Ministers to keep to time during question time also showed the aspect of time constraint. Limited time in parliament affects MPs' utilisation of parliamentary question time as was evident in the constant scramble amongst the Members to get the "Speaker's eye" during supplementary questions and their complaints that the Speaker was favouring some MPs when deciding on who should be recognised on the floor. For example, on 9th November 2001 one MP complained, "It seems this Honourable House is favouring Member from Blantyre Rural East. He is having questions every day and yet some of us submitted questions in 1999 and they are not yet out. Can you explain Mr. Speaker, Sir" (Hansard of 9th November, 2001:20). The issue of adverse effects of time constraint on MPs' use of question time has been discussed in detail under the theme of challenges that constrain MPs from using question time as a tool for oversight.

4.1.2 NUMBER OF MPs THAT ASKED QUESTIONS

According to the Hansards accessed, the study found that the majority of MPs raised questions in parliament as only nineteen (19) MPs out of one hundred ninety- three (193)

---

was 27; on 23rd March 2000, it was 67; and on 31st March 2000, it was 50 carry over questions. SOURCE: Order Papers of the National Assembly of Malawi.

did not ask any question during parliamentary question time[27]. This confirms the findings made by other studies such as Wang (2005) and Rasch (2005) regarding the popularity of parliamentary questions and parliamentary question time[28]. Apart from the analysis of the Hansards, interviews with the MPs themselves as well as parliamentary clerks also showed that question time was popular amongst Malawian MPs. For example, one of the parliamentary clerks I interviewed made the following observation:

> MPs actually like the question time; you can even see it by the amount of questions they submit to the [parliamentary] secretariat. In fact they have been pressing that the time be adequate, they realise that question time is one way of making themselves known to their constituents that they are actually concerned with what is happening in their constituencies.

One MP respondent supported the above observation by stating that, in reference to question time, "This is the only opportunity for us to say the needs of our constituencies to the central government and I would have loved if it were extended to two hours." The rest of the MP respondents echoed this view as they too argued that question time was important to them such that there was need to extend it. Apart from the reason that the above two quotations reflect –advertising constituency needs to government– there are several other reasons as to why this particular instrument was also popular amongst Malawian parliamentarians. However, these reasons have been discussed in detail under

---

[27] The parliament library did not have all the copies of Hansards for the period under study, as they were lost due to poor record keeping. This was also the case with other institutions, such as the National Archives, that were supposed to keep this information. As such, the findings of the study were based on the available and not total number of Hansards. However, the Hansards accessed were approximately half of the total such that one could still derive valid findings and conclusions.

[28] Wang (2005:14) established that question time in Tanzania was popular amongst MPs and the public at large, as it was viewed as the MP's prime opportunity to prove that he/she is committed to representing constituents' interest. Rasch (2005:21) revealed that question time was popularly used by Norwegian MPs to advertise constituency concerns and build personal reputation.

the section that outlines the findings of the study on the motivations of MPs in raising questions during parliamentary question time.

4.1.3 MPs WHO DID NOT ASK QUESTIONS

The nineteen MPs who did not ask questions in parliament, except one, reflected one common characteristic, that is, they consistently held positions in the cabinet. This observation raises the question of what made MPs who were also doubling as cabinet ministers not to ask questions in parliament. In addition, what are the implications of this on the utilisation of question hour as an instrument of oversight and the broader issue of horizontal accountability?

Interviews with the MPs, parliamentary clerks and members of the academia established two common reasons as to why MPs who were simultaneously serving as cabinet ministers did not ask questions during parliamentary question time. The first one was that such MPs did not find it necessary to ask fellow cabinet ministers for help in parliament when in fact they were in a position to easily approach each other and get assistance outside the House. This is evident in the following revelation made by one MP-Minister respondent:

> One does not need to wait for question time, for example, in the afternoons when parliament is not sitting I go to the offices of my fellow ministers to ask for what my constituency needs, if the thing is there I get assisted.

The second reason was essentially in the name of team spirit. Having a sense of belonging to the same team (the Cabinet), such kind of MPs were obliged not to ask questions to fellow government ministers in parliament to avoid embarrassing each other, as questions in parliament also entail the responsible Minister's failure to address the issues being raised in the questions. In addition, according to the views of parliamentary

clerks interviewed, as a matter of long-standing practice, only backbenchers participate (ask questions) in question time.

The fact that MPs who were doubling as ministers did not utilise the parliamentary question hour has implications on parliamentary oversight and horizontal accountability. In the first place, the very idea of MPs doubling as cabinet ministers compromises the principle of separation of powers, which is critical for the scrutiny and holding of executive accountable by parliament. Indeed as argued by Uhr (2001:14) "an important structural element of accountability in democratic governments is the separation of legislative, executive and judicial powers into different branches of government". With specific reference to executive-legislature relations, Uhr further contends that "accountability is enhanced through a separation of legislative from executive power, either by forming two distinct branches of government as in the case of presidential systems, or by devising institutional checks and balances to highlight the distinctive responsibilities of the political executive and the legislature" (Uhr, 2001:14)). The constitution of Malawi recognises the principle of separation of powers as sections 7, 8 and 9 of the constitution provide for the separate status, function and duty of the executive, legislature and judiciary respectively.

Despite the provisions for the separation of powers as cited above, the practice in Malawi has been characterised by a fusion of personnel in the institutions that are supposed to be independent of each other. This has been especially the case between the executive and the legislature where by the President appoints MPs to ministerial positions. This has resulted in the same individuals serving both in the legislature and in the executive at the same time.

This kind of scenario has prompted questions regarding the "separatedness" and independence of these institutions. Indeed the issue of constitutionality of MPs doubling as ministers and its implications on separation of powers has been one of the heated debates in Malawi. Such a debate is crystallised in the two court judgements of 1996 and 1997, respectively[29]. On the one hand, the 1996 High court ruling held that according to section 51(2), (e) of the constitution MPs cannot be at the same time cabinet ministers without ceasing being MPs as both are public offices. The ruling therefore upheld the principle of separation of powers. On the other hand, the 1997 Supreme Court of Appeal ruling of the same case determined that the office of a deputy minister or full minister was not a public office but a political one and as such, it was acceptable for an MP to simultaneously serve as a minister or deputy minister.

The Supreme Court's interpretation effectively compromised the doctrine of separation of powers and tilted the balance of power in favour of the executive with adverse implications on parliament's oversight function over the executive. Given that it is acceptable for MPs to double as ministers, we have a situation in Malawi where by the same individuals as members of the cabinet (executive) propose legislation and policies to parliament and as members of parliament (legislature) go on to not only participate in debating such proposals but also vote on them. After which, on the one hand, as members

[29] In the 1996 case of Nseula v Attorney General and another, Nseula was challenging the constitutionality of Speaker's decision to declare his seat vacant on the basis that he had crossed the floor. In its ruling the court determined that the issue of Speaker declaring the seat vacant did not arise at all as Nseula automatically ceased being an MP when he assumed the office of deputy minister in accordance to section 51(2) (e). The 1997 Appeal case ruling counter-argued by holding that the office of the minister or its deputy is a political office hence, in the view of the Supreme Court of Appeal, the High Court judge erred in applying the above-mentioned section. SOURCE: 1996 High Court Judgement: Nseula V Attorney General and Another, 1997 Supreme Court Judgement: Nseula V Attorney General and Another Appeal Case.

of the executive, they implement such legislations and policies and on the other hand, as members of parliament, they are expected to question how such policies and legislations have been implemented.

This inevitably leads to conflict of interest, which more often than not end in such MPs supporting government position in parliament. This constant support of government stances in parliament also highlights that such MPs accord much importance to their ministerial positions than their membership to parliament. The MPs' bias towards ministerial responsibilities can be explained by the ease of access to state resources for constituency (and personal) development that ministerial positions provide. Hudson and Wren (2007:17) support this explanation by arguing that MPs' role in holding the executive to account may be compromised when their primary concern is to hold onto their seats and access to state resources. Again, the explanation echoes Chabal and Daloz (1999:55) argument on the primacy of instrumental notion of representation in Africa, whereby public positions are viewed as a means of access to state resources which the representative must use for the furtherance of material well-being of his community.

The fact that MPs who were also cabinet ministers did not ask questions in parliament ultimately contributes to the diluted horizontal accountability in as far as utilisation of question hour as an instrument of oversight is concerned[30]. The picture looks grimmer given the observation that the number of MPs doubling as ministers has been increasing over the years. This is reflected in column three of the table below.

[30]Given the study's findings that most of backbencher MPs used question time for representation than oversight purposes, the inability of individual MPs who were also serving as ministers to ask questions during question time just added on the already compromised status of question time as an instrument of oversight.

Table 2: Distribution of MPs and Non-MPs in Cabinet

YEAR	TOTAL CABINET	MPs	Non MPs
1994	22	11	11
1999	30	23	7
2000	33	26	7
2003	45	38	7
2009	42	41	1

Sources: Various Hansards.

4.1.4 NUMBER OF QUESTIONS ASKED

The study covered three thousand three hundred and fifty two questions (3,352). The number of questions each backbencher MP asked ranged from zero (0) to fifty-nine (59), the former being the lowest and the latter being the highest number of questions an MP asked respectively.

4.1.4.1 QUESTIONS ASKED ACCORDING TO MPs' PARTIES

The number of original questions asked according to parties in parliament showed that UDF was the highest with 1,199 questions, seconded by MCP, which had 1,072 questions, and finally AFORD with 450 questions. The study therefore established that the number of questions asked according to party followed the numerical strength of each party in parliament as figure 8 reflects. However, relating the number of questions asked by each MP to each MP's party membership did not show any clear pattern.

Table 3: Number of Questions asked According to Parties and Party strength in Parliament

PARTY	PARTY SEATS	QUESTIONS ASKED
UDF	98	1,199
MCP	66	1,072
AFORD	29	450

NOTE: The number of parliamentary seats for each party has been adopted from the 1999 gazetted general elections results. However, the four seats won by independent candidates have been added to UDF as all the four independent MPs defected to UDF along the way.

The observation that the number of questions asked followed the numerical strength of each party in parliament led to the question of whether MPs' party membership is one of the criteria for deciding which questions should be tabled in the House. The views from the respondents to this question reflected two positions on the issue. One position was that the Member's party affiliation was an important factor in deciding which questions should be tabled on the floor. According to this position, parliament used the principle of proportionality in placing questions on the Order Paper. In reflecting such a position, one respondent argued as follows:

> Our parliament has a formula of proportionality...so a party that has more members in parliament, on any other particular day has its members asking more questions according to the proportion of seats in parliament. The bigger the number of seats a party has, the bigger the number of members to ask questions on notice to ministers on any sitting day that parliament has question hour. Like at the moment we have DPP, UDF, MCP and independents. DPP will have more questions on the Order paper than any other. I think there are ordinarily thirty questions on each sitting day, so those thirty questions will be distributed among the parties according to the proportion of seats the parties have in parliament. So on any sitting day you will have more questions from members of DPP then from MCP and so on, based on proportionality.

The contrary position was that tabling of questions in the House did not consider an MP's party membership as MPs ask questions in their own individual capacity and not as members of their parties. This is evident in the observation that one respondent made:

> In terms of the relationship between questions asked and party affiliation, I really have not seen much link because members have the liberty to ask any question they wish. In fact, each member is given question sheets individually and not through the party. Once the member asks the question, he does not have to clear the question with the party.

In supporting the above view, another respondent contended in this way:

> Questions are tabled in parliament based on first come first served, in line with Standing Order 50 (2). When it comes to questions, we do not say DPP how many questions, now MCP how many questions, no we don't do that because questions are supposed to be on policy unless we are talking of trying to emphasize on services in the constituencies that would be a different matter altogether. So if the largest party got the largest share of questions asked in parliament then it was an issue of figures automatically working themselves out.

However, there were also revelations from those working within the system of parliament's secretariat that sometimes the tabling of questions in parliament depended on the style of the Speaker of that particular time. This is evident in the following statement made by one of the parliamentary clerks interviewed:

> like last parliament [2004-2009], the Speaker tried to change the rules, he was actually advocating like two questions from the North, three questions from the Centre and five questions from the South so you were forced to do that. It happened in the last parliament because I think of a particular Speaker we had.

From the information presented, it seems both the formal and informal factors guide the tabling of questions such that one cannot definitely state whether or not party membership is an important criterion in the same.

Nevertheless, the finding that the number of questions asked according to each party followed the party's numerical strength in parliament has implications on the utilisation of parliamentary question time as an instrument of oversight especially when one considers the significance of a political party on the functioning of parliament. As pointed out by Wang (2005:11) "the effects of party and party groups on the internal workings of parliament are essential for understanding the impact as well as the behaviour of MPs...complete dominance of parliamentary behaviour by parties limits the potential for independent action by the MPs." Wiberg (1995: 218) concurs with Wang on the

importance of political parties in the political systems in general and the functioning of parliaments in particular:

> The existence of political parties is a crucial element in understanding the political life of any of these political systems. Without the notion of party, little true insight is to be gained concerning the operation of modern representative assemblies. The party has enormous effect on the individual MP...an MP's responsibility to his party is prioritised over that to his electors, since deviation from the party line could jeopardise his candidature and ultimately could constitute his political suicide. This party loyalty is intrinsic to his political survival and so extensive that an MP will follow the party line even against his better judgement. Consequently, the debate on the floor of the House and the subsequent vote are reduced to a sham.

Despite the fact that Wiberg has managed to highlight the importance of a political party, he has exaggerated the power of political party on an MP, as it is not always the case that an MP will strictly toe the party line and for that matter for reasons of political survival only. For example, in Malawi, MPs Jaap Sonke and Manduwa publicly opposed the presidential third term bid, which their party, UDF, proposed in the House in 2003. Nevertheless, through his argument one is able to understand the importance of party discipline (the degree of partisans' loyalty to their party) on the behaviour of individual MPs in the fulfilment of their roles. Party discipline is one of the dominant factors in determining MPs' ability to hold the executive accountable. As pointed out in Wang (2005:11) "in a system where the executive has a strong and disciplined majority of its partisans in the legislature, these partisans are likely to support the executive's important as well as less important policy proposals. The legislature's independent impact on the policy process is thus reduced." However, the contrary is also true when the executive has the undisciplined majority (or worse still minority) partisans. Similarly, when the opposition has a disciplined majority of its partisans in the legislature, its ability to

question government proposals increases unlike when it has the undisciplined majority or worse still minority partisans.

Political parties in Malawi are characterised by high party discipline especially amongst their MPs in the National Legislature. This is evident in the respective "block" stances/actions taken by MPs of each party on sensitive and controversial issues. For example, during the Press Trust Bill the majority members of MCP protested against the bill while those from UDF supported it, during the Third and Open term Bills members from UDF (with few exceptions) were for the bill while members from MCP and AFORD (with very few exceptions) were against the bill. This was also the case during the prioritisation of budget versus section 65 debates where by the DPP block opted that members should first debate the budget then section 65 while for the opposition block (especially UDF and MCP) it was the vice versa.

Most respondent MPs I interviewed argued that it was difficult to use question time to force government, more especially when it has parliamentary majority, to fulfil what it promised during question time. For example, one MP respondent from the opposition (MCP) lamented about the opposition's inability to hold the executive accountable as follows: "*Achimwene* (brother), government is government you cannot tie a string around its neck to say you promised to do this can you do it. Ministers provide answers just to "scape-goat" we are powerless especially this time when DPP is in majority."

The implication of the study's finding under the variable of party membership in view of the arguments raised in the foregoing is that the utilisation of parliamentary question time as an instrument of oversight is mediated by the political realities inside the legislature. These political realities include whether the ruling party or opposition is in the

majority and the type of coalitions or alliances prevalent in the House at that particular moment.

It is not surprising therefore that the study discovered that the majority of main/original questions a large chunk of which came from the ruling UDF did not focus on holding the government accountable on policy issues, instead they focused on the provision of local constituency needs such as boreholes and school blocks. This was unlike the supplementary questions, which the opposition parties took advantage of to ask a lot questions that were critical of government policies. A detailed discussion on the nature of questions asked by the ruling party vis-à-vis the opposition parties has been presented under the findings of MPs' prioritisation of issues between the constituency and national level.

4.1.4.2 QUESTIONS ASKED ACCORDING TO MPs' GENDER

In investigating how MPs utilise question time, the study also looked at the issue from the gender perspective. When the study examined utilisation of question time from a gender dimension, it did not detect any major difference in terms of number of questions asked between individual male and female backbencher MPs especially given the proportionality of male to female MPs in parliament. In the parliament of 1999-2004, only seventeen out of one hundred and ninety-three MPs were women. The number of questions asked by each female MP ranged from zero (0) to thirty-eight (38) compared to one (1) to fifty-nine (59) by each male MP. The differences are not much also given the observation that the male dominated parliament of Malawi is a hostile environment for female MP participation (Patel and Tostensen, 2006:16).

The study also found that the content of questions between male and female MPs was the same. Women MPs just like their male counterparts concentrated their questions heavily on the provision of social services to their constituencies such as water (boreholes), health (health centres and health personnel) and education (school blocks, teachers and learning materials) than on national policy issues. By concentrating on constituency development oriented questions, it reflects that, as highlighted in the next section, both male and female MPs were motivated by the desire to be seen by constituents that they were working hard to fulfil their interests and hoped to get re-elected in return.

The foregoing shows that there is no difference between how male and female MPs utilise question time in Malawi. In as far as MPs' utilisation of question time in Malawi is concerned the argument that female representatives raise issues that are uniquely in the interest of women does not hold.[31]

4.2 MPs' PURPOSES FOR ASKING QUESTIONS IN PARLIAMENT

4.2.1 MPs' CONCEPTION OF QUESTION TIME

Most of the MPs I interviewed indicated that they understood parliamentary question time as primarily being an opportunity for them to ask from Government various development projects which their constituencies needed, show that they understand the problems their constituents face and demonstrate that they are committed to representing their constituents' interests. For example, one respondent stated that in his view parliamentary question time was "a time when you show to the people who elected you

[31] This argument is typical of "making a difference discourse" that advances that women representatives substantively represent women as a basis for more women representation in positions of leadership. Such an argument, for example, is reflected in Tremblay's "Do Female MPs Substantively Represent Women? A Study of Legislative Behaviour in Canada's 35th Parliament".

that you are there for their interests ...because you raise their problems about water, bridges, about health centres and other institutions." Another respondent defined it as "an opportunity to a member of parliament to submit requests to Government on any developmental issues that are lacking in one's constituency."

Yet another respondent revealed that she conceived it as "[a period] when you interact and show your commitment to why you were voted into a position of an MP and demonstrate that you know the problems which you are facing across your constituency... education, water, road infrastructure..."

The MPs' conception of question time presented above reflects a connection between a representative and the represented which political representation theory proclaims to exist in a representative government. To the MPs, question time constitutes that space for voicing out developmental needs of the constituencies they represent.

Only one of the respondent MPs viewed parliamentary question time as essentially an instrument of oversight. He defined it as "a mechanism used to make Government run around searching for answers to those questions and in so doing in a number of cases Government [is] made accountable to certain activities especially the kind of activities which have a direct linkage with budgetary allocations."

4.2.2. MPs' MOTIVATIONS IN USING QUESTION TIME

When one critically looks at the factors proffered by the respondents as motivations behind their asking of questions during parliamentary question time, one discovers that they logically follow from their conception of parliamentary question time. The answers they gave as their motivations for asking questions in parliament included "to demonstrate to your constituents that you are development conscious", "to urge

Government to do more or meet its work on any developmental activity which it promised an MP or the whole nation" "...it's good that one has to pose all those questions for the benefit of the voters because out of the ten questions which you asked you find that six are answered positively" and "to find out progress made to some of the questions you raised some time back".

Evidently, the theme of "representing my constituency first" just like in MPs' conception of question time also dominated MPs' motivations for asking questions in parliament. However, such a theme was accompanied with electoral undertones as reflected in the views of one of the respondents:

> One reason [for asking questions in parliament] was that it was an obligation on behalf of my constituents I had to be seen to be working on their behalf and by asking questions I was assured at least that a number of my constituents will be listening to deliberations in parliament at an appropriate time and would hear that the man they sent to parliament, that is me, was actually intervening on their behalf and that next time around they would continue relying on me.

The study also asked MPs to state if parliamentary question time had incentives. The common and dominant incentive that the interviewees mentioned was the desire to be heard on the radio by the constituents that they had submitted requests to Government on their behalf. This incentive continues to echo the electoral undertones, which the theme of "representing my constituency first" reflected. One MP interviewed asserted thus:

> I can tell you straightaway that one of the major incentives is to be heard by people who sent you to this parliament that you are speaking on their behalf on pertinent matters. I can tell you one day you will be possibly an MP you will discover that if you keep quite for very long time your constituents will not be happy.

The analysis of the Hansards also reflected the above-mentioned finding (the incentive of a desire to be heard by constituents) as on several occasions some MPs

complained that the Malawi Broadcasting Corporation (MBC) did not cover their contributions to deliberations in parliament that were important for the people in their constituencies to hear. However, for the MPs the outcomes of their requests did not matter so long as their constituents knew that they had raised questions in parliament. One respondent MP likened his role during question time to that of a small boy sent on an errand who does what he has been instructed to do, whether the aim of that errand is fulfilled or not does not matter. He literally stated "*zili ngati* a small boy who *wamutuma kuti akapereke moto ndiye wapita wakapereka* whether *moto uyaka kapena ayi bola iye wapereka.*"

The above raises doubts as to whether indeed, as proclaimed by the respondents themselves, representing interests of the constituents is the main motivating factor for asking questions in parliament. One is therefore compelled to transcend this particular explanation in search of logically sound alternative explanations. This brings in the issue of re-election. One respondent argued that he raised questions in parliament that were showing concern with the constituents' interest basically for his own survival in the House. He stated, "I asked questions in parliament on constituency issues for my own political survival, because I wanted the people to vote for me again after five years." This was supported by most of other respondents who pointed out that re-election was another incentive for asking questions in parliament as voters tended to appreciate and vote for someone who does not just "go to parliament and sits, saying nothing and doing nothing for them." However, they acknowledged that the relationship between asking of questions in parliament and the re-election of an MP was not straight forward as there were many mediating factors. In their view, the linkage between re-election and asking of questions

depended on showing that various development projects in the constituency are a result of the questions in parliament.

Another incentive for asking questions in parliament that the interviewed MPs mentioned was their satisfaction with the positive responses that their questions obtained: "another incentive is that when you see things being done as a result of asking questions then you are motivated to continue searching for answers on certain important issues."

In summary, the study established that MPs' conception of parliamentary question time, motivations and incentives for asking questions in parliament all focused on the constituency. According to them question time was more a tool for representation than holding the government accountable. Their motivations and incentives were largely to show commitment to the interests of the constituents for the constituents' appreciation in return. Underlying this whole issue was the MPs' desire for political survival through re-election.

The above findings concur with the findings made by Bailer on Swiss parliamentarians, Rasch on Norwegian parliamentarians and Wang on Tanzanian parliamentarians respectively. Wang (2005:14) established that question time in Tanzania contained little value for horizontal accountability but rather strengthened bonds of vertical accountability as the public and the MPs themselves saw it as the "MP's prime opportunity to prove to his/her constituents that he/she is working hard to promote their interests." Rasch (2005: 21) revealed that MPs in Norwegian parliament used question time to advertise constituency concerns and build personal reputation in the belief that this will earn them re-nomination from the district party and re-election from the district voters. Bailer (2005:14) concluded that in the Swiss context individual MP's decision to

ask more questions during parliamentary question hour was determined more by career-oriented reasons than the desire to represent citizens' concerns. She based her conclusion on the finding that MPs who had ambitions to make a full time career in the Swiss parliament and those who were in their early stages of legislative career asked more questions.

The findings on MPs' motivations for asking questions in the parliament of Malawi also fits within the Mayhew's categorisation of the three electorally oriented MP's motivation of credit claiming, advertising and position taking. Mayhew defined advertising as "any effort to disseminate one's name among constituents in such a fashion as to create a favourable image, but in messages having little or no issue content." Credit claiming referred to "acting so as to generate a belief in a relevant political actor (or actors) that one is personally responsible for causing the government or some unit thereof, to do something that the actor (or actors) considers desirable." By position taking, Mayhew meant "the public enunciation of judgemental statement on anything likely to be of interest to political actors" (Mayhew, 1974:21-24).

Furthermore, the study findings also support Chabal and Daloz observation on the primacy of instrumental notion of representation in Africa. They contended that the primary role of a representative, according to public expectations in Africa, is the defense and furtherance of communal interests rather than the elaboration of the national well-being. Legitimacy of a representative in African context is as such a function of an extent to which he/she demonstrates success in obtaining resources for the community (Chabal and Daloz, 1999:55). MPs in Malawi showed an awareness of the prevalence of such

notion of representation amongst their constituents, hence, the public display of their alignment with constituents' interests as a means of their own political career survival.

The study's findings on MPs' motivations also confirm most of the fundamental views of political representation theory. For example, the linkage between the people and representative in terms of who holds the ultimate power in society is quite clear as reflected in the MPs' show of commitment to the promotion of their constituents' interests as means of ensuring their own re-election. The theory's prescription that a representative's role orientation (in combination with public expectations of the role of a representative) shapes the behaviour of a representative in the fulfilment of his duties is also evident. For instance, the symbolism of an MP as a small errand boy, highlighted in this section by one respondent MP to describe his role in question time, depicts the mandated/instructed representative role orientation of that MP and how such role orientation shapes the MP's fulfilment of his duty. The MP does what his constituents have instructed him to do, regardless of its outcomes.

Although the above-mentioned findings seem to support most of the findings in the studies by Rasch, Wang and Bailer as highlighted above, there is still need to be mindful of peculiar political realities of different countries in order to fully grasp the phenomenon of question time. As argued by Bailer (2009:2) the level of public attention, use and significance of parliamentary question time depends on national context- especially the political culture and electoral system. As such, a further discussion of the findings within the context of political culture[32] and electoral system of Malawi would put the findings of the study in their proper context.

[32]Verba and Almond defined political culture as individuals' cognitive, affective, and evaluative

Malawi just like many sub-Saharan African countries retained a single member plurality (SMP) electoral system that the colonial administration introduced (Rakner, Bakken and Khembo, 2007: 186). Malawi has a single member First-Past-the-Post (FPTP) electoral system. This system declares as the winner a candidate who gets a simple majority of the votes cast, that is more votes than any other candidate. An MP in Malawi is voted into power directly by people of the constituency he was contesting for as a candidate. There is as such a direct link between the elected MP and the voters in the constituency regardless of whether the candidate stood on a party ticket or as an independent.

Voters vote for an individual on the expectations of what he will do in office. In the case of Malawi, the majority of voters expect that once an individual assumes the role of an MP he/she should deliver development to the constituency.[33] The voters in Malawi give their support in the form of votes to a candidate and expect tangible services in

---

orientations to political phenomena, distributed in national populations or in subgroups (Street, 1997:93). Elazar (1984: 109) defined political culture as "the particular pattern of orientation to political action in which each political system is embedded." Underlying different definitions of political culture is the idea that political culture consists of attitudes, values, beliefs and orientations that individuals in society hold regarding the political system or its various parts. It includes people's expectation of government output and performance. Constituents' expectations of the role of an MP in the case of Malawi therefore fall under political culture.

[33]The 2006 Afro barometer results showed that 23% of the people interviewed expected MPs to deliver development e.g. bridges schools etc... 20% to represent them in parliament, 11% to improve local and national infrastructure and 10% expected MPs to focus on issues of national policies. SOURCE: Afro barometer Briefing Paper No 31, April 2006, p3.The 2008 Afro barometer results showed that 53% of the people interviewed expected MPs to listen and represent constituents' needs, 39% deliver jobs or development, 5% make laws for the good of the country, 2% monitor the president and his government, 1% don't know. SOURCE: Afro barometer results (2008) as compiled by Chinsinga and Tsoka.

return. Effective representation therefore entails initiating development and facilitating local initiatives for tangible outcomes such as better schools and health services, improved water supply and new roads, among others (Patel and Tostensen, 2006:96). "Bringing development to the constituency" is therefore a measure of success for MP's performance and one of the grounds for possible re-election.

In addition, the voters in Malawi are notorious for voting incumbent MPs out as reflected in high MP turnover rate during general elections[34]. They therefore have an influence on MPs as they have the actual power to re-elect or vote out incumbent MPs. The MPs as such have to do the people's biding if they have to remain in the political game.[35] Indeed as highlighted by the AAPPG Report (2008:22) "what MPs deliver is partly a function of what citizens understand and expect of them [which] includes the relative emphasis that constituents and the broader population place on the different roles that parliamentarians are supposed to fulfil". This explains why motivations of MPs in Malawi during question time are orientated towards the constituency. It also shows how the electoral system (single member district majoritarian FPTP) and political culture (in form of people's expectation on the role of an MP) in Malawi are significant in explaining the behaviour of MPs with reference to the utilisation of question hour. The people's "bring development to the constituency" expectations of an MP coupled with the people's

[34] In the 2004 general elections out of 193 members only 53 were retained while in 2009 general elections out of 193 members only 50 were retained. SOURCE: Parliamentary Secretariat records and *The Daily Times,* 22 June 2009.

[35]This view is shared by Bailer (2009:4-5) who observes that the connection towards the citizen is mediated by electoral system with which the parliamentarians got elected. The influence of the voters is stronger the more directly they can influence the re-election of a candidate. If they are elected in a majority system, MPs are more responsive to voters' interests than MPs voted on national or regional party lists.

ability through the FPTP electoral system to vote out MPs for not fulfilling their expectations compel MPs to ask more constituency development oriented questions.

However, although MPs' preoccupation with constituency development is attributed to pressure from the constituents to deliver on the same, it still ought to be pointed out that MPs themselves are also a contributing factor to the perpetuation of the *status quo.* It is common that during electoral campaigns, candidates vying for membership to the House present themselves as agents of development who, if once voted into office, will single-handedly bring development projects that people desire in the area. For example, at one of political debates organised by the Electoral Commission of Malawi for candidates vying for a seat in Machinga South East constituency, all the five candidates highlighted their ability to bring various development projects to the constituency once voted into power as the reason why the constituents should vote for them (*The Daily Times*, 4th January, 2010).

4.2.3 CHALLENGES MPs FACE IN QUESTION TIME

While motivations and incentives, on the one hand, give an insight into why MPs ask questions in parliament, challenges, on the other hand, give an insight into factors that constrain MPs from the same. The study therefore also looked at the challenges MPs experienced when using parliamentary question time. The aim was to get further insights on MPs' utilisation of parliamentary question hour in Malawi. The major challenge that came on top of the list, according to the views of MP respondents, was that most of the answers which ministers gave were never fulfilled thus rendering the whole exercise useless. In relation to this, one MP respondent argued "members are not as enthusiastic in submitting questions for the simple reason that what is answered is never implemented

even if you try to make follow ups, therefore members sometimes find it a waste of time to submit questions." MPs interviewed attributed this to lack of institutionalised follow-up mechanisms on promises made by ministers to determine whether they have been fulfilled or not. The MPs also attributed this to lack of sanctions on the ministers in the event of non-fulfilment of promises made in response to MPs' questions. This is evident in the following assertion made by an MP respondent.

> Irrespective of the answers given no real follow up was made [by the ministers]. So it was more of a window dressing that a response was given....you know by the end of the day, possibly, they were sure that as an MP and as a system itself there was no mechanism that would pin down ministers on the questions they had answered, take them to task like what obtains in other countries that if you do not deliver on a promise made in parliament that can actually amount to you losing your portfolio because then you are untrustworthy.

The findings from analysis of Hansards supported the view from the interviews with MPs that lack of proper follow-up mechanism on answers given by ministers in parliament was an issue in terms of utilisation of question time. This is evident in the following observation by one MP:

> It has been a tradition in this House that when Ministers answer questions, there has been no proper follow-ups of those questions...We need proper follow-up to what has been done to our questions. But since 1999, there has been no any type of forum. We have to know what really has taken place. Has the government assisted or not, what is the problem. We need proper follow-up (Hansard of 30th October 2001:20).

The other sets of respondents namely members of the academia and parliamentary clerks expressed similar views to those expressed in the above. "The problem we have at the moment is that there is no Standing Order that empowers the House to follow up on promises made to Honourable members during question time." This was an observation made by one of the parliamentary clerks interviewed.

The second challenge to the utilisation of question hour was time constraint. All respondent MPs and some members of the academia and parliamentary clerks argued that the period allocated to question time was very short leading to members not having enough opportunity to raise questions. They contended that one hour and fifteen minutes was not sufficient to accommodate all questions that MPs submit per day[36]. This lack of sufficient question time was in turn one of the causes to delays in presenting questions on the floor and large number of carry over questions from the previous sittings. "You might have twenty-five questions on the Order Paper for that day and by the time one hour fifteen minutes is over you find that you have covered only five questions and other supplementary questions...this means the remaining questions have to be carried forward to the next day."[37]

These delays made the questions on the floor to be stale and irrelevant, as the issues they wanted to be addressed had already lapsed. As asserted by one MP respondent "this is a parliament of one hundred and ninety three so when you present a question, the question may come on the floor sometime when its time-barred as it were, it becomes an academic exercise, it becomes useless really to even ask such a question." Apart from inadequate time, lack of enforcement on Ministries to respond to questions in time was another contributing factor to delays in tabling questions in parliament. "While there is a provision of six days notice within which the minister should prepare for an answer to

---

[36]Another evidence on inadequacy of question time was the highly frequent passing of motions to waive relevant Standing Orders so that question time is extended to allow the House to dispose the remaining questions for each particular day. For example, such motions were moved on 7th, 8th, 12th and 19th June 2001, respectively. SOURCE: Analysis of the Hansards.

[37] Views of one of the parliamentary clerks interviewed.

questions, there are no mechanisms to ensure that the minister submits the answer to parliament within that period." [38]

The analysis of Hansards also reflected this view as MPs consistently complained about questions spending several months and sometimes years before being tabled in parliament. For example, J.B.K. Chirwa on 26th October 2001 complained, "This question would have been responded to sometime in March when the situation was very bad. But here, I do not think there is going to be any assistance of any sort apart from telling stories. It is too late now."[39] This was in reaction to the delayed tabling of his question in which he wanted government to assist people in his constituency who had their crops destroyed by torrential rains. Indeed, the parliamentary question time as reflected in the Hansards was also characterised by an almost daily withdrawal of questions from the floor by MPs because they were too old, as new developments had taken away the necessity for asking them. For example, in only four days of 26th, 29th October and 1st, 5th November 2001 nine questions were withdrawn on such grounds. This too highlights challenges in the utilisation of parliamentary question time.

---

[38] Views from one of the parliamentary clerks interviewed. This was corroborated by an MP's complaint in the House: "Mr. Speaker Sir, is the Minister aware and would he agree with me that when a question of this nature is put to his office, he is duty bound to respond to it and submit that question to this parliament in good time....because the question should have been responded to in our last sitting." (Hansard, 7th June 2001)

[39] Another MP when asked to confirm whether the question appearing on the Order paper against his name was really his, complained thus "if two years ago a question was asked and was not answered, it is not necessary for that question to come on the Order Paper now. Sometimes we ask questions and by the time the question is answered, the situation has changed. Now this is not necessary for us to be asking the same question again" (Hansard, 24th October, 2002:8).

However, while MP respondents were of the opinion that time constraint was a challenge to asking questions, another set of respondents, mostly consisting of members of the academia and parliamentary clerks, held the contrary by arguing that question time was sufficient only that it was overcrowded with questions which were supposed to be raised at a local assembly level.[40]

From my own observation, I hold both views valid. Given the infrequent and short meetings as well as large number of MPs in the parliament of Malawi, time constraint is almost inevitable. However, the prevalence of questions in parliament that would otherwise have been tabled at the local assembly level exacerbated the problem of time constraint. MPs' motive of using constituency development as a tool for the survival of their own careers in the House was again one of the reasons why MPs asked questions for local assembly level at the national assembly level.

The third challenge that one MP interviewed advanced was that of lack of confidence by some MPs to rise and ask questions in parliament. In her view, this was especially the case for women MPs who felt intimidated to speak among the predominantly male MP population. Patel and Tostensen (2006: 16) support the view above by arguing that women MPs in Malawi operate in a male dominated hostile environment and are therefore not entirely free when taking part in deliberations of the House. They observed that women MPs were subjected to sexist abuse in parliament to an extent that even the then

[40] "One of the problems encountered with regard to question time is that question time is very limited in the House, one hour fifteen minutes is not enough. We have a lot of members who would like to ask questions but rarely have the opportunity of doing so" (views of an MP respondent). "I really feel if our questions were on policy then we would have less questions in parliament and therefore more time for asking them....but we tend to have questions on very specific constituency issues some of them not national, this is the national assembly and not district assembly so we expect questions on national issues" (views of a parliamentary clerk against the extension of question time). SOURCE: study's in-depth interviews with respondents.

First Deputy Speaker was not spared. However, this view contradicts that taken by another MP respondent. He contended that unlike other proceedings in the House such as debates on bills, parliamentary question time did not require thorough research, lengthy statements and good command of the English language for an MP to make competent contributions. Hence, for him question time offered an easy opportunity to MPs with less confidence and handicapped in English language to participate in the House.

In my own view, the bearing of gender as a challenge on the MPs' utilisation of question time is almost non-existent when one considers the findings of my study. As already highlighted in this paper, the study established that there were minor differences in terms of number of questions asked between male and female MPs, especially in view of the female to male MP population ratio in the House (17: 176). The study also revealed that the substance of their questions was similar as both male and female MPs focused on constituency development issues in their questioning.

The fourth challenge that my study found related to the rules of the game that govern parliamentary question time. These rules of the game consisted of Standing Orders of the national assembly and the role of the Speaker. Standing Orders are rules that govern procedures and business of the House. For example, in relation to question time Standing Orders stipulate the aims of asking questions, procedures MPs should follow when submitting questions, what questions should contain and not contain in order to be acceptable, among other things.

Rules of the game regarding question time both encourage or constrain MPs in the utilisation of question hour. Given that this section focuses on challenges to the MPs'

utilisation of question time, it only highlights how the Standing Orders and the role of the Speaker constrained MPs' utilisation of question time as an instrument of oversight.

From the interviews, analysis of the Hansards and my own observation of the proceedings of question time in the House it is evident that the Speaker plays a crucial role in question time. This role has a bearing on how MPs utilise that time. The Speaker controls the pace of question time. He is in a position to encourage progress down the list of questions by making periodic appeals to Members and Ministers to keep their supplementary questions and answers short, challenging those who would like to use question time as an opportunity for debating.[41] The contrary case is also true in that the Speaker sometimes fail to control the pace of proceedings during question time by allowing Members to ask lengthy questions and raise unnecessary debates.

The Speaker is also at the heart of deciding the trade off between allowing a lot supplementary questions and few main questions on the one hand, or many main questions and few supplementary questions on the other hand. This has implications for oversight in that if he opts for the former the possibility is high that the Minister responsible will be under close scrutiny and if he favours the latter the Minister will be given an easy ride as there will be few probing to his answer.

The analysis of the Hansards reflected that often the Speaker limited the number of supplementary questions in the interest of disposing the main questions on the Order Paper. For example, whenever MPs had asked two supplementary questions on a question

[41] For example on 29th June 2001, the Speaker reprimanded an MP and a Minister who were engaged in a heated and prolonged personal exchange of words by stating as follows: "Honourable Members you passed a motion to extend question time, and you are spending all that time on personality issues." Similarly, whenever an MP begun his supplementary question with an explanation the Speaker would immediately intervene with "what is your supplementary question". For example, this is evident in the entire question time of 7th June 2001.

the Speaker constantly reminded the third MP, seeking to ask another supplementary, as follows "We have too many supplementaries to that question. We have to move" or "we already have the last supplementary on that question." The Speaker did this repeatedly in a single day. This was the case, for example, on the 7th, 8th, 19th, and 29th June 2001. This limited the MPs' opportunity to probe ministers further on the answers they had given in the House. In this way, the role of the Speaker constrained the MPs' utilisation of question time as an instrument of oversight.

It has to be highlighted that the role of the Speaker during question time as discussed above mostly derives from the blanket authority that the Standing Orders give. Specifically Standing Order no. 5 empowers the Speaker, in all cases not provided for by the Standing Orders, to decide House practices applicable to Malawi while bearing in mind the constitutional principles of a democratic society, the practices in Commonwealth parliaments or other parliaments.

The study observed that while the Standing Orders provided the framework within which parliamentary question time should be conducted they had one great omission. They did not specify what happens in the event that a Minister failed to provide satisfactory answers even after MPs had asked supplementary questions for clarification, or when a Minister gave a false answer or failed to fulfil what he pledged in the answers provided to questions raised during question time. This omission made question time inherently an ineffective tool for oversight as ministers could provide anything for an answer without fear of its repercussions. This constrained MPs from using question time as a tool for oversight. In fact, as already highlighted in the section, some MP respondents

cited this omission, which allowed the ministers not to fulfil their pledges, as one of the reasons they were no longer enthusiastic to use question time at all.

The Standing Orders also constrained MPs' utilisation of question time as an instrument of oversight through the requirement of MPs to give notice of question to enable the Minister to prepare a reply in advance (Standing Order no 50(1)). Such a requirement removes the spontaneity with which the question could expose information that otherwise government wanted to remain hidden[42]. By removing the spontaneity aspect that is crucial for exposing information, the rule of notice of questions dilutes the potential of parliamentary questions as an instrument of oversight. My observation from the analysis of the Hansards showed that ministers often avoided answering sensitive supplementary questions by invoking the rule of notice of questions arguing that the supplementary was new hence requiring formal submission.

The constraint posed by the rule of notice on the utilisation of question hour as an instrument of oversight was exacerbated by the fact that the Speaker often limited the number of supplementary questions (which are at least spontaneous) that could be asked in the House.

Nevertheless, the study recognises that some of the challenges in the rules of the game exist for practical reasons. For example, the requirement for giving notice of questions, is a result of a trade off between, on the one hand, spontaneous questioning and exposing government's faults in its policies, and on the other hand giving well-researched and accurate information. Hence, while the rule of notice of questions limits the oversight

[42] Strom and Wiberg observed that one way by which agents evade control from principals is through information hiding. Questions posed in advance give sufficient time to ministers to cover up information when it is not in the interest of government to provide such information.

potential of question time, it is ideally a "necessary evil" that allows dissemination of accurate information to the public.

4.3 MPs' PRIORITISATION OF ISSUES: CONSTITUENCY VIS-À-VIS NATIONAL FOCUS

On this particular objective, the study established that MPs asked more questions on constituency development projects than on national policy issues. Out of the three thousand three hundred and fifty-two (3,352) questions covered in the analysis of the Hansards, those focusing on constituency development were two thousand four hundred and ninety-two (2,492) while those focusing on national issues were two hundred and twenty-nine (229). The rest six hundred and thirty one (631) were supplementary questions. The questions on constituency development were largely preoccupied with requests for the provision of social services such as boreholes, health centres, school blocks and roads to various constituencies.

It is no wonder therefore to observe, as reflected in the table below, that ministries responsible for the provision of the above-mentioned services (education, health, transport, water and agriculture) attracted the highest number of questions. In contrast, ministries whose mandate was essentially policy regulation in nature or whose activities were at a national level and far removed from the constituency received very few questions. Such ministries included ministry of Foreign Affairs, ministry responsible for Statutory Corporations and Office of the Vice President responsible for Privatisation.

Table 4: Number of Parliamentary Questions Asked According to Ministries.

MINISTRY	NO. OF QUESTIONS
Ministry of Education, Science and Technology	761
Ministry of Transport and Public Works	485
Ministry of Health and Population	357
Ministry of Water Development	337
Ministry of Agriculture, Irrigation and Food Security	191
Ministry of Information	189
Ministry of Home Affairs and Internal Security	184
Ministry of Natural Resources and Environmental Affairs	167
Ministry of State in the President's Office responsible for Local Government and District Administration	166
Ministry of Justice	90
Ministry of Gender and Community Services	79
Ministry of Finance and Economic Planning	53
Ministry of State in the President's Office responsible for Persons with Disabilities	38
Ministry of Commerce and Industry	37
Ministry of State in the President's Office responsible for Poverty Alleviation Programme	35
Ministry of Tourism, Parks and Wildlife	34
Ministry of Youth, Sports and Culture	31
Ministry of Labour and Vocational Training	27
Ministry of State in the President's Office responsible for Poverty, Relief and Disaster Management	23
Ministry without Portfolio	18
Ministry of State in the President's Office responsible for Presidential Affairs	12
Ministry of Defence	11
Ministry of Lands, Physical Planning and Surveys	11
Ministry of Housing	6
Ministry for the Office of the President and Cabinet	3
Ministry of State in the President's Office responsible for HIV/AIDS	3
Ministry of Foreign Affairs and International Cooperation	2
Ministry of State in the President's Office responsible for Statutory Corporations	1
Office of the Vice President responsible for Privatisation	1
TOTAL NO OF QUESTIONS	**3352**

Source: Analysis of Hansards

The finding that MPs asked so much on constituency development than on national issues is consistent with the finding highlighted earlier on in the study that the majority of respondent MPs' philosophy behind parliamentary question time was that it was a period for requesting development projects that were lacking in their constituencies. The finding also tallies with the finding that the primary motivation for MPs to ask questions in parliament was essentially to be seen that they were representing the interests of their constituents often in the belief of gaining re-election in return.

This ultimately reflects that MPs in Malawi between 1999 and 2004 used parliamentary question time largely as an instrument of vertical representation and vertical accountability rather than for horizontal accountability. The MPs' emphasis on vertical representation essentially stems from their representation role orientation that is biased towards the constituency. MPs in Malawi basically "are 'service responsive' vis-à-vis their constituencies in a tangible sense, rather than 'policy responsive' in relation to the general needs of the nation as expressed by political parties and other societal stakeholders" (Patel and Tostensen, 2007: 95). As already highlighted in the study the MPs' bias towards the constituency can be explained by their desire to fulfil what their constituents expected of them. The political reality in Malawi is that the constituents expect their MPs to bring development in terms of school blocks, health centres and boreholes to the constituencies. The MP's ability to bring development to the constituency is a measure of his/her performance and forms the basis for his/her re-election or not by the constituents. The constituents effectively use the single member district first-past-the-post electoral system to vote out unwanted MPs as reflected in the high MP turn over of 2004 and 2009 general elections.

As the study's findings on MPs' motivation in the utilisation of question hour suggest, the MPs themselves were aware that their constituents' expected them to bring development to constituencies and that the degree to which they achieved this constituted the basis for their re-election. This is why the MPs asked more questions on constituency development. Evidently, political representation in terms of voters' expectations of the representational role of an MP, the instrumental notion of representation, and the type of electoral system (FPTP) explain why MPs asked a lot of questions on constituency issues than national policy issues.

4.3.1 THE FOCUS OF SUPPLEMENTARY QUESTIONS

While the majority of main questions focused on minute details of constituency development needs, this was not the case with the supplementary questions. Most of the supplementary questions were not constituency-specific but rather more general (national oriented), often seeking Government's clarification or explanation on various areas regarding different policies.

Most supplementary questions sought to take Government to task on the justification and implementation of certain policies and in this sense; they focused more on horizontal accountability than vertical accountability.

The study's finding mentioned above begs the following question: given the background of MPs being heavily oriented towards the constituency due to the prevalent electoral system and political culture (in form of the people's expectations of the role of a parliamentarian) in Malawi, how does one explain the deviation of supplementary questions from the trend of focusing on the constituency? One possible explanation could reside in looking at who asks most of the supplementary questions. According to the

findings in my study a lot of supplementary questions were asked by MPs from MCP and AFORD, parties which constituted the Opposition side. AFORD and MCP had three hundred and four (304) and two hundred and forty-one (241) supplementary questions, respectively, against eighty-six (86) of the UDF. Even individually, a majority of each member from AFORD and MCP had high number of supplementary questions as compared to those members from UDF[43]. Since every opposition seeks to present itself to the voters as the best alternative to the current government, the MPs from the opposition may have asked supplementary questions on policies with the intention of exposing government's faults and failure. As observed elsewhere:

> the opposition has a self interest in revealing faults cabinet ministers can be blamed for, whereas the governmental parties rather would want to disregard weaknesses, problems and even instances of abuse of power by executive offices. The incentives of the opposition and supporters of the government clearly differ with respect to control of cabinet ministers, as a result of the competition for votes and the struggle for office" (Rasch, 2005:11).

The implication of the discussion in the foregoing is that the opposition-ruling party divide is significant in explaining an MP's utilisation of question time as an instrument of oversight in Malawi.

Nevertheless, the above explanation in case of Malawi still begs the question of why would opposition MPs opt to ask questions seeking to hold the executive accountable at a supplementary rather than at the original/main question level. A further possible explanation could be supplementary questions presented "bonus" opportunities for an MP to fulfil his other functions not directly related to the constituents, such as oversight. They

[43] The top 10 individual MPs with the highest number of supplementary of questions were from AFORD and MCP only. Among the top 10 MPs, the highest had 42 supplementary questions while the lowest had 21 questions. As for the UDF, the MP with the highest number of supplementary questions had only 6. SOURCE: Study's analysis of the Hansards.

also presented an extra space to the MP to fulfil his own wishes or the wishes of other principals (other than the constituents) to which he was equally accountable such as the party. If this was the case, then it suggests that given enough space and less constituency pressure, MPs could use question time more for horizontal accountability than vertical representation.

4.3.2 SUPLEMENTARY QUESTIONS ASKED ACCORDING TO INDIVIDUAL MPs

The number of supplementary questions asked according to individual MPs ranged from zero (0) to forty-two (42), the former representing the lowest number and the latter representing the highest number of supplementary questions actually asked by an individual MP.

The study compared number of supplementary questions asked between each female and male MP to determine if an MP's gender had any bearing on the MPs' utilisation of question hour. The study found that individual female MPs did not use supplementary questions as much as individual male MPs. For example, the female MP with the highest number of supplementary questions asked only half the number that of her male counter part (twenty-one against forty-two). Similarly, each of the eleven (11) female MPs did not ask any supplementary question (asked zero) in parliament against eighty-one (81) individual male MPs who did the same, thereby representing sixty-five (65) percent and forty-six (46) percent of the female and male MP population, respectively. This shows that the majority of each female MP did not use supplementary questions at all unlike their male counterparts. Figure 8 below, displays in detail the number of supplementary questions each female and male MP asked in parliament. The first row shows the actual number of supplementary questions asked in parliament. The second and third rows show

the actual number of individual female and male MPs, respectively, who asked the questions indicated in the first row. As the figure shows the number of female MPs who asked two questions each were only two against sixteen male MPs who asked two questions individually. In other words, two questions were asked by two female MPs each while for the males it was sixteen male MPs each.

Table 5: A Comparison of Number of Supplementary Questions Asked Between Each Male and Female MP

NO. OF QUESTIONS ASKED	0	1	2	3	4	5	6	7	8	9	10	11	12	17	21	22	23	24	25	32	34	42
NO. OF FEMALE MPs	11	2	2	-	1	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-
NO. OF MALE MPs	81	36	16	11	6	6	4	2	2	1	1	2	2	2	1	1	3	2	1	1	1	1

Source: Analysis of Hansards.

The above scenario raises the question of why did female MPs not use supplementary questions as much as their male counterparts. The first explanation could lie in the observation, already highlighted in this study, that the parliament of Malawi is dominated by male MP population that creates a hostile environment for female MP participation in the House. Secondly, given that the Speaker has a prerogative in recognising who should ask a supplementary question, female MPs' low participation in supplementary questions could be explained by the Speaker's gender blindness in recognising who should hold the floor for a supplementary. This is coupled by the fact that the Standing Orders themselves are gender blind –they do not recognise an MP by gender. Thirdly, since eight out of the eleven female MPs who did not ask any supplementary question spent some time in the cabinet could be another explanation for their dismal performance in the

"supplementaries". This may be the case especially in view of the observation already raised in the study that MPs who were also doubling as ministers did not ask questions in parliament.

Nevertheless, the number of supplementary questions asked by both male and female MPs was far less than the number of main questions asked[44]. Given that MPs ask supplementary questions almost spontaneously, without going through the hassles of the entire process of parliamentary question time, one would have expected that this particular form of parliamentary questions would have been highly utilised. This necessitates one to search for possible explanations to the scenario. From the analysis of the Hansards, it was discovered that it was common for MPs to have their supplementary questions rejected on the grounds that they were not related to the main or original question as stipulated by Standing Order No. 56(2). [45]

This was also the case from my own actual observations (made in the present parliament) during the proceedings of parliamentary question time in the Chamber. It was also observed that the Speaker or any other presiding officer in the House had discretion over the number of supplementary questions that could be entertained on a particular day. The Speaker could on various occasions rule on whether to limit the number of supplementary questions in favour of disposing questions that were on the Order Paper or allow the free flowing of supplementary questions in the interest of exhausting matters arising from the main questions that had generated interest in the House. However, more

---

[44] 631 supplementary questions against 2,721 original questions.

[45] For example, the Speaker rejected some supplementary questions as follows: on 21st June 2001 (4), 6th June 2002 (3), 11th June 2002 (2) and 13th June 2002(6).

often than not the Speaker ruled in favour of limiting the number of supplementary questions-citing limited time as justification for the decision. Evidently, the role of the Speaker and the Standing Orders by determining content and quantity of supplementary questions have a bearing on how Members of Parliament utilise parliamentary question time.

4.4 KNOWLEDGE OF MPs ON THE OPERATIONS OF GOVERNMENT

The study also sought to determine the depth of knowledge of MPs on the operations of government from the questions they asked. Underlying this objective was the assumption that if parliamentary question time was to be really utilised as an instrument of oversight MPs should possess appropriate knowledge of, *inter alia,* Government structure, policies, procedures and laws governing the operations of Government as well as the actual running of Government operations in order to take it to task. [46]

Through the analysis of MPs' questions in the Hansards, the study established that MPs lacked adequate understanding of Government machinery. The first observation under this objective was that MPs asked a lot of "misplaced" questions that is questions addressed to the wrong authority for action. For example, Hon G.L. Mlombe on 25th July 2003 asked the Minister of State in the Office of President and Cabinet responsible for Relief and Disaster Management to provide loans for the disabled in the constituency to which the Minister responded that the question should be channelled to the appropriate Minister responsible for Persons with Disabilities. On 2nd July 2001, MP for Blantyre West asked the Minister of Commerce and Industry to consider opening National Bank

[46] Strom (2003:8) argues that accountability entails that principals have two kinds of rights vis-à-vis agents: a right to demand information and a capacity to impose sanctions. This implies that principals must foremost know what their agents are doing in order to hold them accountable.

and Commercial Bank of Malawi branches at a Trading Centre in his constituency. The Minister of Commerce responded that he had referred the question to the appropriate authority, Minister of Finance and Economic Planning. In turn, the Minister of Finance highlighted that the question gave the wrong impression that the ministry was responsible for opening branches for the two banks when in reality the banks were commercial entities operating on their own. On 3rd July and 13th July 2001, Hon J.H.M. Kawenga and F.L. Nawani respectively asked the Minister of State in the Office of the President and Cabinet responsible for Local Government and District Administration to construct court-houses in their respective constituencies. In response, they were told, "Minister of Justice and Attorney General is the responsible Minister on courts and court messengers' houses." This shows that some MPs did not know which Government institutions were responsible for what. This ultimately raises questions about such MPs' ability to question the operations of Government institutions when they are not clear about the very mandate of such institutions.

Another finding was that most of the questions that were supposed to be asked at the local assembly level were asked in the National Legislature. These questions concentrated on minute details of constituency development needs. In response, ministers often requested MPs who asked such questions to refer their questions to their local assemblies for assistance. For example, Hon. M.J. Kanje asked the Minister of State in the Office of the President and Cabinet responsible for Local Government and District Administration to upgrade a trading centre in his constituency to a township. In response, the Minister stated thus:

> The Local Government Act of 1998 makes it clear that MPs, chiefs and elected Members will discuss together in the local Assembly matters of local importance. I therefore urge the member to bring the issue before Blantyre District Assembly (Hansard of 8th June 2001).

Similarly, Hon. B.H. Kawonga (who asked for repair of blown off roofs of school blocks and teachers' houses), N.T. Nothale (who asked for a postal agency at a trading centre), D.K. Banda (who asked for a produce market at a trading centre), T.J.M. Mnesa (who asked for a school block) and B.Z. Kachale (who asked for a fence around a produce market) on 25th October, 2nd November,5th November, and 6th November 2001, respectively, were told to refer their questions to their respective local assemblies in the spirit of decentralisation which government then was said to be promoting.

The scenario outlined in the foregoing raises the question of why did the MPs opt to ask such questions at the National Assembly rather than leave it to the Local Assembly level. The MP's own views as expressed during the interviews and in the Hansards provide several answers to this question. The first reason was lack of clarity amongst the MPs on the roles of Central Government and Local Government especially in view of local government reforms that were taking place during that time. The reforms as reflected in the 1998 National Decentralisation Policy and 1998 Local Government Act were marked with a shift "from an emphasis on administrative provision of services to devolution or political decentralisation" (Chiweza, 2007:154). With decentralisation, the emphasis was on transferring resources and authority to the Assemblies to make autonomous decisions on local issues some of which were previously under the jurisdiction of the central government. This left some of the MPs baffled as to what

mandate was left with the central government and what issues should be dealt at what level of Government.[47]

While some MPs asked questions in the National Assembly that were supposed to be tabled at the Local Assembly from a point of confusion, other MPs did the same from a point of sheer resistance and lack of confidence in the new reforms. Some MPs felt that they had as much as every right and interest to raise local issues in parliament just like the councillor at the Local Assembly. For example, when the Minister advised MP A.N. Jumbe, who had asked for the recreational hall for the youth in his constituency, that the councillor of the area should raise the issue at the local Assembly, he responded in this way:

> I am greatly concerned and disappointed to learn from the Hon. Minister of State that there is nobody who has asked for these amenities such as recreational halls. Is it only Councillors not the Member of Parliament [who can ask such questions], because this question was raised by me, as Member of Parliament for Dedza North Constituency (Hansard of 2nd December 2003:5).

The clarification by the Minister that the Councillor unlike the MP was better placed to raise local issues because he was closer to the people prompted several MPs into disputing the clarification by arguing that they too as MPs representing their constituencies were closer to the people.

Similarly, MPs I interviewed complained that their questions were often referred to the Assemblies when the MPs themselves had their own forum in which to raise issues. For example, one respondent MP complained in this manner "....we are often told can you take that question to the District Assembly there is decentralisation nowadays so can

[47] One MP asked thus: "Mr. First Deputy Speaker Sir, may I know from the Minister when we are going to get something from the Government, because we are constantly referred to organizations such as MASAF, District Assembly and what have you" (Hansard of 21st June 2002:12).

you go to the Assembly. We know that yes developmental issues are supposed to be raised at the Assembly but then here is another set up we are supposed to raise similar requests...mind you at the Assembly we are just ex-officio members."

They further argued that their questions were being referred to Assemblies when it was clear that the Assemblies did not have the capacity especially in terms of financial resources to implement what they were asking for. The above reflects lack of clarity in the roles of a councillor and an MP as well as resistance and lack of confidence by the MPs in the decentralised Local Government System.

Nevertheless notwithstanding the above, one discerns upon critical examination that the issue of "development as a political tool" underlies the whole debate as to why MPs continued to ask questions that were supposed to be raised at another appropriate forum. As already highlighted in this study one dominant theme that came out of almost all respondents was given the Malawi scenario it is simply political suicide not to ask questions in parliament especially those touching on local development issues. As reflected by the 2006 and 2008 Afro barometer results the majority of people expected the role of an MP to be bringing development to the constituency.[48] The success of an MP from the constituents' point of view is therefore measured by the amount of development projects he/she brings to the constituency. Given that (as already revealed in the study)

[48]The 2006 Afro barometer results showed that 23% of the people interviewed expected MPs to deliver development e.g. bridges schools etc. 20% to represent them in parliament, 11% to improve local and national infrastructure and 10% expected MPs to focus on issues of national policies. SOURCE: Afro barometer Briefing Paper No 31, April 2006, p3.The 2008 Afro barometer results showed that 53% of the people interviewed expected MPs to listen and represent constituents' needs, 39% deliver jobs or development, 5% make laws for the good of the country, 2% monitor the president and his government, 1% don't know.

MPs believe that parliamentary question time is a period in which to ask Government to meet developmental needs of the constituency and that development is tied to their success and possible re-election as MPs, it would be very unlikely for them to leave such questions to the councillors even if they know that that's the right direction to take. This is further compounded by the fact that (as already shown in the study) the MPs are convinced that constituents still appreciate their raising of questions (on constituency development) in parliament regardless of the outcomes for such questions.

The above observation validates Chabal and Daloz argument that in Africa the instrumental notion of representation is the norm as the primary role of a representative is expected to be the defense and furtherance of communal interests rather than the elaboration of the national well- being. Representation as such entails active improvement of the material condition of the community represented on the easily verifiable notion that all other officials will act in the same way and that the legitimacy of a representative is essentially a function of an extent to which he demonstrates success in obtaining for the community resources which it would not otherwise receive (Chabal and Daloz,1999:55). Indeed, the idea of development as a political tool makes much sense when viewed from the angle that in Africa the boundaries of politics are much more porous when compared to the West. There is no clear distinction between the realm of politics and other realms of human existence as the former projects itself with varying degrees of intensity into the latter. Hence, politics and development are intertwined (Chabal and Daloz, 1999:52).

Apart from misplaced questions and taking questions to parliament that were supposed to be asked at the local level, the study also established that some MPs showed that they did not know the existence of certain government policies and procedures or

even understand them. For example, on 19th May 2003 Hon N.J. Kachingwe asked Government to consider enacting a policy that would empower women economically and protect them from family abuses when in fact there was already the National Gender Policy launched in 2000 to tackle among other things the very concerns raised by the MP (Hansard of 19th May 2003). Likewise, Hon. D. Chibwana Phiri asked if the responsible Minister was aware that MEDI, which was in Dowa, did not have a representative from Dowa on its Executive Board. He further queried as to what plans the Minister had to address the anomaly. Obviously, the response he received was that MEDI was a national institution with its mandate and services not limited to Dowa alone but countrywide (Hansard of 17th October 2002:10).

The implications of the above-mentioned finding raise doubts on the ability of such MPs in utilising parliamentary question time as an instrument of oversight. Indeed, both *ex ante* and *ex post facto* forms of oversight entail the principal being aware of what the agent is doing. In this sense, parliamentarians as principals ought to know the contents of government policies and procedures way before they are enacted (in their proposed state) and monitor how they are implemented afterwards (after enactment) if the role of oversight is to be really realised. The finding of lack of adequate understanding of government policies and procedures by some MPs provides another insight as to why the questions by MPs in Malawi from 1999-2004 heavily concentrated on constituency development issues than on national policies.

4.5 CONCLUSION

The study concludes the chapter by showing the implications of the study findings on the study's key assumptions. The findings of the study did not confirm the study's first key assumption that MPs will ask more questions on national policy issues than constituency development issues for purposes of controlling the Executive rather than individual re-election. The study established that the contrary was the case in Malawi. MPs asked more questions on constituency development than on national policy issues. The primary motivation of MPs in asking such questions was the desire to be seen by constituents that they were working hard to fulfil the constituents' interest and hoped that they would get re-elected in return.

The study also established that individual MPs' party membership mattered in the utilisation of question time as, among other things, MPs in the ruling party asked more original questions than those in the opposition, while MPs in the opposition asked more supplementary questions than MPs from the ruling party. However, the supplementary questions unlike the original questions were more national policy oriented and critical of government thereby reflecting the significance of ruling-opposition party divide on the MP's utilisation of question time. The study also discovered that rules of the game governing question time had a bearing on how MPs used it. The role of the Speaker, and Standing Orders often constrained MPs' use of question time as an instrument of oversight.

The study showed that male MPs asked slightly more questions than female MPs. However, the questions asked by both gender were not substantially different from each other. They both concentrated their questions on constituency development. The constituents' expectations of the role of an MP and the FPTP electoral system shaped

MPs' behaviour in asking questions that were more constituency development oriented than national policy oriented.

From the discussion above, the findings of the study confirmed the study's second key assumption, which was individual MPs' party membership, gender as well as their country's political, social and cultural context, determines the number and nature of questions that the MPs ask in Question Time.

When contextualised within the political representation-accountability framework, the findings reflect the direct linkage between the constituents and individual MPs in which the former expect the latter to bring local development to them and effectively use their voting power in the FPTP electoral system to kick out those who betray these expectations. In turn the MPs being fully aware that their survival in the House depends on re-election by these constituents, project themselves as instructed representatives who are committed to the fulfilment of the constituents' expectations by asking more questions on constituency development. In this sense, the Malawian political realities regarding question time confirm or are explained by the assertions about principal-agent relations between the people and their representatives in representative democracy, which political representation and political accountability theories advance. Specifically the assertions are that the people are the sovereign and that the representatives exercise power on behalf of and for the fulfilment of the peoples' interests. Given that they act on behalf of the people, representatives are responsive and accountable to the people in the exercise of such power.

CHAPTER FIVE

CONCLUSION

5.0 INTRODUCTION

This chapter presents a summary of the study findings and their implications on the theory as well as practice related to parliamentary question time. It also offers recommendations towards the enhancement of the utilisation of parliamentary question hour and highlights areas that need further research on the topic.

5.1 A SUMMARY AND IMPLICATIONS OF THE STUDY'S RESEARCH FINDINGS

The study found out that the rules of the game governing parliamentary question time have a bearing regarding how MPs utilise parliamentary question time. These rules of the game comprised the role of the Speaker and provisions in the Standing Orders. On the role of the Speaker, the study observed that he was responsible for the pace of proceedings in the House, which included parliamentary question time. He could speed up or slow down the progress of asking questions and therefore determine the number of questions asked in a day. The Speaker was also the deciding factor on whether parliament could concentrate more on original questions or supplementary questions with subsequent implications on the scrutiny of the Ministers' answers. The Speaker also had an influence on the frequency of contributions by individual MPs as he had the powers to decide who should hold the floor during supplementary questions. Worse still there was no laid down

criteria to guide him on who else he should fairly recognise on the supplementary questions apart from the practice that the one who asked the original question should be considered first.

As for the Standing Orders, the study observed that the requirement to give notice of questions compromised the utility of the question hour as an instrument of oversight. The requirement was a matter of striking a balance between giving more time for the Minister to give detailed, accurate information on the one hand and asking spontaneous questions with the likelihood of exposing government policy weaknesses, on the other. The requirement to give notice of questions tilted the balance in favour of the former than the latter as it removed spontaneity of questions that is critical for taking the executive by surprise and exposing information. The study also discovered that the Standing Orders did not have provisions for follow-up mechanisms to ensure that Ministers were fulfilling the answers they gave in the House. They did not also contain sanctions for Ministers' failure to respond to the questions or fulfil what they promised in their answers. This ultimately made the use of parliamentary question time as an instrument of oversight a hollow affair. Another related observation was that there was lack of compulsion mechanism to make sure that Ministries responded to questions without delay. This led to questions staying too long without being addressed in parliament thereby making them stale and irrelevant, with subsequent implications of turning MPs' use of question time for oversight purposes into an impotent exercise.

One of the findings of the study was also that parliamentary question time was popular among MPs with most of them having an interest to have their questions raised and answered in parliament. Only a few MPs did not ask questions and most of these were

also cabinet ministers who in the name of team spirit were constrained from asking fellow cabinet ministers in public to avoid embarrassing each other. By virtue of being cabinet ministers, they were also privileged to easily get assistance, outside the House, from their cabinet colleagues. Furthermore, the practice only allows backbencher MPs to ask questions in parliament. Having MPs doubling as cabinet ministers therefore diluted further the oversight potential of question time as such MPs could not question government activities.

The study found that the number of questions asked according to each party followed each party's numerical strength in parliament such that UDF had the highest number of questions followed by MCP and AFORD. However, this was not the case in terms of supplementary questions as MCP and AFORD each asked more questions than UDF. The original questions focused far much on constituency development issues than on national policy issues while the reverse was the case for supplementary questions. These results highlight that the political party, more especially in terms of the opposition-ruling side divide, is still an important factor in the utilisation of question time as an instrument of oversight in Malawi. The opposition parties (MCP and AFORD) used supplementary questions as an instrument of oversight unlike the UDF. Given more opportunities, opposition MPs would ask more questions bent on holding the executive accountable.

A closer examination of main questions asked in parliament reflects that there was uniformity among the members across all the three parties as they all focused much on the constituency. This observation highlights the fact that there were other factors such as MPs' desire to be seen and appreciated by their constituents that they are representing their interests that overrode the factor of party loyalty.

The study also looked at the participation of MPs in the utilisation of question from the gender dimension. It established that there were no major differences in terms of numbers and content of questions raised between individual male and female MPs. The participation of female MPs in the raising of supplementary questions was also marginally low when compared to that of their counterparts. The implication of this is that an MP's gender is not a salient issue in the individual MP's utilisation of question time in Malawi.

As already alluded to in the foregoing, the study also established that the primary motivation for MPs to ask questions in parliament was the desire to be seen by the constituents that they are committed to representing the constituents' interest in the belief that it will lead to their re-election. It was discovered that the prevailing electoral system and political culture were the major forces that shaped the MPs' motivations. MPs were compelled to follow what the majority of the constituents expected from them as representatives-*bringing development to the constituency*-as they were aware that in the prevailing majoritarian First-Past-the-Post electoral system the constituents had a direct say on their re-election or not. This finding also provided an explanation as to why most of the MPs asked questions that were biased towards the constituency than the nation as a whole.

Another finding of the study was that through the questions they raised in parliament some MPs showed that they lacked adequate understanding regarding the operations of the government machinery. They did not fully know or understand various Government policies or procedures. This spells out adverse implications on the utilisation of question hour as an instrument of oversight, as the issue of oversight and accountability is premised on the understanding that the principal is only able to oversee and hold an agent

accountable if he is able to know and understand what the latter is doing. The study discovered that there were a considerable number of "misplaced" questions –the questions addressed to the wrong authority for action. For example, questions meant for Ministry of Justice were addressed to Ministry of Local Government. It also found out that the MPs posed a lot of questions at the National Assembly concerning minute details of constituency needs such as the provision iron sheets for a school block and maintenance of small bridges which could otherwise be handled at the local level. This too raised questions on the MPs' appreciation of their roles as members of the National Assembly.

The conclusion derived from the findings is that the question hour is a popular tool among the Malawian parliamentarians who use it more as an instrument for vertical accountability than for horizontal accountability. They use parliamentary question hour to ask questions that are more constituency development oriented than national policy oriented largely in order to be seen that they are committed to representing constituents' interest in an effort to ensure their own political survival. The central argument of the study is therefore that parliamentary question time as utilised by the MPs in Malawi is on a balance of scale more of a tool for vertical representation than oversight despite that these two parliamentary functions overlap each other.

5.2 RECOMMENDATIONS FOR POLICY

In light of the findings, implications and the conclusion drawn from the same, the study suggests several recommendations, which aim at enhancing the use of parliamentary question time both as a window of opportunity for MPs' participation as well as an instrument of oversight.

The first recommendation is that in order to make parliamentary question time a meaningful instrument for oversight, the House should be empowered through its Standing Orders to follow-up on promises or assurances made by Ministers in their answers in parliament. There should be an establishment of follow-up mechanisms such as a Committee responsible for following up all government undertakings promised in parliament.[49] More importantly sanctions should be instituted for penalising Ministers who fail to give satisfactory answers or do not fulfil, without due justification, what they promised in their answers.

The second recommendation is to increase the frequency of parliamentary meetings as one way of reducing delays in tabling questions in parliament. There should also be mechanisms to compel Ministries to answer parliamentary questions in time. Another strategy that needs to be considered in reducing delays is to ensure that all questions that can be handled at the local assembly level are screened in the House. This will not only free space for asking questions that are most pressing for the National Assembly but also compel the MPs to start re-orienting themselves more towards national issues. The overall aim of this recommendation is to reduce "overcrowding" of questions and create more space within parliamentary question hour for the MPs' increased participation.

Thirdly, restrictions on local questions asked in the National Assembly should be supported by serious sensitisation campaigns among MPs and the constituents, focusing on the clarification of the roles of the central government vis-à-vis local government as well as MPs vis-à-vis Councillors. This will help to re-shape the people's "bring

---

[49] In parliaments of other countries they have such Committees. For example, in India they have a Committee on Government Assurances. SOURCE: interview with parliamentary clerks.

development home" expectations on an MP. This will also help in enlightening MPs on the complementary rather than competitive nature of the relationship between MPs and Councillors.

Fourthly, the above will really bear fruits if the people's confidence in the local assemblies is restored through deliberate efforts to strengthen the capacity of assemblies to enable them ably handle all relevant local development demands. Vibrant local assemblies that are able to satisfy demands for development at the local level will deflect pressure away from MPs and allow MPs to fulfil other equally important roles such as oversight through parliamentary question time.

Nevertheless, it has to be pointed out that in making the above-mentioned recommendations the study does not overlook the fact that MPs as representatives have multiple obligations to the party, constituency, nation and the self, which they must fulfil. However, the recommendations seek to correct the *status quo* whereby there is too much bias towards the constituency that results in the neglect of other important areas such as the national well-being.

The recommendations also aim at bringing a balance between vertical accountability (representation) on the one hand, and horizontal accountability (oversight) on the other. The study recognises that while vertical accountability is important within the polity neglecting the horizontal aspect of it threatens the fulfilment of the very interests vertical representation seeks to promote. This is why the complementary and overlapping roles of parliament have always been significant for its own proper functioning and for the proper functioning of democracy as a whole.

5.3. AREAS FOR FURTHER RESEARCH STUDY

While my study was an investigation into how MPs utilise parliamentary question time as an instrument of oversight, there are still other related areas that need further research given the availability of more time and other resources. One such area is that since my study concentrated only on one parliamentary term (1999-2004), there is need to do a similar research on other terms of parliament. A cross comparison analysis may be done between these terms. For example, a comparison of terms within the multiparty dispensation (1994-2009) or between the terms in the multiparty dispensation (1994-2009) and those in the one-party regime (1966-1993). This will, among other things, help to establish whether the findings of my study are valid for other terms of parliament as well.

As my study also focused on finding out the importance of MPs' party membership and gender in the participation/utilisation of parliamentary question time, other factors could further be fitted-in to find out if they have any bearing on MPs' use of question time. Such factors as MPs' educational qualifications, age, experience in the House, location of the constituency (urban versus rural) could be researched on.

Another area that my study did not tackle but which is important to be looked into is the issue of effectiveness in the utilisation of parliamentary question hour. Does parliamentary question time achieve what it was originally intended for? Given that MPs in Malawi utilise question time largely for vertical representation purposes, how effective is this in achieving representation of constituency interests? These are some of the questions whose answers would help one to clearly justify the need for having parliamentary question time in Malawi.

REFERENCES

Abcarian, G., and G., Masannat. (1970). *Contemporary Political Systems: An Introduction to Government*. New York: Charles Scribner's Sons.

Ahmed, N., and S., Khan. (1995). The Development of Parliamentary Oversight in Bangladesh: A Research Note. *Legislative Studies Quarterly*, 20 (4), 573-583.

Africa All Party Parliamentary Group Report. (2008). *Strengthening Parliaments in Africa: Improving Support.*

Babbie, E. (2007). *The Practice of Social Research*. Belmont: Wadsworth.

Bakken, M. (1st July2004). Impact of Electoral System Design on Representation and Division. University of Malawi, Centre for Social Research: National Symposium to Present the Preliminary Findings of the Institutional Context of the 2004 General Elections in Malawi. Capital Hotel, Lilongwe. Unpublished paper.

Beetham, D. (Ed.). (2006). *Parliament and Democracy in the Twenty- First Century: A Guide To* Good *Practice.* Geneva: Inter-Parliamentary Union.

Bailer, S. (12th -14th March, 2009). Parliamentary Playground or the People's Voice? On the Reasons for Parliamentary Questions in the Swiss National Parliament. Unpublished paper presented at the 2nd ECPR International Conference on Parliamentary Accountability held at Science Po Paris. Retrieved on 7th January 2010 from the World Wide Web: http://webpages.dcu.ie/~martins/paris.html.

Birch, A. (1993). *The Concepts and Theories of Modern Democracy*. New York: Routledge.

Bird, K. (2005). Gendering Parliamentary Questions. *British Journal of Politics and International Relations,* 7,353-370.

Bovens, M. (2007). Analysing and Assessing Accountability: A Conceptual Framework. *European Law Journal* 13 (4), 447-468.

Brennan, G., and A. Hamlin. (1999). On Political Representation. *British Journal of Political Science* 29,109-127.

Centre for Democracy and Governance. (2000). *USAID Handbook on Legislative Strengthening.* Washington: US Aid Agency for International Development.

Chabal, P., and J. Daloz. (1999). *Africa Works: Disorder as a political Instrument*, Oxford.

Chapulapula, T. (2010, 4th January). Candidates give Machinga South East a ray of hope. *The Daily Times.*

Chiweza, A.L. (2007). Local Government. In N. Patel and L. Svasand (Eds.), *Government and Politics in Malawi.* Zomba: Kachere Series.

Constitution of the Republic of Malawi. (1994). Zomba: Government Print.

Creswell, J.W. (1994). *Research Design: Qualitative and Quantitative Approaches.* London: Sage Publications Inc.

Creswell, J.W. (2003). *Research Design: Qualitative, Quantitative and Mixed Methods Approaches.* (2nd ed.). London: Sage Publications Inc.

Department for International Development (DFID). (2004). *Helping Parliaments and Legislative Assemblies To Work for the Poor: A Guide to the Reforms for Key Functions and Responsibilities.*

Denzin, N.K., and Y.S. Lincoln. (2005). *The Sage Handbook of Qualitative Research.* California: Sage Publications Inc.

Eagles, M., and L. Johnston. (1999). *Politics: An Introduction to Democratic Government.* Ontario: Broad View Press Ltd.

Eberlei, W., and H. Henn. (2003). *Parliaments in sub-Saharan Africa: Actors in poverty reduction?* GTZ/Canadian Parliamentary Centre.

Elazar, D.J. (1984). *American Federalism: A View from the States*. (3rd ed.). New York: Harper and Row.

Fresko, A. (2004). Applied Issues in Accountability: A contribution to an ESRC series on Public Accountability in the New Institutional Environment. London: Centre for Public Governance.

Gyimah-Boadi. (1998). The rebirth of African liberalism. *Journal of Democracy,* 9(2),18-31.

Hague, R., M. Harrop, and S., Breslin. (1992). *Comparative Government and Politics: An Introduction*. Hampshire: Macmillan Press Ltd

Helmke, G., and S. Levitsky. (December 2004).Informal Institutions and Comparative Politics: A Research Agenda. *Perspectives on Politics,* 2(4), 725-740.

Heywood, A. (2000). *Key Concepts in Politics*. Hampshire: Palgrave.

Heywood, A. (2004). *Political Theory*. Hampshire: Palgrave Macmillan.

Heywood, A. (2007). *Politics*. Hampshire: Palgrave Macmillan.

Hudson, A., and C., Wren. (2007). Parliamentary Strengthening in Developing Countries. Overseas Development Institute.

Johari, J. (1982). *Comparative Politics.* New Dehli: Sterling Publishers Ltd.

Lindberg, S.I. (2005). Consequences of Electoral Systems in Africa: a preliminary inquiry. *Electoral Studies* 24, 41-64

Malawi Law Commission. (2006). *Constitutional Review Programme, Issues Paper*.

Malawi National Assembly. (2001). *Hansard* 2nd July 2001. Lilongwe: Parliament Press.

Malawi National Assembly (2001). *Hansard* 8th June 2001. Lilongwe: Parliament Press.

Malawi National Assembly. (2001). *Hansard* 3rd July 2001. Lilongwe: Parliament Press.

Malawi National Assembly. (2001). *Hansard* 13th July 2001. Lilongwe: Parliament Press.

Malawi National Assembly. (2001). *Hansard* 25th October 2001. Lilongwe: Parliament Press.

Malawi National Assembly. (2001). *Hansard* 26th October 2001. Lilongwe: Parliament Press.

Malawi National Assembly. (2001). *Hansard* 29th October 2001. Lilongwe: Parliament Press.

Malawi National Assembly. (2001). *Hansard* 30th October 2001. Lilongwe: Parliament Press.

Malawi National Assembly. (2001). *Hansard* 1st November 2001. Lilongwe: Parliament Press.

Malawi National Assembly. (2001). Hansard 2nd November 2001. Lilongwe: Parliament Press.

Malawi National Assembly. (2001). *Hansard* 5th November 2001. Lilongwe: Parliament Press.

Malawi National Assembly. (2001). *Hansard* 6th November 2001. Lilongwe: Parliament Press.

Malawi National Assembly. (2002). *Hansard* 17th October 2002. Lilongwe: Parliament Press.

Malawi National Assembly. (2003). *Hansard* 19th May 2003. Lilongwe: Parliament Press.

Malawi National Assembly. (2003). *Hansard* 1st July 2003. Lilongwe: Parliament Press.

Malawi National Assembly. (2003). *Hansard* 3rd July 2003. Lilongwe: Parliament Press.

Malawi National Assembly. (2003). *Hansard* 25th July 2003. Lilongwe: Parliament Press

Malawi National Assembly. (2003). *Hansard* 20th November 2003. Lilongwe: Parliament Press

Malawi National Assembly. (2003). *Hansard* 2nd December 2003. Lilongwe: Parliament Press

Malawi National Assembly. (22nd May 2003). *Malawi Parliament Standing Orders*.

Matiki, A.J. (2003). Linguistic Exclusion and the Opinions of Malawian Legislators. *Language Policy* 2, 153–177.

Matlosa, K. (2002). Review of Electoral Systems and Democratisation in Southern Africa. *Electoral Models for South Africa: Reflections and Options*. (2nd ed.). Johannesburg: Konrad-Adeneur- Stiftung.

Moncrieffe, J. (1998). Reconceptualising Political Accountability. *International Political Science Review*, 19(4), 387-406.

Nasstrom, S. (2006). Representative Democracy as Tautology: Ankersmit and Lefort on Representation. *European Journal of Political Theory* 5, 321

National Democratic Institute for International Affairs. (2000). *Strengthening Legislative Capacity in Legislative- Executive Relations, Legislative Research Series*.

Nohlen, D. (1996). *Elections and Electoral Systems* .Dehli: Macmillan India Ltd.

Norton, P. (1998). Introduction: The Institution of Parliament. In P. Norton (Ed.), *Parliaments and Governments in Western Europe*, Vol. 1. London: Frank Cass.

Parliamentary Oversight of Finance and the Budgetary Process. (10th -14th December 2001).The Report of the Commonwealth Parliamentary Association Workshop. Nairobi: Kenya.

Patel, N., and A., Tostensen. (2006). Parliamentary- Executive Relations in Malawi 1994-2004. *CMI Working Papers*, Chr. Michelsen Institute.

Patel, N. (2007). The Legislature. In N. Patel and L. Svasand (Eds.), *Government and Politics in Malawi*. Zomba: Kachere Series.

Patel, N. (2008). The Representational Challenge in Malawi. *Towards The Consolidation of Malawi's Democracy, Occasional Paper Series East Central Africa No. 11.* Lilongwe: Konrad-Adenaure-Stiftung.

Patzelt, W. (1994). A Framework for Comparative Parliamentary Research in Eastern and Central Europe. In A. Agh (Ed.), *The Emergence of East Central European Parliaments: The First Steps*. Budapest: Hungarian Centre of Democracy Studies Foundation.

Pelizzo, R., and R., Stapenhurst. (2004). Tools for Legislative Oversight: An Empirical Investigation. World Bank Policy Research Working Paper 3388.

Phiri, K.M., and K.R., Ross (Eds.). (1998). *Democratisation in Malawi: A Stocktaking*, Blantyre: Christian Literature Association in Malawi (CLAIM).

Pitkin, H. (1972). *The Concept of Representation*. Berkeley: University of California Press.

Przeworski, A., S., Stokes, and B., Manin. (1999). *Democracy, Accountability and Representation*. New York: Cambridge University Press.

Uhr, J. (May, 2001). Accountability, Scrutiny and Oversight. Background paper presented at the Commonwealth Secretariat Workshop, Canberra.

United Nations Development Programme. (2003). *Parliamentary development: Practice Note.*

Rakner, L., M. Bakken and N., Khembo. (2007). Elections: Systems and Processes. In N. Patel and L., Svasand (Eds.). *Government and Politics in Malawi.* Zomba: Kachere Series.

Rasch, B. (11-13 August, 2005). Electoral Incentives To Control Government Ministers: Questions from Individual Members of the Norwegian Parliament. Paper for

Presentation at the Nordic Political Science Association Conference in Reykjavik, Iceland.

Rasiah, P. (2007). Evasion in Australia's Parliamentary Question Time: The Case of the Iraq War. Unpublished doctoral Thesis, University of Western Australia, Perth.

Schedler, A. (1999). Conceptualising Accountability. In A. Schedler, L. Diamond and M. Plattner (Eds.), *The Self-Restraining State, Power and Accountability in New Democracies*. London: Lynne Rienner Publications Inc.

Strauss, A., and J., Corbin. (1998). *Basics of Qualitative Research: Techniques and Procedures for Developing Grounded Theory*. New Delhi: Sage Publications Inc.

Street, J. (Jan 1994). Political Culture –From Civic Culture to Mass Culture. *British Journal of Political Science,* 24(1), 95-113.

Strom, K. (2000). Delegation and Accountability in Parliamentary Democracies. *European Journal of Political Research,* 37,261-289.

Strom, K. (28th March 2nd April, 2003). Parliamentary Democracy as Delegation and Accountability. A paper prepared for Presentation at the Workshop on Delegation in Contemporary Democracies, European Consortium for Political Research (ECPR), Edinburgh.

Tremblay, M. (1998). Do Female MPs Substantively Represent Women? A Study of Legislative Behaviour in Canada's 35th Parliament. *Canadian Journal of Political Science*, 31(3), 435-465.

Wang, V. (2005). The Accountability Function of Parliament in New Democracies: Tanzanian Perspectives. *CMI Working Papers*, Chr. Michelsen Institute.

Wiberg, M. (1995). Parliamentary Questioning: Control Communication? In H. Doring (Ed), *Parliaments and Majority Rule in Western Europe*. New York: St Martin's Press.

APPENDICES

APPENDIX ONE

QUESTIONS GUIDING REVIEW OF HANSARDS

SPECIFIC OBJECTIVE ONE: To find out how frequently parliamentary questions are used by individual MPs.

- How many times did parliament meet between 1999 and2004?
- What was the total number of questions asked during the period?
- What was the total number of MPs who asked the questions during the period?
- Who were these MPs according to gender and party membership?
- What was the number of questions each MP asked?

SPECIFIC OBJECTIVE THREE: To determine MPs' prioritisation of issues in terms of constituency vis-à-vis national focus through questions MPs ask in parliament.

- What was the number of questions that queried government on national policy issues?
- What was the number of questions that focused on constituency development issues?
- How many MPs asked questions on policy issues?
- How many MPs asked questions on constituency development?
- Who were these MPs in terms of gender and party membership?

SPECIFIC OBJECTIVE FOUR: To determine from the questions, the depth of knowledge of MPs on the operations of government

- How many supplementary questions were asked?
- How many MPs asked supplementary questions?
- Who were these MPs in terms of gender and party membership?
- Were the questions factually correct?

APPENDIX TWO

INTERVIEW GUIDE FOR IN-DEPTH INTERVIEWS

STUDY'S SPECIFIC OBJECTIVE TWO: To establish the purpose(s) behind the questions posed by individual MPs

(a)Questions for Members of Parliament

- According to your own experience, what is your view of parliamentary question time in relation to the work of an MP?
- What were the reasons that motivated you to raise or [not raise] questions during parliamentary question hour?
- Were you satisfied with the answers the ministers gave?
- What is your evaluation regarding the effectiveness of MPs' utilisation of legislative oversight potential of parliamentary question time during the 1999-2004 period?
- Were there constraints that hindered you from raising questions in parliament, what were these constraints?
- Were there incentives that encouraged you to ask questions in parliament, what were they?

(b) Questions for Parliamentary Clerks

- Could you describe the whole process related to the asking of parliamentary questions during parliamentary question time?
- What is your role in this process?
  -what factors are considered in deciding which questions should be tabled out of the total questions MPs have submitted?

  -what challenges do you encounter in processing parliamentary questions?

- It has been observed that most MPs during the 1999-2004 period asked questions that were related to constituency development needs of their respective constituency, why was that so? (What do you think may be explanations underlying this pattern?)
- In processing parliamentary question time, have you ever observed challenges that constrain MPs from using parliamentary questions during parliamentary question time? What about opportunities or incentives that motivate them to ask questions?

- If you were to evaluate the effectiveness of MPs' utilisation of parliamentary question time especially in terms of its oversight potential over the executive, what would be your view?

(c) Questions for Members of the Academia

- With specific reference to Malawi, do you think parliamentary question time has any practical value?
- What have been your observations regarding MPs' utilisation of parliamentary question hour especially during the period from 1999 to 2004?
- What is your evaluation on the effectiveness of parliamentary question hour as an instrument of oversight particularly as utilised by MPs in Malawi?