

**THE IMPACT OF PUBLIC SERVICE DELIVERY ON
GOVERNMENT LEGITIMACY IN MALAWI**

**MASTER OF ARTS (PUBLIC ADMINISTRATION AND MANAGEMENT)
THESIS**

CHRISTINA CHISOMO MASEKO

University of Malawi

Chancellor College

FEBRUARY 2018

**THE IMPACT OF PUBLIC SERVICE DELIVERY ON GOVERNMENT
LEGITIMACY IN MALAWI**

**MASTER OF ARTS (PUBLIC ADMINISTRATION AND MANAGEMENT)
THESIS**

By

CHRISTINA CHISOMO MASEKO
Bachelor of Arts (Political Science) –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 Arts (Public Administration and Management)

University of Malawi
Chancellor College

February, 2018

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.

CHRISTINA CHISOMO MASEKO

Full Legal Name

Signature

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: _____ Date: _____
BONIFACE DULANI, PhD (Senior Lecturer)
Main Supervisor

Signature: _____ Date: _____
DAN BANIK, PhD, (Professor)
Second Supervisor

DEDICATION

I dedicate this to my dad, Arnold Maseko. I know how much this means to you and how much you have waited for it. I owe this one to you!

ACKNOWLEDGEMENTS

I am most grateful to the Almighty God for everything He has been in my life. I only imagined that I would take this journey in life but all glory to his name for fulfilling this dream. I am very grateful to my supervisor, Dr. Boniface Dulani for his tireless effort towards perfecting my work. I am also thankful to Prof. Dan Banik who selflessly and tirelessly worked hard to see me through!

I am also grateful to my entire family for always believing in me. Dad, mum, Mike, Tele, Arno, Mimi and Alvin, love you all! Special thanks to Dad for all the sacrifices you made to see me thus far! Mum, I am grateful for the moral support and the countless prayers! I am also thankful to Arthur for being so supportive of this cause. Thanks for all the times you listened to me when I was frustrated and encouraged me to keep going. I am also grateful to my dear cousin Mercy for being a big part of my success story! I am also extremely grateful to Witness Alfonso for the help you rendered to me and my research team. I am also thankful to the entire research team for working so hard and making the field work enjoyable. I would also like to thank Pastor and Mrs. Chirambo, Associate Prof. Nandini Patel and the entire management of the Catholic University for allowing me to take time to study. Special mention to Susan Phiri, Paul Chibwana, Audrey Msokera, Kondwani Chipeta and the entire 2015-2017 MPAM class for being so awesome!

ABSTRACT

State legitimacy confers authority over the state so that the decisions that it makes are accepted and are binding over its citizens. Without legitimacy, states would have to use force to rule, to coerce citizens to accept their decisions. While a number of studies have focused on state legitimacy, the study of government legitimacy is also imperative. The government is the machinery of the state through which the state implements its policies. The government plays a huge role in society and is thus identified with by the citizens. In most countries, and Malawi inclusive, provision of public services is a major expectation that citizens have of their government. Social contract theorists have contended that citizens voluntarily enter into an agreement with government, where they give up their rights in exchange of security and social needs. The sustenance of this contract rests upon the continued delivery of public services by the government. Thus it is expected that citizens would only regard governments to be legitimate if the governments deliver as per their expectations. However, there is a divergence in literature regarding whether, how and when public service delivery influences government legitimacy. This study therefore analyzes the context in which public service delivery influences government legitimacy in Malawi. It finds that public services delivery does not affect government legitimacy directly. The extent to which public service delivery affects government legitimacy is dependent on the social norms, the acknowledgement of public service provision as a constitutional requirement, the inclusion of citizens in the power hierarchy and the division of power among different actors in the hierarchy. The study uses a combination of both quantitative and qualitative methods.

TABLE OF CONTENTS

ABSTRACT.....	vi
TABLE OF CONTENTS.....	vii
LIST OF FIGURES	x
LIST OF TABLES.....	xi
APPENDICES	xii
LIST OF ACRONYMS	xiii
CHAPTER ONE	1
INTRODUCTION	1
1.1 Background to the study	1
1.2 Problem Statement	4
1.3 Justification for the Study	8
1.4 Study Objectives	9
1.5 Research Questions	10
1.6 Study hypothesis	10
CHAPTER TWO	12
LITERATURE REVIEW AND THEORETICAL FRAMEWORK	12
2.1 Introduction.....	12
2.2 Characteristics of the modern state	12
2.3 The state and other collectivities.....	14
2.3.1 <i>The state and society</i>	14
2.3.2 <i>The state and government</i>	15
2.4 The ideological basis of the state	16
2.4.1 <i>The laissez-faire state</i>	16
2.4.2 <i>The social welfare state</i>	17

2.4.3 <i>The economic welfare state</i>	18
2.5 Provision of public services as a function of the government	18
2.6 The dimensions of state legitimacy.....	19
2.7 Studies on state legitimacy.....	23
2.8 Theoretical Framework.....	30
2.8.1 <i>The Classical Social Contract Theory</i>	30
CHAPTER THREE	35
METHODOLOGY	35
3.1 Introduction.....	35
3.2 Research Design.....	35
3.2.1 <i>Qualitative Research</i>	36
3.2.2 <i>Quantitative Research</i>	36
3.2.3 <i>Mixed Methods Research</i>	37
3.3 Study Area	38
3.3.1 <i>Justification for choosing Blantyre District</i>	38
3.3.2 <i>Justification for choosing T/A Kapeni and T/A Kuntaja</i>	39
3.4 Sample size	43
3.5 Sampling Techniques.....	43
3.5.1 <i>Simple Random Sampling</i>	43
3.5.2 <i>Purposive sampling</i>	45
3.6 Data analysis	47
3.6.1 <i>Content analysis</i>	47
3.6.2 <i>SPSS</i>	47
3.7 Ethical Considerations	48
3.8 Limitations to the study	48

CHAPTER FOUR.....	50
FINDINGS AND DISCUSSION OF FINDINGS	50
4.1 Introduction.....	50
4.2 Citizens conceptualization of the government and its functions	51
4.3 Citizen’s understanding of government legitimacy	55
4.3.1 <i>Government failure, obligation to paying of tax and perceptions of the tax authority</i>	56
4.3.2 <i>Government failure, obligation to obeying the law and perceptions of the government in law enforcement</i>	61
4.3.3 <i>Government failure and pride of being Malawian</i>	64
4.4 The effect of availability and quality of public services on government legitimacy.....	66
4.4.1 <i>Access to public services.....</i>	66
4.4.2 <i>Quality of public services.....</i>	69
4.4.3 <i>The availability and quality of public service delivery and willingness to pay tax</i>	71
4.4.4 <i>The availability and quality of public services and the willingness to obey the law</i>	75
4.4.5 <i>The availability and quality of public services and pride of being Malawian</i>	78
CHAPTER FIVE	80
CONCLUSION.....	80
REFERENCES	85
APPENDICES	89

LIST OF FIGURES

Figure 1: First priority of public services (Afrobarometer, Round 6)	40
Figure 2: Second priority of public services (Afrobarometer, Round 6).....	41
Figure 3: Biggest challenge facing Malawi (Afrobarometer, Round 6)	42
Figure 4: Functions of the government- T/A Kuntaja	52
Figure 5: Functions of the government- T/A Kapeni.....	53
Figure 6: Taxation policies and government failure- T/A Kuntaja.....	58
Figure 7: Use of force in tax collection- T/A Kuntaja	59
Figure 8: Taxation policies and government failure- T/A Kapeni.....	60
Figure 9: Use of force and tax collection- T/A Kapeni	60
Figure 10: Government failure and enforcement of law- T/A Kuntaja	62
Figure 11: Use of force to enforce law-T/A Kuntaja.....	63
Figure 12: Use of force to enforce the law	64
Figure 13: Quality of healthcare in Malawi (Afrobarometer surveys)	69

LIST OF TABLES

Table 1: A framework for analyzing service delivery and state legitimacy	29
Table 2: Formulated matrix of public service concentration	42
Table 3: Sample for T/A Kapeni.....	44
Table 4: Sample for T/A Kuntaja.....	45

APPENDICES

Appendix 1: Interview Guide.....	89
Appendix 2: Questionnaire	90

LIST OF ACRONYMS

EA	Enumeration Area
FGD	Focus Group Discussions
MP	Member of Parliament
NGO	Non-Governmental Organization
NSO	National Statistical Office
SPSS	Statistical Package for Social Science
T/A	Traditional Authority

CHAPTER ONE

INTRODUCTION

1.1 Background to the study

This thesis is aimed at analyzing the context in which the delivery of public services impacts government legitimacy. The institutional approach to understanding the state contends that states can be judged based on their ability to provide security. For Rotberg (2004), the supply of public goods encompasses the supply of this security which the state must provide to facilitate the overall cultural, social, political and economic wellbeing of its citizens. In its simplest form, state legitimacy is understood as citizens' acceptance of the state's right to rule (McCloughlin, 2014). This thesis, however, focuses on studying government legitimacy and not state legitimacy. The relevance of studying government legitimacy as opposed to state legitimacy is justified on two accounts. Firstly, the government is the machinery of the state that delivers public services and one which citizens identify with. This is because governments play a variety of crucial roles that affect the entire economy and society (Hughes, 2003). The government has a crucial role to play in determining real living standards of people by providing good quality of public services such as schools, hospitals, community care, the environment, public transport, law and order, town planning, and welfare services (Ibid, 72). Secondly, Jana (2014) contends that state legitimacy is the aggregate of the legitimacy of state institutions. Similarly, state legitimacy is also a sum of the legitimacies of the different ministries, departments

and agencies of the government. This is because the exclusive powers that the state possesses are executed through the government. Research for the study was undertaken by comparing perceptions towards government legitimacy between two Traditional Authorities (T/As) in Blantyre District that have different accessibility to health facilities; namely T/A Kapeni and T/A Kuntaja. The study uses a mixed methods research design. It used the survey with a sample size of 400 respondents, with 200 respondents coming from each of the T/As. Focus Group Discussions were used as a qualitative method. SPSS was used a package to analyze quantitative data while Content Analysis was used to analyze the qualitative data.

The legitimacy of the government is important as it allows citizens to accept and recognize the moral rights of the leaders to govern, create and implement political decisions. It is therefore expected that the higher level of confidence obtained from the reception and public recognition of the government in power, the higher the level of public support for the policies made by the government and the converse also true (Nazifah, 2015). Welfare economists, generally define public services as those services which merit public intervention because of market failures and profit maximization motives that would otherwise affect the coverage and quality of the services. This means that any good or service that would result in suboptimal social welfare if it were provided in a free market should be regulated in some way by the public sector, and in this way qualifies as a 'public service' (Bovaird and Löffler, 2009). The need for government to provide social needs to its citizens came with the Industrial Revolution in Northern Europe and North America in the nineteenth century (Doherty et al, 2014). The revolution created wealth and change; the new

urban environments created new social needs and necessitated the development of a welfare state.

The importance of studying the impact of the delivery of public services in Malawi was grounded on the fact that there has been debate in literature over whether the delivery of public services enhances government legitimacy or not. While some scholars (Peltier, 2007; Levi et. Al., 2009; Jana, 2014) have found the trust that citizens have in a government to deliver and perform influences government legitimacy. Other studies (Ndaruhutse, 2012; Mcloughlin, 2015), however have argued that in practice, the relationship between a government's performance in delivering services and its degree of legitimacy is nonlinear and that the delivery of public services does not directly enhance government legitimacy. Similarly, the failure of the government to deliver public services may not directly undermine the legitimacy of government.

As measures of government legitimacy, this study was focused on taxation policies, the respect for the law and national pride. These measures are chosen as they are behaviors of citizens that illustrate instrumental legitimacy. According to Jana (2014), instrumental legitimacy is public perception of the performance and effectiveness of the institutions of the state. These measures are particularly selected because according to Max Weber, the state (through its institutions) has the legal authority to use force or coercion to achieve compliance, if necessary. In a democratic dispensation these institutions are arguably the police, tax agencies and courts. National pride is also chosen as it has a direct relationship with citizens' perceptions of government legitimacy. It is expected that citizens that regard the government

legitimate and willing to comply with it are more proud of their nationality and vice versa.

The study finds that the delivery of public services does not enhance or undermine government legitimacy. The study also finds that there are no differences between the perceptions of government between citizens that better access to public services and those that have poor access to public services. The study finds that citizens determine government legitimacy by the system of government, good governance and the extent of external influence. The extent to which the delivery of public influences government legitimacy is dependent on the inclusion of citizens in the decision making space, the division of power at different levels, social norms and the acknowledgement of the delivery of public services as a constitutional mandate.

1.2 Problem Statement

Issues of authority and legitimacy are quite central to the appraisal of the modern state (Pierson, 2003). A stable state requires that, most of the people most of the time will accept its rule (Ibid: 17). Understanding the meaning of legitimacy, let alone measuring it, is the subject of lively debate in policy and academic spheres. Government legitimacy confers power and authority over the state so that the decisions of the state are usually accepted as binding on the members of society as it is claimed they are made for the common good (Heywood, 2003). In its basic interpretation, state legitimacy means citizens believe in the state's basic right to rule over them and are willing to defer to it (Gilley, 2009). Social contract theorists, mainly Hobbes, Locke and Rousseau have contended that citizens enter into a voluntary agreement with the government where they give up their rights and

freedoms in return for security and stability. Citizens submit to the will of the state as part of the social contract and are obliged to perform numerous responsibilities like obeying the law and paying taxes. The contract therefore means that the state is entrusted with the right to rule over its citizens. The sustenance of the contract rests upon the extent to which the state delivers. In cases where the state fails, citizens have the right to terminate the contract in the most extreme cases by revolting against the state. Citizens may also shun away from their responsibilities when the state fails to deliver. According to Locke (1960), the rights of the ruler are limited by those of the citizens. The ruler therefore does not have absolute power but only acts to protect the rights of the people. In cases where the sovereign fails to act in this duty, the social contract is broken.

While the delivery of public services delivery is an expectation that citizens have of their government, there exists a debate in literature over whether public service delivery is a determiner of government legitimacy. Some studies (Gilley, 2006; Peltier, 2007; Levi et al. 2009; Carter, 2011; Jana, 2014) that this has examined have found that the delivery of public services is a key determiner of state legitimacy, whether directly or indirectly. These studies generally suggest that the perceptions of citizens towards government legitimacy are determined by the ability of the government to fulfill the expectations, and maintain the trust, of the citizens.

Other scholars however, find that while the delivery of public services and state legitimacy are linked, the relationship is not linear in that the provision of public services does not enhance state legitimacy in all cases (Ndaruhutse, 2012; Secure Livelihoods Research Consortium, 2013; Mcloughlin, 2015). Similarly, the failure of

the state to deliver public services may not directly undermine the legitimacy of the state. The studies reviewed in this thesis examine the experience of countries that have experienced some form of fragility or conflict. For example, a study on South Sudan, Nepal and Rwanda by Ndaruhutse (2012) found that the extent to which the delivery of public services by the state can affect citizen's perceptions of the state is determined by the context in which the services are delivered; the ability of the state to meet the ever- changing expectations of citizens; and the ability of the state to coordinate service delivery and how the delivery of services is managed. Mcloughin (2015) similarly argues that the extent to which public service delivery can enhance state legitimacy is a function of social norms, the service characteristics, and the expectations of citizens and the public discourse of service delivery among other things.

Malawi has ranked consistently as one of the world's least developed countries that rely heavily on development aid (Scholz, 2008; Dossani, 2012). The 1992 Pastoral letter issued by the Catholic bishops in Malawi just at the dawn of multiparty democracy in Malawi markedly revealed significant underdevelopment in the country marked by a lack of basic needs by the larger population and the inability of the state to delivery social services to the people (Nzundaet. Al, 1995; Posner, 1995). After the introduction of multiparty democracy, there were heightened expectations from Malawian citizens that the state would deliver effective public services across all sectors and to all citizens. The 1994 Constitution places responsibility over the state to provide social needs, an environment for multi-faceted development and safeguards them to enjoy the entitlements of their rights. Public service delivery is a key expectation that citizens have of the state and so state performance becomes linked to

the fulfillment of this expectation. When the state delivers public services, citizens have confidence in the state and their trust strengthened so that it is easy to confer their allegiance to it. Section 30 of the Constitution provides that:

- 1. All persons and peoples have a right to development and therefore to the enjoyment of economic, social, cultural and political development and women, children and the disabled in particular shall be given special consideration in the application of this right.*
- 2. The State shall take all necessary measures for the realization of the right to development. Such measures shall include, amongst other things, equality of opportunity for all in their access to basic resources, education, health services, food, shelter, employment and infrastructure*

Economic and social indicators however point to the fact that government has performed poorly in the provision of essential public services like health, water and infrastructure. A UNDP report¹ finds that the Malawi's Human Development Index value remains as low as 0.418, which puts the country in the low human development category-positioning it at 173 out of 188 countries. The report also finds that per capita income remains very low at \$320. The World Bank in 2014² found that the country's main challenges included infrastructure mainly energy and water delivery which adversely affect private sector investment; addressing a scarcity of skilled human resources; provision of healthcare and a weak information and financial management system According to the World Bank Report (2014), poverty has been increasing in rural areas where 85% of the population lives compared to urban areas. Most rural areas are marred with a deprivation of the most essential public services.

¹<http://www.mw.undp.org/content/malawi/en/home/countryinfo.html>

²<http://www.worldbank.org/en/country/malawi/overview>

The disjuncture in literature on whether and how public service delivery affects state legitimacy reveals a gap regarding the context in which the delivery of public services enhances state legitimacy. McLoughlin (2014) notes that citizens that provide their consent to the existence of the state that cooperate with it and comply with it can be said to display their legitimacy to the state. This magnifies the gap further; why do citizens still offer cooperation and compliance to the state regardless of its failure to deliver public services. The observation that World Bank (2014) makes about the disparities that exist between the urban and rural areas in accessing public services raises yet another dimension of state legitimacy that must be studied. Do the differences in the availability of public services also mean differences in perceptions about state legitimacy? The thesis goes further to analyze if quality of public services affects the perceptions that citizens have towards the state.

1.3 Justification for the Study

The study of state legitimacy is crucial to scholars of public administration and particularly public policy. Traditionally, public administration has been understood as *an administration under the formal control of a political leadership, based on a hierarchy of bureaucracy, staffed by permanent, neutral and anonymous staff that are motivated by the public interest, serving any governing party equally and not contributing to policy but merely administering those policies decided by the politicians* (Hughes, 2003: 16).

This definition signals to the fact that public administration is machinery through which political leaders implement policies. As such, the success of the implemented policies is also successful to the extent to which political leadership is accepted. It is

important to understand government which in turn translates to state legitimacy because states need to be legitimate if they are to govern effectively.

Jenkins (1978) defines public policy as

A set of interrelated decisions taken by a political actor or group of actors concerning the selection of goals and the means of achieving them within a specified situation where those decisions should, in principle, be within the power of those actors to achieve.

This definition recognizes that a government's capacity to implement decisions is a significant component of public policy and a major consideration affecting the types of actions that governments will consider (Howlett et. al, 2009). This means that the power that government has and in this case the right to rule and make decisions that has been accorded to it is a major factor affecting the type of policies that it can make. Thus the study of government legitimacy is of importance to public policy.

1.4 Study Objectives

1.4.1 Main Research Objective: To analyze the context in which the provision of public services enhances government legitimacy

1.4.2 Specific Objectives

1. To analyze how citizens conceptualize the government and its functions
2. To examine how citizens determine government legitimacy
3. To assess how the availability and quality of public service delivery affects government legitimacy

1.5 Research Questions

1. How do citizens conceptualize the state and its functions?
2. How do citizens understand and determine government legitimacy?
3. Does the availability and quality of public service delivery affect government legitimacy?

1.6 Study hypothesis

The delivery and quality of public services affects government legitimacy.

As measures of government legitimacy, the study focuses on the taxation policies, the respect for the law and national pride. These measures are chosen as they are indicators of behavioral legitimacy. In behavioral legitimacy, we observe how attitude towards the government manifests itself in actual behavior (Berggren, 2014). According to Mcloughlin (2014), citizens that provide their consent to the existence of the state cooperate and comply with it and can be said to show behavioral legitimacy.

For purposes of this study therefore;

Government Legitimacy= willingness to pay tax+ willingness to respect the law+ pride of being Malawian

The willingness of citizens to pay tax is selected as a measure of government legitimacy is chosen because like most countries in the world, Malawi depends heavily on taxes to generate resources for the provision of public services demanded by her citizenry (Chafuwa et. al, 2017). It is therefore a more direct indicator as citizens tend to link the paying of taxes to the delivery of public services. Respect for

the law is chosen as a measure of legitimacy based on the assumption that citizens that regard the government to be legitimate respect the law. Legitimacy has been linked to different law-related behaviors, such as compliance with the law and cooperation with legal authorities (Murphy et al., 2009; Jackson et al., 2012; Tyler et al., 2010). The national pride that citizens have is also chosen as it is directly linked to perceptions of government legitimacy and the two other measures of government legitimacy. The assumption is that citizens that believe that the government delivers per their expectations are proud of their nationality and vice versa. Furthermore, citizens that are proud of their nationality are obliged to carry out their obligations like paying tax and respecting the law.

CHAPTER TWO

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.1 Introduction

This chapter discusses the existing literature on what other scholars have written on the nature of the modern state, the state and its collectivities, the functions of the state and the determinants of state legitimacy. It particularly gives a global overview of how state legitimacy has been conceptualized from the normative perspective. It also discusses the Social Contract Theory of the State as used by Thomas Hobbes, John Locke and Jean Rousseau. It goes on further to discuss how the theory has been applied in contemporary politics and how it relates to the study.

2.2 Characteristics of the modern state

The word state derives from the Latin word “stare” meaning to “stand”, and more specifically from “status” which means standing or condition. Usually status applies to something that is established, recognized as fixed or permanent in a particular position (Vincent, 1987). Beetham and Weber (1987) define the state as a political organization consisting of governmental institutions which are capable of maintain order and implementing rules or laws (through coercion if necessary over a given population within a given territory). The state has been conceptualized differently by different scholars.

Definitions have varied according to the different perspectives of the scholars. For example one scholar may be a philosopher, another economist, another socialist, another Marxist and so on. The Greek Philosopher Aristotle (384-322BC) emphasizes on a happy life and defines the state as a union of families and villages having for its end a perfect self-sufficing life by which we mean a happy and honorable life. Woodrow Wilson (1856-1924) defines the state as the people organized for law within a definite community. Laski (1967) defines the state as a society which is integrated by possessing a coercive authority, legally supreme over any individual or group which is part of society. Srinivasan (2014) notes that as varying as the definitions may be, they all seem to place emphasis on common aspects of the state that will be discussed in greater detail below. The main elements of the state are population; territory; constitutionality and sovereignty. For purposes of this thesis, the definitions provided by Beetham and Weber are adopted.

The population of the state is a very important element as there can be no state without a population. Sizes of the population vary but as J.W. Garner contends, the population must be sufficient to provide a governing body and number of persons to be governed and of course sufficient to support the state organization. Aristotle adds that the population should be large enough to be self-sufficient and at the same time small enough to be efficiently ruled. Giving a hypothetical example the argument is that it would not make sense to have 20 persons that form a state. The Greek thinker Plato put the ideal population of the state at 5, 040. The size of a population a state has however is dependent upon its area and resources.

The second element of the state is the territory. It is not enough to merely have a population, people need an actual territory to live and organize themselves in. Territory is essential for citizenship and for marking the clear jurisdiction within which the state lies. This is a feature of statehood which is recognized by a wide range of writers from classic writers like Hobbes, Weber to contemporary theorists such as Mann and Giddens (Pierson, 2004). A clearly defined territory is one of the things that marked off the state from earlier political forms, such as pre-modern empires (i.e. those empires which were not the external domain of already established nation-states) (Ibid, 9). These early empires were extensive and powerful political formations, but their territorial limits tended to be set by ill-defined frontiers rather than by the clearly demarcated borders with which we are familiar (Giddens 1985).

The third element of the state is sovereignty. The state as a supreme authority claims sovereignty within a territory. According to Vincent (1987) this means two things. Firstly, within a territory, the state has no rivals and is predominant. Secondly, a state is sovereign if it is recognized by other states as a separate unit.

2.3 The state and other collectivities

2.3.1 The state and society

It is recorded that the first appearance of the word society was in the Roman law, in the late Republic and in the late Republic and early Empire, with the term “*societas*” (Vincent, 1987). A *societas* was a partnership, or more precisely a consensual contract, between freemen or citizens who were capable of suing or being sued. It was a relation of free will based on a symbiotic agreement or contract for mutually beneficial action. Vincent (1987) further notes that the partnership was subject to

dissolution at will by any of the partners. The word *societas* later started to be used to describe political organizations in the middle ages. Political groupings were viewed as a series of agreements or contracts. In the eighteenth century, a different idea was added to the meaning of the word. Society was seen to be made up of contracting individuals. No intermediate groups existed, rather society was seen an aggregate of individuals. The meaning of the word evolved further to mean a fellowship, a communal bond of shared values (Vincent, 1987: 23). Although society is an independent entity from the state, in many ways the state and society are bound to each other. Firstly, since the state is regarded as a sovereign organization, then it implies that it can create all subgroups or associations. In this sense, groupings like the family emanate from the state. Secondly, the state could be seen as being composed of by different groupings that make up society, and that there is no state without society. Thirdly, it could also be assumed that the society as an entity that makes up with the state has an agreement or a form of partnership with the state.

2.3.2 The state and government

The word state is often used synonymously with the word government. Although the two are intrinsically linked, they are technically different. Government is the instrument or machinery used by the state to express its will, enforce it and act. The term originally stems from the Latin term “gubernaculum” meaning the device required for steering a vessel. The government is used as a vessel that steers the ship of the state. Srinivasan (2014) distinguishes the differences between the state and the government. Firstly, the state is the whole, and the government is only a part of it. Secondly, while the state stands for the entire population within its territory, the government is only a group of persons authorized to exercise legitimate and coercive

power on behalf of the state. Thirdly, while sovereignty is vested in the state, government only derives it from the state and exercises it on behalf of the state. Fourthly, the state is arguably an abstract construct, while the government is more concrete. Lastly, the state is relatively permanent, while governments are temporarily as they may change or fail if not voted for by the electorate.

2.4 The ideological basis of the state

There has been a wide debate regarding what states should do or not do. Gildenhuis (1988:4) indicates that the role of the state is based on four ideologies, namely the laissez-faire capitalism, socialism, the notion of the social welfare state and the notion of an economic welfare state.

2.4.1 The laissez-faire state

In terms of the laissez-faire theory, the primary goal of the state is to provide an enabling environment for free competition among the citizens. The late eighteenth century is seen to be the starting point for discussing the limited role of the state. This was the final stage of mercantilism, a time in which states were intimately involved in the minutiae of the economy (Hughes, 2002). As a reaction, Adam Smith advocated for a much reduced role of the state in the “Wealth of Nations” in 1776. He generally argued that the state should perform the following limited functions (Ibid: 85). The first function is that of defense of the national community from aggression from across its borders, which has always been the primary function of the state. The second function is to protect its citizens by regulating through enforcement of contracts by the courts of law, the protection of the individuals and their property. The

third function of the state is the provision of public goods. These goods and services were to be provided by the state for the benefit of society.

2.4.2 The social welfare state

Beginning in the nineteenth century, there was an attempt especially in Britain to have a minimalist state as had been advocated by Adam Smith. However, although there was general improvement in the living standards of people, the improvements came with negative side effects like exploitation of child labor, inadequate housing and poor public health (Hughes, 2002). It was in reaction to these negative side effects that scholars like Marx arose to advocate for a welfare state that would alleviate some of the worst excesses of capitalism by redefining and expanding the role of the state. The social welfare state creates an enabling environment to ensure its citizens have equal opportunities for a good life (Gildenhuys, 1988:9). Many European countries had substantial welfare programs at the dawn of the twentieth century. Examples of these programs included unemployment benefits, universal health schemes, and educational assistance social aid programs aimed at the underprivileged. However welfare states were faced with a number of challenges. Firstly, the high cost of financing the social welfare programs (Holmes and Shand, 1995). Secondly, the social welfare states did not amount the necessary political support to run social welfare programs. The third problem was the emergence of economic and political theories that were against the welfare state. The most predominant thought was the neoclassical economic thought that raised similar arguments to those made by Adam Smith (Hughes, 2003).

2.4.3 The economic welfare state

The economic welfare state emphasizes the economic welfare of the individual and is based on democratic values and free enterprise, with minimum government intervention in the activities of the individual. The aim of the economic welfare state is to create an environment in which an individual is free to develop his/her personal economic welfare and this will enable the individual to look after his/her personal welfare. The government regulates the relationships between individuals through an independent judicial system based on common law principles (Gildenhuys, 1997:16).

2.5 Provision of public services as a function of the government

Welfare economists, generally define public services as those which merit public intervention because of market failure. This means that any good or service that would result in suboptimal social welfare if it were provided in a free market should be regulated in some way by the public sector, and in so qualifies as a ‘public service’ (Bovaird and Löffler, 2009). Bovaird and Löffler (2009) offer an alternative political approach to defining the scope of ‘public services’ (Ibid, 8). They suggest that ‘public services’ are those which are so important for the re-election of politicians or, more realistically, of political parties that they are given at a public subsidy. From this view, where a service is so important in political decision-making that politicians are prepared to spend some of their budget on it, then it becomes a public good. The main characteristics of public goods are that they are non-excludable and non-rivalry. Non-excludability entails that once provided for one, they are available for all. Non-rivalry meaning that one person’s enjoyment of a good does not diminish the ability of other people to enjoy the same good (Olson, 1971).

The provision of public services by the state to its citizens is seen to be a provision of security to the citizens. As Rotberg (2004) notes, the supply of public goods encompasses the supply of this security which the state must provide to facilitate development of its citizens. In Malawi, it is a constitutional right for citizens to be provided with public services. Section 30 of the Constitution provides that:

1. *All persons and peoples have a right to development and therefore to the enjoyment of economic, social, cultural and political development and women, children and the disabled in particular shall be given special consideration in the application of this right.*
2. *The State shall take all necessary measures for the realization of the right to development. Such measures shall include, amongst other things, equality of opportunity for all in their access to basic resources, education, health services, food, shelter, employment and infrastructure*

The literature on public services also points to merit goods. These are such services as education and health care, that are socially desirable, but which markets may not provide optimally (Hughes, 2002). The market may provide them too but make them excludable, but there are benefits to the larger society by government intervention.

2.6 The dimensions of state legitimacy

There has been difficulty in distinguishing the concepts authority, legitimacy, sovereignty, obligation and the authority of the state. However as Vincent (1987) notes, these concepts carry different meanings. Authority originates in the Roman term “auctoritas” which means the capacity to influence people. It implies some

degree of official power, the obedience of others and specific functions within the confines of certain rules. Legitimacy derives from the Latin word for law and is of the same root as the words legislator and legislation. A legitimate authority is one in which is recognized as valid or justified by those to whom it applies. It is recognized as lawful, just or rightful. The legitimacy of a political order means that it has the right to command and make rules which it expects will be complied with. It involves “the capacity of the system to engender and maintain the belief that the existing political institutions are the most appropriate to one’s society” (Lipset quoted in Connolly, 1984:10).

Different theorists have undertaken to explain the sources of state legitimacy. There are two ways of thinking about legitimacy: normatively or as a positive social fact (source). The former dimension is often used by many theorists as they develop standards for assessing state legitimacy and evaluate specific actions regarding those standards. Legitimacy as a social fact is necessarily a collective phenomenon and is more complex. It draws on understanding the emergence of the state and how it has been understood differently by different theorists. Legitimacy is therefore coined as the aggregate of all normative definitions. The thesis adopts the normative approach to understanding the dimensions of state legitimacy. For purposes of this study the sources of state legitimacy are classified as the political dimension; the social cultural dimension and the economic dimension.

The first source of state legitimacy is influenced by political factors. Good governance, the quality of the bureaucracy, the efficiency of public institutions for example affect the extent to which citizens regard the state as legitimate (Seligson,

2002; Gilley, 2009a; Rothstein, 2009; Norris 2011). In his analysis, Gjefsen (2012) concludes that these studies argue that the strength and efficiency of state institutions in implementing public policies, or the strength, efficiency and independence of the courts play a highly significant role in generating state legitimacy. A high level of corruption is thought to undermine state legitimacy. This is because corrupt states divert resources away from economic and political performance, making the state less efficient in producing desirable outputs. Corrupt states also usually entail that some groups or individuals receive more than their fair share and others less (Seligson 2002: 409-414). It is unlikely that citizens will regard a state legitimate if it deems the state or its institutions to be corrupt. In a democracy, the extent to which the state can respect and protect human rights is also seen to be a source of legitimacy.

The second sources of state legitimacy are socio-cultural factors. Features of the society and its people explain determine the extent to which a state may be regarded as legitimate. These are often called cultural or sociological theories, and “emphasize the social and cultural conditions that give rise to positive feelings about the state” (Gilley, 2009: 33). “Cultural explanations emphasize that democratic orientations are sentiments learned during the formative early years from parents, teachers, and neighbors, just as people acquire an enduring sense of the political legitimacy of authorities, government institutions and the nation-state” (Norris 2011: 189). Differences in social structures thus influence citizens’ perceptions regarding state legitimacy. It is also argued that it is very likely that states that have a homogenous society will enjoy much more legitimacy than those that are fragmented. Easton (1969: 319) notes that states with many different ethnic groups will have a harder time obtaining legitimacy, as it makes it more difficult to create a shared national identity

and sense of belonging within all its citizens, as well as shared norms and understandings of what the common good is.

The third source of state legitimacy is economic factors. In contrast to the socio-cultural factors that emphasize on the social and cultural elements of a society and how they affect the legitimacy of the state, performance-based theories emphasize the effect of the outputs that the states produce (Gjeffen, 2012). Economic performance is particularly commonly regarded as perhaps the most important of a state's outputs. McAllister (1999) argues that failing economic performance is a key to a declining level of confidence in state institutions, though this effect depends both on people's expectations to the state and how the public perceptions of the economic performance of the state is shaped through the mass media. A failing economic performance should, according to McAllister (1999: 190), mainly result in a declining confidence in the government and those political actors that inhabit it, and not the other levels of regime support. The significance of social services for state legitimacy is linked to the idea of the state as an agent of progress and development. OECD (2008) notes that service delivery supports the building of effective, legitimate and resilient states. It further observes that the provision of services to satisfy the essential needs of the population is a core state function and a manifestation of the social contract with citizens. Afrobarometer surveys (Bratton et. al, 2000; Carter 2011) have validated the fact that citizens rate the state's performance among other things based on its ability to provide social services to its citizens. States that can provide social services are seen to be driven by the public interest and as such are rated as highly performing and those failing to provide social services viewed as the opposite.

The thesis adopts the economic approach to understanding state legitimacy. This approach contends that the state's ability to provide security is the benchmark according to which each state can be judged. OECD (2008) notes that service delivery supports the building of effective, legitimate and resilient states. It further observes that the provision of services to satisfy the essential needs of the population is a core state function and a manifestation of the social contract with citizens. Whaites (2008) also stresses that meeting public expectations about what the state should deliver is central to building a stable state, expanding the responsiveness of the state and ensuring a more inclusive political settlement Afrobarometer surveys (Bratton et. al, 2000; Carter 2011) have validated the fact that citizens rate the state's performance among other things based on its ability to provide social services to its citizens. States that are able to provide social services are seen to be driven by the public interest and as such are rated as highly performing and those failing to provide social services viewed as the opposite. As part of its building peaceful states and societies approach, the United Kingdom's Department for International Development (DFID) has set out that states need to respond to public expectations in order to maintain legitimacy and stability. Literature portrays a critical relationship that exists between the state's delivery of public services on one hand, and state legitimacy on the other. In this case, a state that provides public services to its citizens as per the expectations of the citizens is viewed as being legitimate.

2.7 Studies on state legitimacy

Gilley (2006) conducts a comprehensive study of state legitimacy, by exploring the determinants of state legitimacy across seventy-two countries. His sample includes countries spanning western and Eastern Europe, Asia, Latin America, Africa and the

Middle East. Gilley finds that good governance, democratic rights, and welfare gains most strongly contribute to state legitimacy. Gilley's study gives a good starting point to understanding legitimacy. However, by including several different world regions in his sample and attempting to find a universal theory of legitimacy, Gilley may have missed the fact that politics works differently in each region to produce legitimating attitudes. As such it is necessary that Malawi is isolated as a case for study.

OECD (2008) observes that the provision of services to satisfy the essential needs of the population is a core state function and a manifestation of the social contract with citizens. Whaites (2008) also stresses that meeting public expectations about what the state should deliver is central to building a stable state, expanding the responsiveness of the state and ensuring a more inclusive political settlement Afrobarometer surveys (Braton et. al, 2000; Carter 2011) have validated the fact that citizens rate the state's performance among other things based on its ability to provide social services to its citizens. As part of its building peaceful states and societies approach, the United Kingdom's Department for International Development (DFID) has set out that states need to respond to public expectations in order to maintain legitimacy and stability. Literature portrays a critical relationship that exists between the state's delivery of public services on one hand, and state legitimacy on the other. In this case, a state that provides public services to its citizens as per the expectations of the citizens is viewed as being legitimate.

Of more interest to this thesis however is work that has been done in Africa over the years (Peltier, 2007; Levi et al. 2009; Carter, 2011; Ndaruhutse, 2012; SLRC, 2013; Jana, 2014). Peltier (2007) examines the sources of legitimacy in sub-Saharan Africa

using survey data on 18 African countries. His study examines the effect of social structure, ethnicity, institutional performance, performance evaluations and trust on attitudes toward the legitimacy of the state. He finds that citizen's trust in institutions is the only significant indicator across each country. As Carter (2011) rightly notes, the paper falls short in that it does not give an account as to why trust towards the state is a significant indicator of state legitimacy.

Levi et al. (2009) also validates Peltier's findings on the significance of trust in explaining legitimacy, but they go one step further by introducing the importance of procedural justice. The paper hypothesizes that citizen's trust towards their government is a factor of government performance, leadership motivations and administrative competence. They hypothesize that those who view the government as trustworthy and those who feel the government exercises authority through fair procedures will be more likely to view the government as legitimate. Using survey data on 18 African countries, the scholars find evidence for their claim that trust in government and procedural fairness shape legitimacy perceptions. The paper's findings that government performance affects state legitimacy provides needs to be probed further in the Malawian context.

Carter (2011) also writes a paper to understand how governments that were previously authoritarian become legitimate with the provision of political goods. He questions the supremacy of political goods in enhancing state legitimacy. He hypothesizes that those who rate the state positively in providing personal security, political rights and a rule of law (political goods), are more likely to view the state as legitimate. He uses South Africa, as a case study because of the general perception that it is illegitimate

by most of individuals prior to its democratization. It would be more interesting to undertake a similar study that is not limited to political goods in Malawi.

Ndaruhutse (2012) led a study that took place in three countries to understand how the fulfillment of people's expectations for services relates to their perception of the legitimacy of the government. The study was done in Nepal, Rwanda and South Sudan. These three countries were selected because they are at different stages of fragility and conflict-affectedness. South Sudan was chosen because it was a newly-emerging state, only created formally in the summer of 2011 after more than 20 years of civil war. Rwanda was chosen because passed through extreme ethnic conflict culminating in the 1994 genocide. Despite this, it had made considerable progress in post-conflict reconstruction and in expanding access to services over the past 18 years. Nepal was chosen because it had recently signed a peace agreement between traditional political parties and the Communist Party (Maoist) in 2006 and so had experienced a shorter period of post-conflict reconstruction than Rwanda. The study was a qualitative research that used six desk studies and qualitative field work from the three countries. According to the study, four critical factors determine whether people's expectations for services with their perception of state legitimacy. Firstly, the study found that expectations vary across different contexts, both between countries and within a country and as a result the relative importance that service delivery plays in contributing to citizens' perceptions of state legitimacy also varies. The study also found that there is no single set of expectations: citizens' expectations change over time. As a result, building and maintaining legitimacy is likely to be a layered process as the state responds to these changing expectations. Thirdly, the role the state plays in coordinating and regulating service delivery is much more important for state

legitimacy than who delivers the services. In situations of limited capacity to deliver, the state would do better to outsource quality service delivery than deliver poor quality services. Lastly, the study finds that equitable service delivery, good public financial management, monitoring of government services and investments, anti-corruption measures and empowerment of citizens and their active involvement in accountability mechanism that are not politicized can help to build social cohesion and contribute to state legitimacy.

Jana (2014) has attempted to gauge the legitimacy of state institutions; namely the executive and legislature (parliament) in Malawi. The rationale behind the study is that, in a democratic dispensation, of which many African states are trying to adopt and consolidate, the executive and the legislature constitute two key state institutions that represent the will of the people in the governing of the country, and thus constitute the heart of a democratic state. Jana argues that political legitimacy, in emerging African democracies has three main dimensions; public perception of the acceptability and fairness of formal procedures guiding state institutions (juridical legitimacy); public emotional attachment to the institutions (symbolic legitimacy); and public perception of performance effectiveness of the institutions (instrumental legitimacy). He finds that while the juridical legitimacy lays the foundation for political legitimacy in modern democracies, the symbolic legitimacy strengthens the attachment of the governed to the governors and their institutions, and the instrumental legitimacy sustains the overall legitimacy over time. Again, he indicates that citizens are concerned with government performance and that in the long run it is government's performance that sustains legitimacy.

The Secure Livelihoods Research Consortium (SLRC) led by the Overseas Development Institute (ODI) in 2013 examined whether there is a relationship between improved access to services and state legitimacy across five conflict-affected countries (DRC, Nepal, Pakistan, Sri Lanka and Uganda). SLRC explored whether and how improvements in people's access to and experiences of a range of basic services influence their perceptions of formal state actors (at both local and national levels). In all five countries, no apparent relationship exists between people's access to health or water services and their perceptions of either local or central government. That is, those with better access to these services do not tend to be any more likely to have better perceptions of the government compared to those with worse access. Respondents' levels of satisfaction with services similarly do not appear to influence their perceptions of the government.

McCloughlin's (2015) suggests an analytical framework to understanding how public service delivery affects state legitimacy as the delivery of public services does not enhance state legitimacy in a linear pattern. The framework incorporates the role of history and politics in four ways. Firstly it draws more attention to social norms, against which the justifiability of service delivery is assessed, in understanding when and why services may influence legitimacy. Secondly, it proposes that whether public service delivery enhances or undermines legitimacy can be understood in the context of the social contract and the expectations of rights and entitlements it establishes. Thirdly, the framework draws attention to the structural and political conditions that determine how citizens assess the state's performance on service delivery. These include the degree and sources of legitimacy of the state, and the inclusion or exclusion of certain groups in the political settlement. Lastly it incorporates the role of

processes of politicization, paying attention to how actors convey the justifiability of services, and how these influence perceptions of, or behavior towards, the state (Ibid, 1).

Table 2.1: A framework for analyzing service delivery and state legitimacy

		Possible focus of analysis
Service	Justifiability of service delivery Service characteristics	Norms Procedures Outcomes Historical and social significance Visibility and attributability
Structure	Social contract Legitimacy context Nature of political settlement	Expectations of rights and entitlements State's legitimacy reservoir/starting points Inclusion/exclusion of different groups
Agency	The (de-)legitimation process	Public discourse around service delivery Politicization of procedures / norms /outcomes

Adapted from Mcloughlin, C. (2015). *Researching State Legitimacy: A Political Approach to a Political Problem*.

2.8 Theoretical Framework

2.8.1 The Classical Social Contract Theory

Berdufi and Dushi (2015) argue the prominence of the social contract theory was experienced with the contributions of Hobbes's and then later those of Locke and Rousseau. These theories had a great impact in the society and improve government legitimacy. This thesis focuses on the social contract theories of Hobbes, Locke and Rousseau.

The Social Contract Theory was conceptualized by thinkers such as Thomas Hobbes (1588-1679), John Locke (1632-1704) and Jean Rousseau (1712-1778) as a voluntary agreement made amongst individuals through which an organized society or state, is brought into existence. Hobbes' published the "Leviathan" in reaction to the civil war that broke out in England over who would rule. The war had resulted in the execution of King Charles I. The leviathan is imagined to be a gigantic monster. He likened the leviathan to government; a powerful state created to impose peace. In the state of nature individuals are free to do as they pleased to survive. The proposition made is that in such a state there is unconstrained freedom meaning that life is "solitary, poor, nasty, brutish and short". Individuals therefore seek to escape from the state of nature by entering into a social contract, upon the recognition that only a sovereign power can secure order and stability. The implication of the social contract obliges citizens to respect and obey the state; ultimately in gratitude for the stability and security that only a system of political rule can deliver. As such, individuals will in turn seek to escape from the state of nature by entering into a social contract, recognizing that only a sovereign power can secure order and stability.

In 1690, John Locke published “The Two Treaties of Government” where he generally agrees with Hobbes’ state of nature as being chaotic and thus demanding a powerful entity as the state to bring sanity and enter into a social contract with the citizens. He however disagrees with Hobbes by making two arguments. Firstly, he argues that natural rights such as the right to life, right to own property that existed in the state of nature could not be taken away from the people or even voluntarily given up by citizens (as portrayed by Hobbes). Secondly, Locke also observes that the social contract is not only an agreement between the state and its citizens as earlier thought but rather between people and the sovereign (their ruler). According to Locke, the rights of the ruler are limited by those of the citizens. The ruler therefore does not have absolute power but only acts to protect the rights of the people. In cases where the sovereign fails to act in this duty, the social contract is broken. The citizens also have the right to revolt and bring in a new government.

Rousseau published “The Social Contract” in 1762 which has been a significant contribution to Political Theory. While also accepting the arguments made Hobbes emphasizes that the contract exists not between people but between the ruler and the ruled. He agrees that those in power are charged with the providing security and liberty by entering into a social contract with the people. He argues that people would have to give up their rights in entering into the social contract, but they would give up their rights to their community not to the ruler. He also notes that the sovereign meant “the people” and not the ruler as had earlier proposed by Hobbes. The people therefore have the right to exercise their “general will” to make laws for the “public good”.

2.8.1.1 Hobbes and state legitimacy

Central to Hobbes's theory of creating the state through a social contract are the notions of liberty, will and representation (Berdufi and Dushi, 2015). He defines liberty as the lack of external barriers to human movement and power. Hobbes postulates that there is a relation between liberty and the will of individuals, because a free person can do whatever they will to do, without limitations or restrictions (Hobbes, 1651). This unlimited liberty is not the same as the freedom of individuals ruled by a government. In this case, humans are bound by "artificial chains" called civil laws, by which individuals have put themselves under the rules of the sovereign (Berdufi and Dushi, 2015). Thus Hobbes's idea is that political legitimacy and moral obligations are approved by the free will of people (Ibid, 394).

According to Hobbes, it is the duty of every person to use his own will when deciding to transfer the rights to others or to abandon their rights through a voluntary act (Hobbes, 1651). So, according to him, the will is a moral choice to voluntarily create obligations. Therefore, for Hobbes, the will of citizens is an important determiner of social contracts (Ibid, 307). Social contract according to Hobbes is an agreement by all individuals to abandon all their powers and to allow the new sovereign to fully use his power without any obstacle by his subjects. It is understandable that there is no equality between the parties in Hobbes's social contract, the sovereign is absolute. According to Hobbes that it is by the free will of the citizens that they decided to create such a state, and to be ruled by a chosen representative, the sovereign.

2.8.1.2 Locke and state legitimacy

According to Locke a person cannot enslave himself to someone else by free will, nor can he put himself under arbitrary power of another (Locke, 1823). Locke defines the concept of free will as personal judgment, and not as a decision induced by external pressure (Riley, 1976). Citizens decide without external force to exercise their will to enter into the social contract with the sovereign. However, Locke also states that when people leave the state of nature in order to join a social contract for forming a political society, they have to give up all their power, in order to achieve the scope for which they unite into the society. This is where there is a contract of all with all, resulting in the birth of society (Srinivasan, 2014). By forming a civil society, men surrendered certain rights to the community not to an assembly of men or sovereign (Ibid, 98). Locke thus recognizes the sovereignty of the people which is not done by Hobbes. According to him, political obligations can derive only by a contract which is voluntarily accepted and approved by individuals, by which they submit themselves to someone else's will (Locke, 1823). For Locke, it is the civil society that decides who among them shall be chosen ruler and entrusted with the duty and responsibility of rule.

2.8.1.3 Rousseau and state legitimacy

According to Rousseau (1762), a contract by which one gives all his rights to someone else is invalid as this contract turns that person into a slave. If such a contract is made, people cannot express their free will anymore, and cannot act freely. Rousseau's idea is to build a kind of relationship between citizens through which all citizens will be protected by the community and each of them will still have their free will and liberty (Barker, 1985). He states that by making the community the

sovereign, people do not enslave themselves because slavery is when one person is personally dependent on another's will (Rousseau, 1762). Rousseau further argues that, giving yourself to the community, creating a popular representative government is the best way to guarantee your rights and freedom, as he defines freedom as "that condition which by giving each citizen to his country, guarantees him from all personal dependence" (Baker, 1985).

According to Rousseau (1762), the popular sovereignty will create general and unbiased laws according to the common interests of the people. Rousseau claims that in a contract of self-enslavement, the individual loses everything, including all rights. It is thus not a mutual contract as it is disadvantageous, and once the person has accepted it, she/ he cannot take any action to dispute his sovereign (Evers, 1977). Rousseau's idea is the creation of a popular government which will make general rules. The members of this government should obey to the sovereign or be punished as violators of the social contract (Baker, 1985). In this type of organization, people will be governed not by one, but by a group of individuals. Rousseau approves the tacit consent of the people, and that contrary to Locke, no continual consent is needed as long as people stay silent and do not argue about the rules (Ibid: 191).

CHAPTER THREE

METHODOLOGY

3.1 Introduction

This chapter discusses the methodology that was employed in the study. The thesis used the mixed methods approach. The choice of mixed methods as a research design was based on the nature of the research questions under study. The study aimed at understanding the perceptions towards the state and state legitimacy and so surveys were used as a quantitative method. The study also aimed at getting in-depth explanations of why citizens have such perceptions, and making sense of the explanations between the two areas being compared. For this Focus Group Discussions were used as a qualitative method. The study used comparative methods and used the most similar systems design.

3.2 Research Design

A research design can generally be defined as planning of scientific inquiry which involves designing a strategy for finding out something (Babbie, 1998). The process involves two major aspects; knowing exactly what you want to find out and determining the best way to go about it. Although there are varying approaches of the research design, two are distinctive. These are the quantitative and the qualitative research designs. The two approaches mainly differ in their claims to knowledge (Creswell, 2003).

3.2.1 Qualitative Research

Qualitative research involves understanding motivations and identifying dimensions of problems in a society based on in-depth observations and analysis. It often focuses on how individuals and groups view and understand the world and construct meaning out of their experiences (Silverman, 2001). Bryman (2004) also notes that “the qualitative research strategy is one that can be constructed as a research approach that usually emphasizes words rather than quantification in the collection and analysis of data” (2004:19). Researchers that employ qualitative research are mainly concerned with an attempt to understand certain human behaviors from the context of the social actors themselves. Qualitative data usually consists of written texts of various forms such as published and unpublished documents, transcribed audio and video recordings and field notes among others (Boulton and Hammersley, 1996).

3.2.2 Quantitative Research

For Quantitative research, knowledge is conjectural, meaning that it is hardly feasible to establish absolute truths (Reichardt and Cook, 1979). Quantitative research is thus premised on “logical positivism”, so that researchers are concerned with finding facts or causes of social phenomenon and have less regard for what scholars like Reichardt and Cook (1979) call “subjective states of individuals”. Knowledge must be observed and empirically verified. Ideally, the quantitative approach employs deductive reasoning in that a researcher starts with a theory (or set of theories), formulates a hypothesis, collects data to verify or falsify those hypotheses and then makes any necessary revisions to the theory or theories that he/she started with (Creswell, 2003).

3.2.3 Mixed Methods Research

Mixed methods research use a method and philosophy that attempt to fit together the insights provided by qualitative and quantitative research into a workable solution (Johnson and Onwuegbuzie, 2003). The basis for using the mixed methods approach is that by taking a pragmatic and balanced approach will help improve communication among researchers from different paradigms as they attempt to advance knowledge (Maxcy, 2003; Watson, 1990). Pragmatism also helps to shed light on how research approaches can be mixed fruitfully (Hoshmand, 2003). The main argument is that research approaches should be mixed in ways that offer the best opportunities for answering important research questions.

This study used the mixed methods approach because of the nature of research objectives. For the quantitative research, a survey was used as a quantitative research tool for collecting primary data. The survey particularly addressed two objectives of the study: analyzing how citizens conceptualize the government and its functions and examining how citizens determine government legitimacy. A questionnaire was administered as a quantitative tool. Review of secondary data was another quantitative method that was used. Afrobarometer surveys of Round 3, 4, 5 and 6 were used to collect data.

Qualitative methods were also used because the study was also concerned with understanding social phenomena in a natural rather than in an experimental setting. This is because the thesis was overly concerned with getting explanations as to why, how and when public service delivery can lead to state legitimacy. Such questions can only be answered by imploring qualitative methods. Focus Group Discussions were

used as a qualitative research method to particularly answer research question three; to assess how the availability and quality of public service delivery affects government legitimacy. Focus Group Discussions were chosen as they allow the researcher to become familiar with different viewpoints of an issue at the same time. Focus Group discussions also give room to gather as much information as possible without restricting the respondents. The interview guide was used as a research tool for this method.

3.3 Study Area

The study was undertaken in Blantyre District. A comparative study was done between EAs in T/A Kuntaja and T/A Kapeni.

3.3.1 Justification for choosing Blantyre District

Firstly, Blantyre district is chosen because of the nature of its population. The population is characterized by the urban, rural and peri-urban. The mixture of the population gives a balanced overview of citizen's perceptions. Secondly, the selection of Blantyre is firstly based on the wide perception that the cities will generally have better service provision as compared to the other districts (World Bank Report, 2014). Such perception might result to studies that are only concentrated in the smaller districts and ignoring the cities.

Thirdly the logistical feasibility in terms of time, distances from my base, and my research budget. Due to these constraints, the study could be carried out effectively in Blantyre district.

3.3.2 Justification for choosing T/A Kapeni and T/A Kuntaja

The study uses the most similar systems design. The most similar systems design is a method of comparison where two political systems which are “similar” with respect to as many features as possible are compared (Jackson and Jackson, 1997). For starters, the two cases are for the most part similar in terms of district, population and language. According to the National Statistical Office projections for 2016 T/A Kapeni has population of 42,157 (over 18 years old). T/A Kuntaja has a population of 41, 352 (over 18 years old).

Secondly, the two cases differ in terms of concentration of health services. The emphasis on health care comes against the finding that health care is the most crucial public services according to the Afrobarometer round 6 findings. When citizens were asked which public service they would prefer government gives priority in its spending to, the majority in both the urban and rural areas generally picked health care. Figure1 below illustrates the findings. The question asked was: *If the government of this country could increase its spending, which of the following areas do you think should be the top priority for additional investment? (First priority).* In the urban area, 35% of respondents gave first priority to health care, 30% to education, 16% to agriculture, 8% to infrastructure and 3 % to energy. For the rural area, 34% gave agriculture priority, 25% gave health priority, 24% education, 8% infrastructure, 4% security and 4% energy.

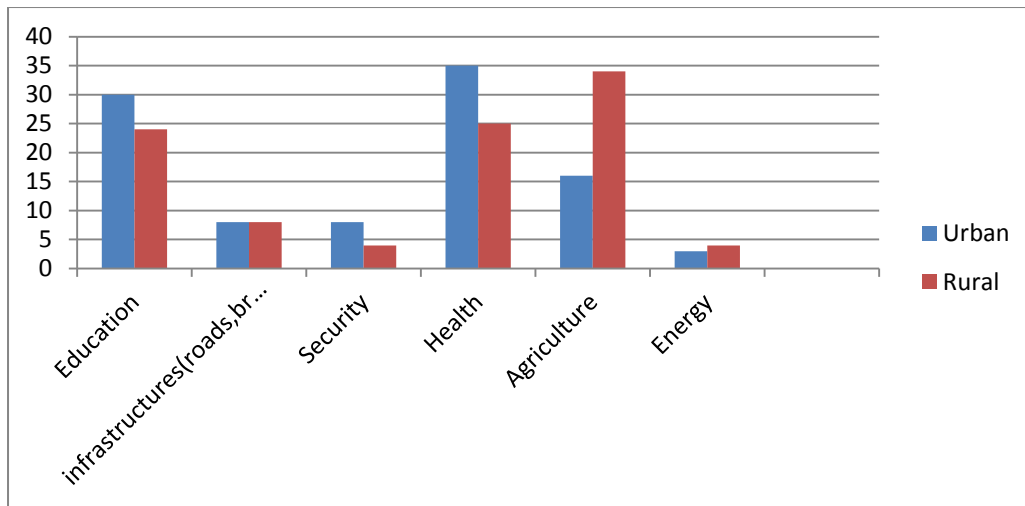


Figure 1: First priority of public services (Afrobarometer, Round 6)

However when asked which public service they would choose as the second priority for government to increase spending for, both the majority of the urban and rural population picked healthcare. The question asked was *if the government of this country could increase its spending, which of the following areas do you think should be the top priority for additional investment? (Second priority)*. Figure 2 below illustrates the finding. In the urban area, 29% of the respondents gave second priority to health care, 26% to education, 18% to agriculture, 13% to security, 9% to infrastructure and 5% to energy. In the rural area, 26% gave second priority to health, 21% to agriculture, and 20% to education, 13% to infrastructure, 10% to security and 8% to energy.

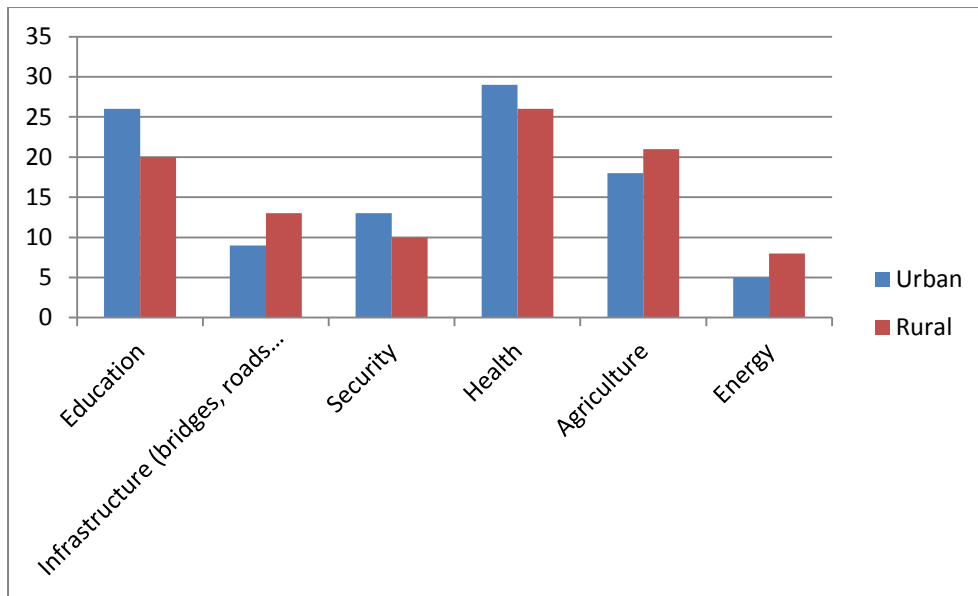


Figure 2: Second priority of public services (Afrobarometer, Round 6)

The importance of health care in Malawi is displayed further by the responses given by citizens when asked in the Afrobarometer surveys of Round 6 on what they think it is the biggest challenge facing the country, the majority thought delivery of health care was the biggest challenge amongst all other public services. Figure 3 gives the findings to the question: *In your opinion, what are the most important problems facing this country that government should address? (First response)*. In the urban area, 11% of respondents felt government should first address healthcare, 5% water, 4% security and crime, 3% education, 3% roads and infrastructure and 2% agriculture. In the rural area, 9% felt government should first address healthcare, 7% water, 6% agriculture, 3% security and crime, 3% roads and infrastructure and 2% education.

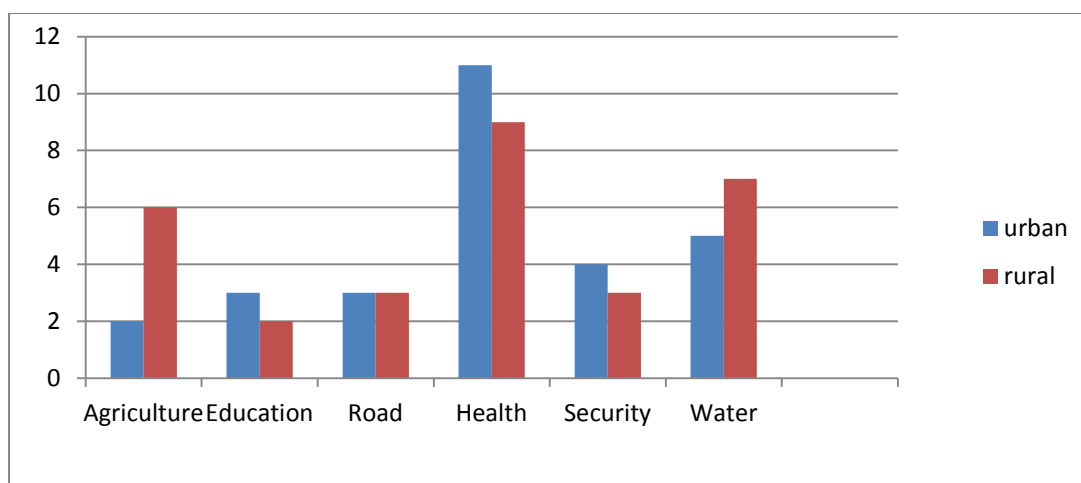


Figure 3: Biggest challenge facing Malawi (Afrobarometer, Round 6)

A matrix of public service delivery in T/A Kuntaja and T/A Kapeni was then drawn with its relevant weightings informed by the Afrobarometer Round 6 survey findings.

These weightings are presented in table 1 below.

Table 1: Formulated matrix of public service concentration

Public Service	Weighting	T/A	
		Kapeni	Kuntaja
A Primary School	2	2	2
A Secondary School	5	5	5
A Borehole	10	10	10
A Health Centre	15	15	0
A CHAM Hospital	15	15	0
Total Weighting	47	47	17

3.4 Sample size

For this study, the Sample size monkey calculator developed by the Research Advisors (2006) was used to determine the sample size for the survey. The aggregate population for T/A Kuntaja and Kapeni (2016 NSO Projections) is 83,509. The sample size calculator gives 383 sample size with a 5% margin of error. This was rounded up to 400, with 200 interviews done in each T/A. For the Focus group discussions, a separate 20 participants were interviewed.

3.5 Sampling Techniques

There are two main techniques of sampling; the probability sampling and non-probability sampling. Probability sampling is a method selection of participants in a way that descriptions of those elements (statistics) accurately portray the parameters of the total population from which the elements are selected (Babbie, 1998). Non-Probability sampling on the other hand as a sampling technique relies on available subjects and observations made on such subjects do not necessarily portray behaviors or phenomena of the total population (Ibid, 194). The study uses probability sampling for quantitative research and non-probability sampling for qualitative research.

3.5.1 Simple Random Sampling

Simple random sampling is the basic sampling method assumed in the statistical computations of most social sciences (Babbie, 1998). To use simple sampling, the researcher assigns a single number to each element in the list of elements, not skipping any number the process (Ibid, 213). The sample for the survey was drawn by randomly selecting the smallest geographic units in each T/A, Census Enumeration Areas (EAs), 4 EAs were randomly selected in each T/A. Under each E/A, 2 Group

villages were also randomly selected. Under each group village, twenty five households were also randomly selected, a respondent 18 years of age or older and of the sought age was randomly selected from each household. A gender quota was used to ensure that there is a gender balance. Random selection of households involved skipping two households and going to the third after each interview. In cases where the selected respondent refused to grant interview two houses were counted and the researcher went to the third household. In times when the sought gender was not found the researcher went to the next household. Based on this criteria, below is the summary of the EAs and villages where interviews were done in each T/A. In T/A Kapeni, EAs 56, 45, 72 and 57 were randomly selected. Under EA 56, villages Saluti and Mazale were also randomly selected. In EA 45, villages Gomani and Kumponda were randomly selected. In EA 72, villages Kafere and Puli were randomly selected. In EA 57, villages Kaning'a and Manesi Kapeni were randomly selected. The summary of the sample is presented in table 2 below.

Table 2: Sample for T/A Kapeni

T/A	E/A	Village	Number of Interviews
Kapeni	56	Saluti	25
Kapeni	56	Mazale	25
Kapeni	45	Gomani	25
Kapeni	45	Kumponda	25
Kapeni	72	Kafere	25
Kapeni	72	Puli	25
Kapeni	57	Kaning'a	25
Kapeni	57	Manesi Kapeni	25

In T/A Kuntaja, EAs 51, 30, 17 and 24 were randomly selected. Under EA 51, villages Anderson and Zinganguwo were also randomly selected. In EA 30, villages Botomani and Solomoni were randomly selected. In EA 17, villages Nanjiwa and Chapotela were randomly selected. In EA 24, villages Kumanda and Chuma were randomly selected. The summary of the sample is presented in table 3 below.

Table 3: Sample for T/A Kuntaja

T/A	E/A	Village	Number of Interviews
Kuntaja	51	Anderson	25
Kuntaja	51	Zinganguwo	25
Kuntaja	30	Botomani	25
Kuntaja	30	Solomoni	25
Kuntaja	17	Nanjiwa	25
Kuntaja	17	Chapotela	25
Kuntaja	24	Kumanda	25
Kuntaja	24	Chuma	25

3.5.2 Purposive sampling

In purposive sampling, each sample element is selected for a purpose, usually because of the unique position of the sample elements. A purposive sample targets individuals who are particularly knowledgeable about issues under investigation (Schutt, 2004). This technique was used for identifying respondents for the Focus Group Discussions. 2 FGDs were done, with one in each T/A. Selection of participants was based on their knowledge of the subject matter. Below is the list of participants of the FGDs. Separate villages for conducting FGDs were selected from those where the survey had been conducted. This was done to ensure that the identity of the participants in the

survey is still protected. For T/A Kapeni, the FGD was done in Chikuse village, with 8 members that belonged to different committees in the village. In T/A Kuntaja, the FGD took place in Mdala village and had 10 participants. The selection was assisted by the group village headpersons who gave an outline of the committees present in the village. Below is the composition of the FGDs.

T/A Kapeni- Chikuse village

1. Group Village Headwoman Chikuse
2. Senior Chief's Counselor
3. Chief's Counselor
4. Chief's Counselor
5. Chief's Counselor
6. Member- primary school committee
7. Member-DAPP Nutrition committee
8. Member-Security and Agriculture committee

T/A Kuntaja- Mdala village

1. Member-VDC
2. Member-VDC
3. Chief's Counselor
4. Chief's Counselor
5. Member- Water User's Association
6. Member- Parents Teachers Association

3.6 Data analysis

3.6.1 Content analysis

Content Analysis involves arrangements of common themes obtained from interviews, observations or review of official documents by identifying the outlined trends and patterns. Commonalities and disparities extracted from these therefore helped in drawing of the conclusion. According to Marrying (2000), content analysis uses replicable and valid methods for making specific inferences from text to other states or properties of its source. Further, Hsiehetet. Al (2005) notes that qualitative content analysis goes beyond merely counting words or extracting objective content from texts to examine meanings, themes and patterns that may be manifest or latent in a particular text. It allows researchers to understand social reality in a subjective but scientific manner.

In this study, content analysis involved systematic analysis and making conclusions from the collected information which was obtained through the respondents who provided information through the Focus Group Discussions. The process of analyzing data basically involved two steps which are; data reduction and drawing conclusions. Data reduction consisted of categorization, where themes were developed as units of analysis. After a thorough process the researcher drew conclusions with verification from the findings.

3.6.2 SPSS

Descriptive statistics was used. Frequencies were used to analyze perceptions of respondents regarding their definition of the government and its functions; perceptions towards the responsibility that citizens have towards the government and

their perceptions towards government legitimacy in tax collection and law enforcement. Cross tabulations were also used to explain the responses of different categories of respondents.

3.7 Ethical Considerations

Ethics refers to the science of morality whereby those who engage in it determine values for the regulation of human behavior (David and Satton, 2004). In view of this the research considered a number of ethical approaches. Firstly, the researcher made known to the participants the purposes of the study and how they were selected to be subjects. Secondly, all respondents prior to engagement were asked to give aninformed consent, with all minors being excluded in the research. Thirdly, the researcher informed individuals to participate out of their choice, free from any element of indecent, misery or similar unfair inducement or manipulation as stated by Bryman (2008). Fourthly, the researcher used strict privacy and confidentiality in handling the information that was given by participants. Participants were also assured that the information they provided would be treated with anonymity and respondents' answers cannot be traced back to them. Fifthly, respondents were also be given the right to withdraw from the research at any point they feel like. Lastly, there was no lying or deceit in the course of research or use of material things to coerce respondents to give favorable answers.

3.8 Limitations to the study

The first limitation to the study is the timing of the research itself. The study was designed to target 200 women and 200 men. However due to the National Registration exercise that was taking place at the time of the research, the study failed to achieve its intended purpose. There were several where either men or women of

concurrent households were not available as they had gone to do the registration. As such the researcher was not able to meet the gender balance. On the same, since the study was done in urban and peri-urban areas, most men who are breadwinners were not readily available in their households. Most of them were off to do an income generating activity, either formal employment or business venture. This made the case for gender imbalance more acute.

The second major limitation to the study was that the study touched on a sensitive topic. Some of the respondents faced the researcher with suspicion and shone away from giving honest responses. The researcher is also aware of the conservative culture that Malawians have when it comes to speaking about the state. However, amidst these fears the researcher explained that it was a purely academic research and that their views would be treated with anonymity and confidentiality.

Thirdly, at the time of conducting the research, the findings of the Afrobarometer round 7 survey data had not been officially released forcing the researcher to work with the findings of round 6. This might have affected analysis, interpretation of data and even arguments made by the thesis as Afrobarometer surveys were used as one of the sources of data.

CHAPTER FOUR

FINDINGS AND DISCUSSION OF FINDINGS

4.1 Introduction

This chapter provides a discussion and analysis of the findings of the research objectives. The chapter achieves this by first presenting the findings for each of the research objectives, followed by a discussion of the findings. The study finds no differences between the perceptions of citizens in T/A Kapeni and T/A Kuntaja. The coverage and quality of public services does not influence government legitimacy. Citizens are obliged to pay tax, respect the law and are proud of their Nationality as Malawians regardless of government's failure to deliver public services. Citizens portray more compliance in respecting the law than they in paying taxes. Citizens regard the use of force by the government to enforce the law as being justifiable but the use of force to make people pay tax as being unjustifiable. This is because citizens directly link the tax that they remit to the coverage and quality of public services that the government provides. It is expected that government uses the tax it collects in effectively delivering public services. The researcher finds that the relationship between public service delivery and government legitimacy is non-linear. The extent to which public service delivery affects government legitimacy is influenced by a number of factors. These factors include the inclusion of citizens from the power hierarchy; the presence of multiple actors in the delivery of public services operating

at different levels; norms that shape citizen's perceptions and the extent to which citizens acknowledge public service delivery as a constitutional requirement.

4.2 Citizens conceptualization of the government and its functions

The manner, in which citizens conceptualize the government, has got implications on how they determine government legitimacy. The assumption is that there are corresponding functions that are attached to specific definitions of the government. For example, if citizens conceptualize the government as the president, it means that their assessment of government legitimacy will be measure by the performance of the president. The study finds that over 80% of citizens define the government as the "people". Regardless of this however, citizens feel that they do not hold any real power as it is only the Members of Parliament that influence the decisions of government, including the distribution of public services. The delivery of public services is the most important function that citizens expect from the government. Compared with other functions that government is performing, the delivery of public services is the most efficient function.

4.2.1 T/A Kuntaja

The study interviewed 200 people for the survey; 54% of whom were female and 46% male. The study finds that 87% of the respondents conceptualized the government as the people, while 4% regard the government as the president while 8% had other definitions of the government like the Civil Service and Non-Governmental Organizations.

67% of the respondents regarded the provision of public services as the most important function of the government, while 16% said social welfare, 5 % said food security, 5% said facilitating development and 3% said national security.

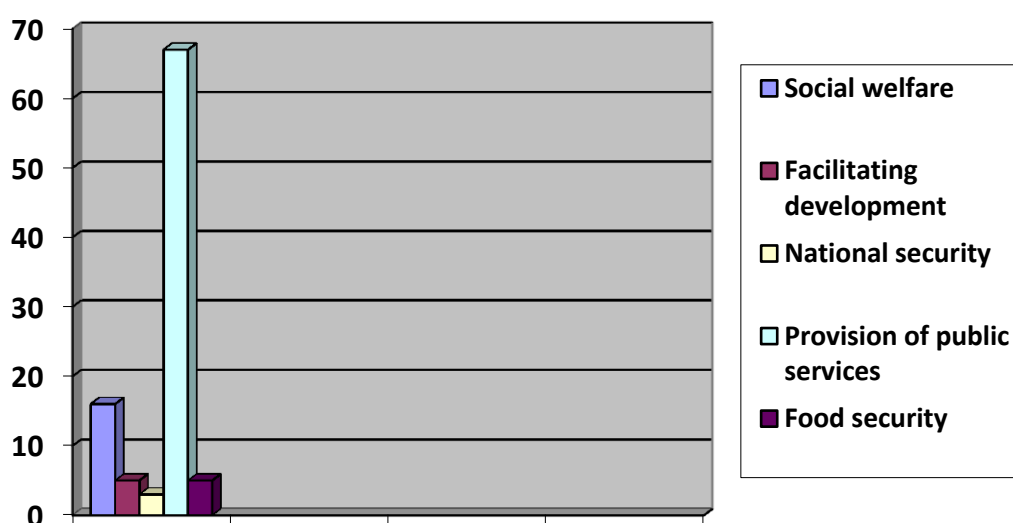


Figure 4: Functions of the government- T/A Kuntaja

Out of these functions, 54% said government was effectively performing its function of public service provision, 15% said food security, 13 % said social welfare, 8% said none while 5% said national security.

While a majority, said that the provision of public services was the function government was effectively performing, a majority also felt government was failing in delivering public services. 38% strongly agreed that government faces challenges in delivering public services, 27% agreed that government faces challenges in delivering public services, 23% strongly agreed that government delivers all essential public services and 11% agreed that government delivers all essential public services.

23% of the respondents attributed the failure of government to deliver on bad leadership, 13% to lack of government capacity (resources), 12% to corruption and 4% to overpopulation.

The study also confirms Afrobarometer survey findings of Round 6 that citizen's regard health care as the most important public service. 36 % said that health was the most important public service, 16% said education, 16% said agriculture, 10% road infrastructure, 6% said water and sanitation while 6% said security.

4.2.2 T/A Kapeni

200 people were also interviewed 200 people; 60% of whom were female and 45% male. 82% of the respondents defined the government as the people, while 2% defined it as the president.

58% of the respondents said that the main function of the government is public service delivery, while 12% said food security and another 12% said social welfare, 7% facilitating development and 6% national security.

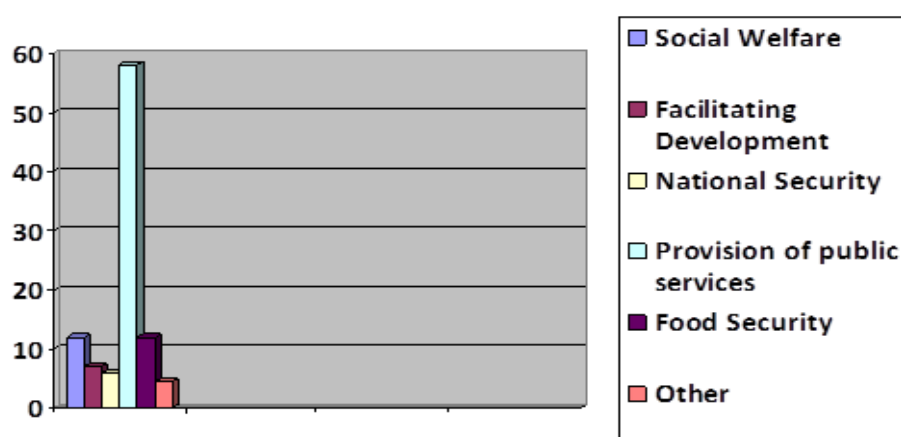


Figure 5: Functions of the government- T/A Kapeni

48% of these respondents said that the function that government was effectively performing was provision of public services, 20% said food security, 12% social welfare, 7% national security and another 7% none of the functions.

34% of the respondents strongly agreed that government faces challenges in delivering essential public services, 33% agreed that government faces challenges in delivering essential public services, 21% agreed that government delivers all essential public services while 11% strongly agreed that government delivers all essential public services agreed that government delivers all essential public services essential public services. 25% said that health was the most important public service, 20% said agricultural services, 10% said education, and 8% said security, 8% road infrastructure and 3% markets. 22% of the respondents said that bad leadership was the reason for government's failure was bad leadership, 14% said corruption, and 12% said lack of government capacity, while 3% said overpopulation.

Jean-Jacques Rousseau in explaining the Social Contract in which citizens entered with the state had rejected the proposition that citizens must give up all their rights, making the sovereign absolute. He argued that giving up all rights to the ruler was unacceptable as it denied people of their freedom to express free will. Instead he proposed having a limited government that would only govern based on the consent of the people. These people would form a relationship that would foster their liberty and free will. The study finds that citizens defined the government as the "people". This is the conceptualization of the government as given by Rousseau.

While this is true, the "supposed" power to influence the decisions that government makes in Malawi, which citizens claim to have can be put to question. Firstly, because the definition of government as "the people" was offered as a definition that was merely passed down to the citizens at two critical times: at the wake of multi-democracy in 1994 and at the introduction of decentralization in 1998. Beyond this

definition, citizens regard a few elite and political leaders to be influential in making decisions of government. Secondly, citizens regard a few elites and political leaders as influencing government decisions. For example, they feel that they can only influence government decisions if their MPs aggregate their interests and channel them to government through parliament. In most cases, these Members of Parliament did not advance the interests of the citizens and so deny them the opportunity to influence the decisions of government.

In comparison with other functions of the government, public service delivery is perceived as the most effective function of the government. Government is perceived to be grappling to deliver on other expected functions like facilitating national development. As such, even though there was consensus that government was failing in service delivery, this problem is less acute as compared to its other functions. This could explain why public service delivery has no influence on government legitimacy. Citizens could be concerned with other problems facing the country rather than public service delivery. The importance of public service delivery as a determiner of government legitimacy could have not been assessed in isolation of other expected functions of the government but in comparative terms.

4.3 Citizen's understanding of government legitimacy

This thesis seeks to determine the influence that the delivery of public services enhances or undermines government legitimacy, particularly taxation policies, the respect for the law and national pride. However, the researcher acknowledges that government legitimacy is also influenced by other factors. As such, the thesis also attempts to get an understanding of the other determinants of government legitimacy.

Citizens determine measure government legitimacy based on good governance and the lack of external influence into the decision making space of government. Citizens further characterize “forced” legitimacy as legitimacy, arguing that governments can only be legitimate if they adopt a one party system of government.

4.3.1 Government failure, obligation to paying of tax and perceptions of the tax authority

Good governance was predominantly mentioned as a determiner of government legitimacy. Good governance was defined as good political leadership and the performance of government institutions. Citizens find a direct relationship between the type of political leadership on one hand, and the legitimacy of the government on the other. Citizens generally expect their leaders to respect the rule of law, deliver according to their promises, be responsive, facilitate equitable development and not be corrupt. Political leaders that display these characteristics were regarded trustworthy and their governments regarded as being legitimate. Similarly, government institutions were also regarded as legitimate if they performed to the satisfaction of the citizens. Some indicators of good performance included no corruption, no nepotism, sound financial management and the respect of the rule of law.

These measures of government legitimacy however only hold on paper. While citizens claim that good governance is a determiner of government legitimacy, in practice, citizens still regard governments that do not exercise good governance as being legitimate. Evidence for the same is found by this study, where citizens still regard the government as being legitimate regardless of its failure to deliver public

services. While citizens acknowledge government failure to deliver public services, its unresponsiveness and failure to deliver development equitably, citizens still feel they have a duty to pay tax.

4.3.1.1. T/A Kuntaja

Citizens generally agree that they are obliged to pay tax. 48% of the respondents agreed citizens have a duty to pay tax. 41 % said they strongly agreed that they a duty to pay tax. 5% disagreed that they have a duty to pay tax. 3% said that they strongly disagreed that the tax authority has the responsibility to make people pay tax.

47% of the respondents agreed that the tax authority had the responsibility to make people pay tax. 36 % said they agreed that the tax authority had the responsibility to make people pay tax. 7% strongly disagreed that the tax authority had the responsibility to make people pay tax. 6% said that they disagreed that the tax authority had the responsibility to make people pay tax.

A majority of the respondents viewed the tax authority as being legitimate. 50% of respondents agreed that the tax authority exercises enough authority in collecting taxes, 30% said they strongly agreed that the tax authority exercises enough authority in collecting taxes, 10% disagreed that the tax authority exercises enough authority and 4% strongly disagreed that the tax authority exercises enough authority.

A majority of the respondents also did not agree with the fact that it was justifiable to stop paying tax even if the government failed to deliver public services. 38% of the respondents said that they disagreed that it was justifiable to stop paying tax even if

the government failed to deliver public services. 24% said they strongly disagreed, 19% said they strongly agreed and 19% said they agreed.

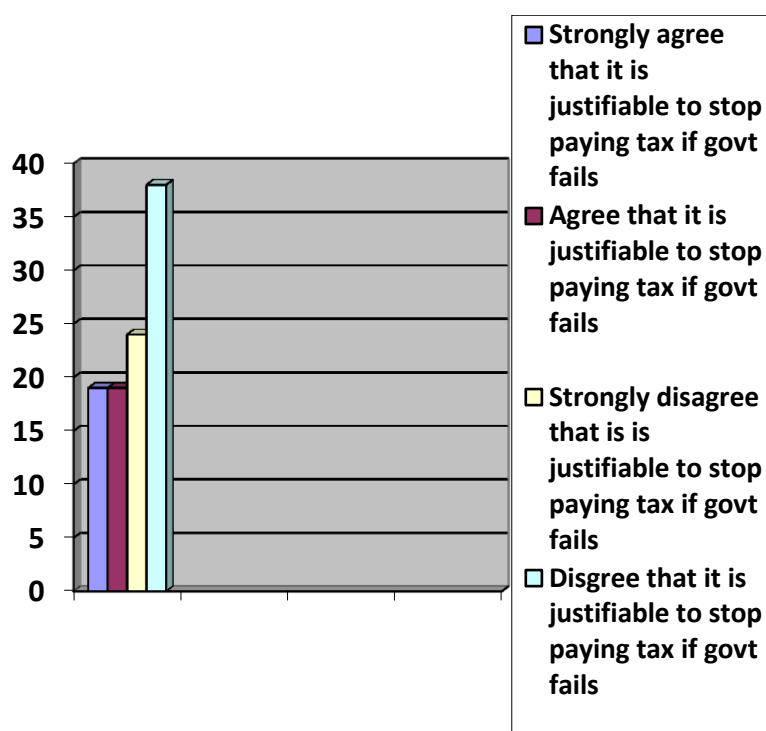


Figure 6: Taxation policies and government failure- T/A Kuntaja

While a majority of the respondents, said that it was not justifiable to stop paying tax even if government fails to deliver public services, the majority said that the government was not justified to use force to make people pay tax if it failed to deliver public services. 26% of the respondents strongly disagreed that the government is justified to use force to make citizens pay tax if it fails to delivers public services. 26% also disagreed that it is justifiable for the government to use force. While 24% agreed that it was justifiable to use force to make people pay tax even if it failed to deliver public services while 23% strongly agreed that government was justified to use force to make people pay tax even if it failed to deliver.

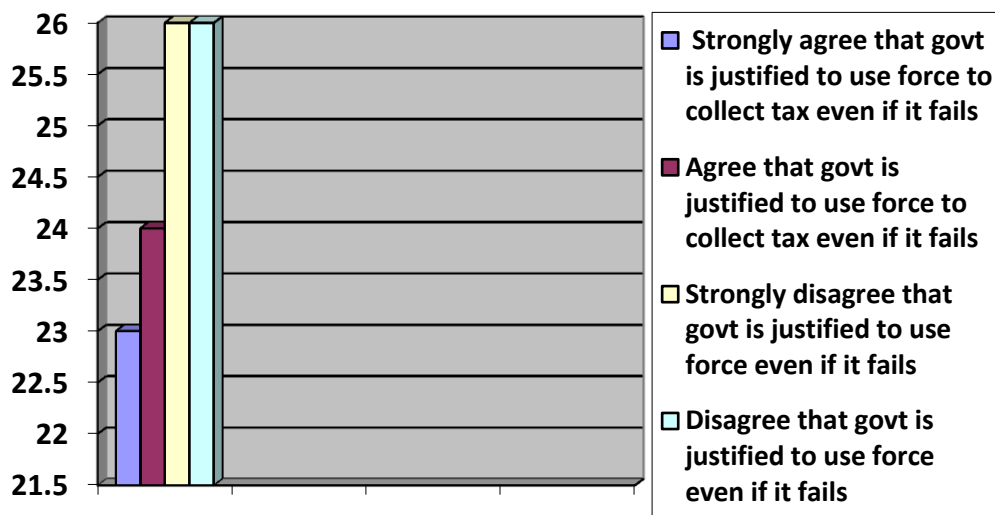


Figure 7: Use of force in tax collection- T/A Kuntaja

4.3.1.2 T/A Kapeni

55% of the respondents said that they agreed that they had a duty to pay tax, 30% strongly agreed, 9% disagreed while 5% strongly disagreed. 55% of the respondents agreed that they had a responsibility to pay tax, 25% strongly agreed while 14% disagreed and 3% strongly disagreed. 63% of the respondents agreed that the tax authority exercises enough authority in collecting taxes, 18% agreed while 14% disagreed and only 2% strongly disagreed.

37% of the respondents disagreed that it is justifiable to stop paying tax even if government fails to deliver public services, 25% strongly agreed that it is justifiable to stop paying tax if government fails to deliver public services, 22% agreed that it is justifiable to stop paying tax while 16% strongly disagreed that it is justifiable to stop paying tax if government fails to stop paying tax.

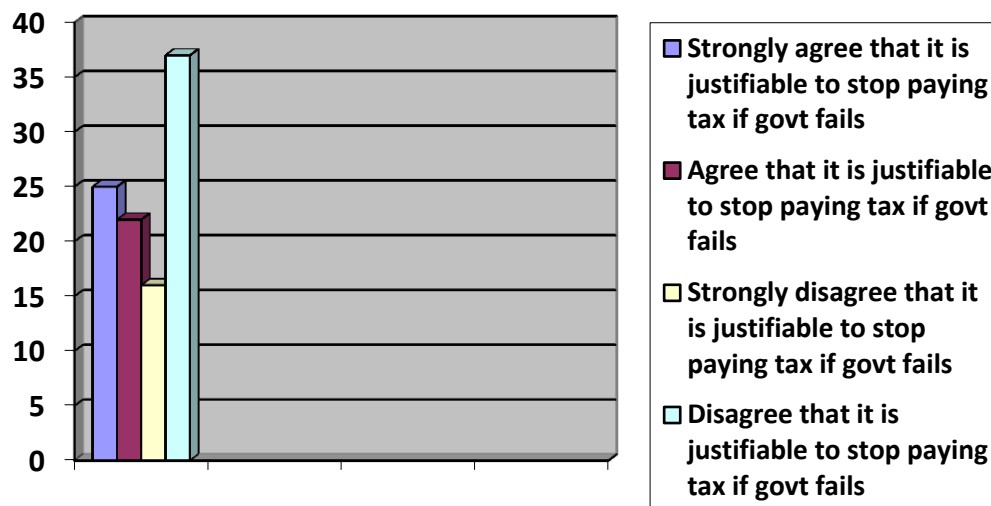


Figure 8: Taxation policies and government failure- T/A Kapeni

While a majority of the respondents generally were of the view that it is not justifiable to stop paying tax even if the government fails, the majority also said that government is not justified to use force to make people pay tax if it fails to deliver public services. 31% said that they strongly disagreed that government is justified to use force to collect tax if it fails, 27% disagreed that government is justified to use force it fails. However equally 31% agreed that government is justified to use force and 10 % said that they strongly agreed.

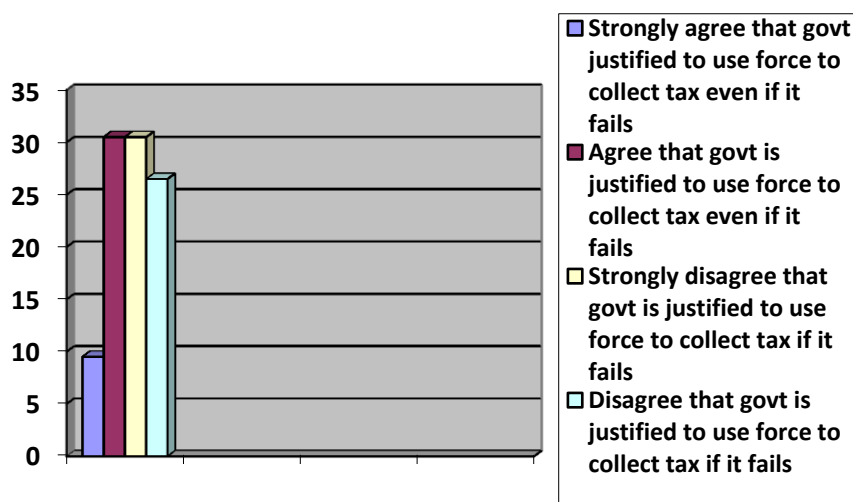


Figure 9: Use of force and tax collection- T/A Kapeni

While citizens accept that they have an obligation to pay tax to the government, they incur a direct cost of obligation. As a result of this direct cost, citizens do not accept that government uses forces to make them pay tax. Citizens directly link the tax that they remit to the coverage and quality of public services that the government provides. It is expected that government uses the tax it collects in effectively delivering public services. Where government fails to deliver these public services, citizens do not lose the obligation to pay tax, but cannot be coerced.

4.3.2 Government failure, obligation to obeying the law and perceptions of the government in law enforcement

Citizens regard one party system of government to be legitimate as compared to multi party systems. The first line of thought is that authoritarian regimes amount enough loyalty from citizens and their decisions are always binding and accepted by all. Their right to rule is therefore accepted by all. All citizens are obliged to follow the law, pay taxes and express their profound pride to being citizens of the state. Those that fail to oblige are punished without question. This strictly speaking, however is forced legitimacy and not legitimacy. According to the citizens however, forced legitimacy was the most effective way that governments would enjoy legitimacy.

Secondly, citizens believe that multiparty democracy has created mechanisms for people to undermine the rule of the government. This is through the entitlements that citizens have because of multiparty democracy. Examples of such rights are freedom of expression, freedom of speech, freedom of association, access to information and the right to freely make political choices. The entitlements that citizens have, have not been understood with their relevant responsibilities. As such, citizens use these

rights to undermine the authority of the government by being very critical of its decisions and therefore making it difficult for the government to exercise its authority. Citizens perceive the use of force by the government to enforce the law as justifiable.

4.3.2.1 T/A Kuntaja

65% of respondents strongly agreed that they had a duty to obey the law, while 34% of the respondents agreed that they had a duty to respect the law. 39% of the respondents strongly agreed that the government had a responsibility to ensure that citizens obey the law while 52% agreed that the government had a responsibility to ensure that citizens obey the law and 5% disagreed that the government had the responsibility to ensure that citizens obey the law. The study also established that 48% of the respondents agreed that the government exercises enough authority in ensuring that citizens obey the law, while 34% strongly agreed that the government exercises enough authority in ensuring that citizens obey the law. 13% disagreed and 4% strongly disagreed. 45% of respondents disagreed with the assertion that citizens are justified to stop obeying the law if the government fails to deliver public services. 22% strongly disagreed while 18% agreed and 13% strongly agreed.



Figure 10: Government failure and enforcement of law- T/A Kuntaja

A majority of the respondents said that the government is justifiable to use force to make people obey the law even if it fails to deliver public services. 35% agreed that government was justified to use force to ensure that citizens obey the law even if it fails to deliver public services, while 26% strongly agreed. 19% disagreed that the government is justifiable that the government is not justified to use force if it fails to deliver public services and 18% strongly disagreed that the government is justified to use force to make people obey the law if it fails to deliver public services.

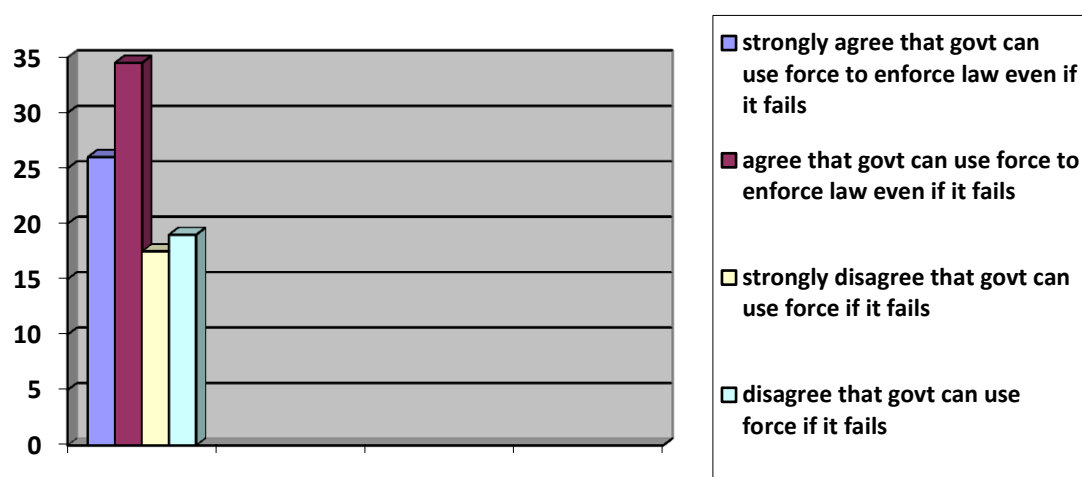


Figure 11: Use of force to enforce law-T/A Kuntaja

4.3.2.2 T/A Kapeni

49% of the respondents agreed that they had a duty to obey the law, 47% strongly agreed and only 3% disagreed. Of these respondents, 64% agree that the government has the responsibility of enforcing the law, 29% strongly agree, while 4% strongly disagree and another 4% disagree.

61% of respondents said that the government exercises enough authority in enforcing the law, 29% strongly agreed, 8% disagreed and 2% strongly disagreed.

49% of the respondents also said that they disagreed that it was justifiable to stop obeying the law if the government fails, while 23% strongly disagreed. 22% however agreed that it was justifiable to stop obeying the law if government fails and 6% strongly agreed. The study also finds that 36% of the respondents agreed that government is justified to use enforce the law even if it fails, 19% strongly agreed while 27 % disagreed and 16% strongly disagreed.

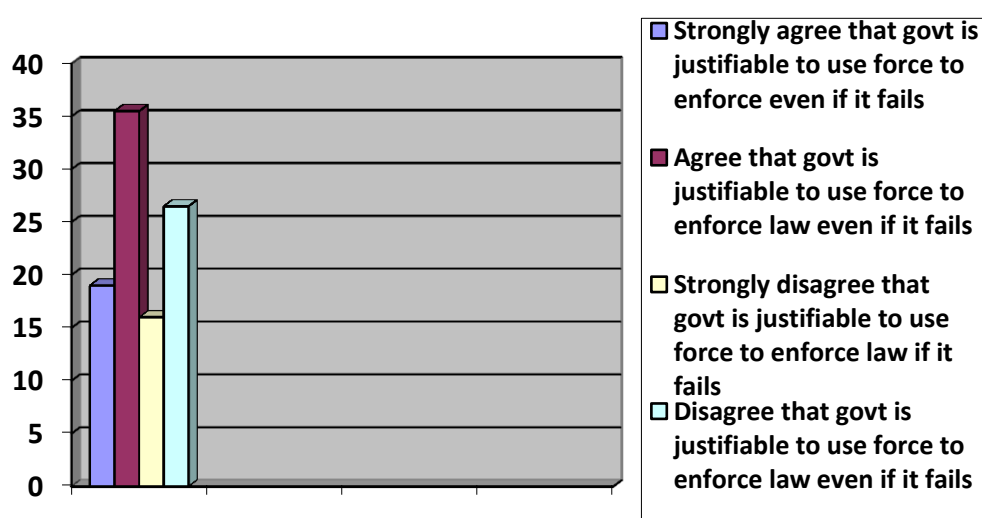


Figure 12: Use of force to enforce the law

4.3.3 Government failure and pride of being Malawian

Citizens are very proud to be Malawian citizens and the challenges they face in accessing service delivery do not affect this pride. However, citizens felt that multiparty democracy was a threat to the sovereignty of the state as it allowed the flourishing of non-state actors. These non-state actors were competing with the state as they formed pararell structures to the state and government that performed functions similar to that of state institutions. It is particularly challenging when these non-state actors deliver more effectively than does the state. It was also argued that multiparty democracy allows the flourishing of Civil Society which has the ability to question government decisions. The increased role of NGOs in the delivery of public

services was displaying a failure on the part of government. This failure was slowly making citizens lose trust in government and therefore consider it less legitimate.

Citizens expect that the government's decision making should not be influenced by external actors. It was argued that government can only be regarded as legitimate if it makes decisions independent of any outside influence. Citizens often lose trust in governments that are influenced by non-state actors. The most common example given was that of homosexuality. Citizens believed that government was failing to take a clear stand against homosexuality because the respect of minority rights were in the interests of most multi-lateral donors.

It is interesting to note that citizens view the roles of non-state actors in public service delivery as competing with the government rather than complementary. While one would expect that citizens would have particularly been happy with the expanding role that NGOs are playing, in delivering public services, a majority of citizens look at it as a threat to the sovereignty of the state, and legitimacy of government.

4.3.3.1 T/A Kuntaja

97% of respondents said it made them proud to be Malawian. 70% strongly agreed that it made them proud to be Malawian while 27% said that they agreed that it made them proud to be Malawian. 53% of these respondents strongly agreed that they would still be proud to be Malawian even if government failed to deliver public services, 26% agreed that they would still be proud to be Malawian even if government failed to deliver public services. 18% disagreed that they would still be proud to be Malawian if government failed to deliver public services and only 3%

strongly disagreed that they would be proud to be Malawian if government failed to deliver public services.

4.3.3.2 T/A Kapeni

62% of the respondents strongly agreed that they were proud to be Malawian, 33% agreed while only 2% said they disagreed that it made them proud to be Malawian. 49% of the respondents strongly agreed that they would still be proud to be Malawian even if government failed, 29% agreed while 14% disagreed and 7% strongly disagreed.

4.4 The effect of availability and quality of public services on government legitimacy

The study finds no differences in the perceptions regarding how availability and quality affects government's legitimacy amongst citizens in T/A Kapeni and T/A Kuntaja. All citizens feel that public services are not easily accessible to them, as there are far off and in some cases expensive. Citizens were particularly facing challenges in health and water services.

4.4.1 Access to public services

The biggest challenge is the distance at which health facilities could be accessed. For example one respondent said;

“ntchito za chipatala timazipeza movutikila chifukwa kuchokela pamene pali chipatala china cha boma kukafikanso pamene pali chipatala china cha boma pali ulendo wautali. Tiyelekeze ngati kunoko chipatala chaboma chili pa Lunzu china chili ku Lirangwe.Ndi mtunda oti sungayende pansu, umafunika transport. China chili ku Makata ku

dispensary komwenso kuli kutali kwambiri. Mwina mongoyelekeza ndi mtunda okwana 12 kilometers.

“We really struggle to access health facilities because here you find a government hospital at Lunzu, and the next government hospital at Lirangwe (an estimated distance of about 12kilometers). This is a distance that you cannot cover on foot; you need some means of transport to get there. Another government dispensary is found at Makata, but similarly, you cannot get there by foot as it is far. I would estimate the distance to there to be about 12 kilometers.”

The second challenge facing the delivery of health services was the expense incurred because the most reliable hospital was a mission hospital. Mission hospitals are hospitals that are owned by The Christian Health Association of Malawi (CHAM). CHAM is the largest Non-governmental healthcare provider and the largest trainer of healthcare practitioners in Malawi. One man explained:

“Komanso vuto lomwe lili kuno ndi la kuti chipatala chodalilika chili kuno ndi cha mission chokuti umayenela kulipila. Ndiyeno basi munthu umangodwalila pakhomo chifukwa ambiri mwa ife timadalira boma kutithandiza...”

“The major challenge facing this area is that the only reliable hospital is a mission hospital where you have to pay. Due to this when you get sick you end up just lying down at home as many of us rely on government to help us out with our needs”.

The study finds established that water services were not being easily accessed. People had to walk long distances to find a borehole. The blame for having inadequate boreholes was placed on the MPs. In this regard, the people felt the government was not to blame as their MP was supposed to have lobbied government to bring more boreholes to the area. They blamed the MP for seemingly not being proactive in

ensuring that the needs of the people are met. The blame was placed on government and opposition MPs alike as they were criticized for not making any effective demands in parliament. In the whole of Chikuse village for example, there used to be just one borehole. When the people complained to the MP he simply was not willing to do anything about it. One of the women explained how they used to wake up at 3 am to go and fetch water for the fear of standing on long queues. Another man commenting on the same made a joke as to how he used to get so worried each time his wife had gone to fetch water thinking that maybe she had gone to see another man.

“...Kuchita kufika poti akazi ako akapita kumjigo kuwatsati la konko kuli kudabwa kuti amenewa mmene apitila muja sanapitilile kupita kwina iyayi. Kukafika kumjigo kuja umva ndatsala pang’ono ndili number 5 tsopano, koma chipitile cha mamawa. ”

“...It got to an extent that when your wife goes to fetch water at the borehole, you would follow her because of the time she took thinking that maybe she has gone to see other men. When you got to the borehole, you would find her and she would tell you that am almost there, I am now fifth in line”

It took the villagers to mobilize themselves and dig up wells that could supplement the borehole.

Secondly, it was believed that the MPs have large areas under their jurisdiction and as such the delivery of public services is inequitable with other areas getting more. The argument made was that the MP only concentrated in the wards where he deemed to have political support and areas surrounding their home area. . An example was given in Chikuse village where their MP comes from a village that is twenty kilometers from the village. As such the MP had concentrated on developing his village and had shunned away areas. Similar examples were given in Zingaziwo, Selemani and Puli

villages. This according to the participants was unacceptable as the delivery of public services was supposed to be equitable

4.4.2 Quality of public services

According to Afrobarometer survey findings the quality of health services in Malawi has continued to worsen over the years. Particularly, the long waiting hours that people have before they get attended to, the supply of medicine and medical supplies and general lack of attention. The availability of doctors however was perceived to be generally improving.

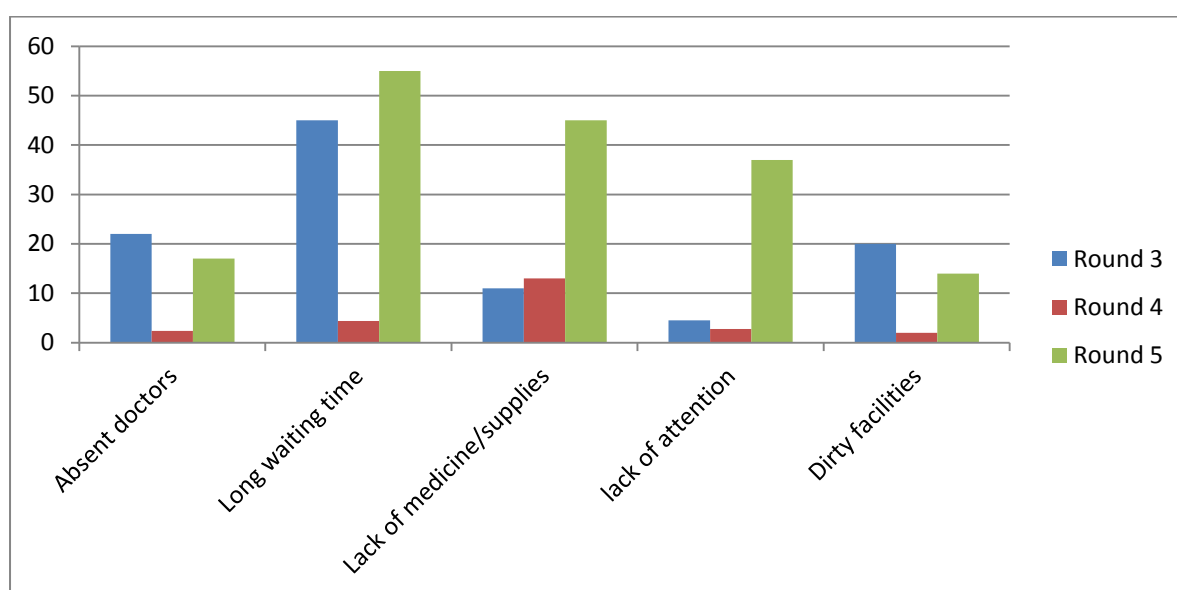


Figure 13: Quality of healthcare in Malawi (Afrobarometer surveys)

The study finds that the biggest challenge was that of unavailability of medicine. In all discussions with the citizens, there was general consensus that medicine was inadequate to cater for everyone that went to seek medical help. The problem was particularly acute for treatments for diseases like Malawi that required a dosage. Instead, mere painkillers were prescribed to relieve symptoms. The medicine was also unavailable to a majority as it was not being given free. Citizens were only given free

consultations and prescriptions given to them for purchase at the pharmacy. For example one of the participants in the FGD said:

“Komanso ukapita kuchipatalako amangokulembela mankhwalawo amakuwuzwa kuti mankhwalawo palibe upite ukaguleku pharmacy pamene iweyo ndalama ulibe wachita kuvutikanso kupeza transport kuti ukafike kuchipatalako kuti ukapeze chithandizo. Ndiye umadabwa kuti ndalama yogulila mankhwalayo uitenga kuti.”

“...when you go to the hospital, the doctor will only prescribe you medicine and tell you to go to the pharmacy and buy the medicine as they do not have the medicine when in actual fact you do not have any money on you and struggled to get transport money to get to the hospital. This makes you wonder as to where they think you will get the money to buy the medicine.”

The study established that citizens expect that government takes responsibility for maintaining boreholes in the area. However, government was not performing this function and the blame for this was placed on the MP for not ensuring that the boreholes are properly managed. An example was given of an instance where some equipment was stolen from a borehole. When the villagers had reported to the MP about the problem, the MP blatantly said that it was not the responsibility of government to fix the borehole. The responsibility of government ended the time the borehole was put in place. The responsibility of fixing the borehole therefore lay in the hands of the villagers themselves. One woman commenting on this said:

“Ife atatibela mjigo uli apawu tinayesetsa kupempha apa ndi apa, kuyesetsa kukamba ndi atsogoleli athu kuti alowelege koma zinakanika. Mwachidule basi tinangokhala panso kuti aliyense azikagwila ganyu kuti tilowetse popang’ onopang’ ono tikonze mjigowo”.

”When some equipment was stolen from the borehole, we tried to ask for assistance from the leaders to fix it, but to no avail. We ended up just giving up and agreeing that we as individuals do some piecework and together contribute to the fixing of the borehole”

Another man also said:

“Tinakhala kuti tinangokhala anthu a chete sindikudziwa kuti tikanatani chifukwa zinatengela kuzipeleka kwathu, kusunzika limodzi limodzi nkukonza mjigowo.”

“I really don’t know what would have happened if we were not proactive because it took our sacrifice to contribute to the fixing of the borehole.”

4.4.3 The availability and quality of public service delivery and willingness to pay tax

The study finds different perceptions towards different types of taxes that are paid to the government. The first type of tax that most of the participants identified with was that levied to local government. This tax was mostly paid through market fees collected by the District Council. Participants generally felt that the taxes that the District Council was collecting were not being put to good use as its service delivery very poor. One man expressed dismay over the poor sanitation conditions found in the market places:

“Chimakhala chopweteka kuona kuti aboma akutolela ndalama tsiku ndi tsiku koma chimbudzi palibe. Ndiye zimawawa kuti zoonanso anthu akafuna kuzithandiza aadzipita kuchire?”

“It is really painful to have the government collect taxes every day but yet have no toilets. It hurts to think that if people to answer to the call of nature, then they have to go to the bush.”

However regardless of the dissatisfaction with the quality of public services being delivered, there was general agreement amongst the participants that it is still important to pay taxes. This notwithstanding, the participants argued that as a way of demanding better quality services, citizens should briefly boycott paying taxes to local government up until they get assurance that better quality services will be provided. One woman said:

“Ngati mmene tikumvela zomwe zikuchitikila ku Karonga uku, kuti anthu anena kuti sikuti msonkhowo sitimapeleka. Komano taonani timakumana mu msika muno okwanila 500 koma zimbudzi zilipo ziwiri zokha. Ndiye ife yomsonkho sitikhoma mpaka mutionjezele zimbudzi.”

“Just like what we have heard about what is happening in Karonga. The people selling in the market have said they will only pay their market fees when the council provides more toilets. Their argument is that there are only 2 toilets against 500 people.”

Citizens felt that the tax collected by the District Council was not being put to its good use. As one woman said:

“Tsopano tikati tinene kuti tisiya kukhoma msonkho chifukwa zimbudzi mu msika mulibe nanga ndalama zoti boma lingagulile mankhwala mzipatalamu zilitenga kuti?”

“Now if we argue that we should stop paying market fees because there are no toilets in the market, then where do we expect government to get money to buy medicines in the hospitals?”

Another man also said:

*“Msonkho umene tikukhoma mu msika ndi ofunika kwambiri
chifukwa umathandiza boma kugwila ntchito zake ngati zaumoyo,
za maphunziro ndi zaulimi”*

*“The market fees that we pay are important as they help government
provide for public services in areas like health, education and
agriculture.”*

The second type of tax identified was the Value Added Tax (VAT). For this type of tax, the participants felt that there had no choice when it came to paying VAT as it was attached to almost all food items which they could not do without. They however felt that government was taking advantage of this fact by increasing VAT in any way it could.

The third type of tax identified was income tax. There were two categories of people that also gave two divergent views. The first view was of the impression that it is justifiable to stop paying taxes because the quality of public services remains poor. The second view was that it is not justifiable to stop paying taxes even amidst poor quality public services being delivered. The study identified the former group as people that were a working group and paying taxes and the former as people that were not paying income taxes.

One woman who was of the view that it is justifiable to stop paying taxes if public services remain to be of poor quality said:

*“Inutu ndi zowawa kuti pa salary pako azikudula ndalama
yambiri mwina 50 thousand koma upeze kuti madzi kulibe, kaya
mankhwala kuchipatala kulibe ndiye kulibwino kungosiya
kupeleka msonkho wo kuti uzikhala mosangalala”*

“I tell you it is painful to have money as much as 50 thousand kwacha deducted from your salary only to find dry taps or no medicines in the hospital. It is therefore better to stop paying taxes so that you live happily”

Another woman of the contrary, view however argued that:

“Ndiye mukanena kuti tonse tisiye kupeleka msonkhowo ndiyeno anthu ngati ife amene tilibe kalikonse ndipo timadalira bomalo kuti litipatse zofuna zathu, ndiye tipanga bwanji.”

“So if you say that we should all stop paying taxes, what will become of people like us that depend on government to provide for our every need?”

Another argument of this same view was that paying of income taxes was not optional for the working class, but mandatory. Therefore regardless of poor quality service delivery, citizens had no choice but to pay income taxes.

The study finds that citizens classify the exercise of political authority at different levels. The higher level was that of the president and his cabinet with the civil service operating horizontally but at the same level. The second level below this was that of Members of Parliament (MP). The third level was that of councilors. These actors performed different roles and had different powers. The councilors were seen to have less or no power at all as their responsibility was simply to channel the needs of the citizens to the MP. The MP it was established had a very important and crucial role. The MP was a bridge to deliver public services to the citizens and he had an opportunity to demand these services in parliament. Upon channeling these needs, the higher level now takes them up and delivers the sought needs to the citizens. The relevant ministries then distributed public services through its public service. This

understanding of the government machinery as being hierarchical is similar to what Rousseau had postulated about the type of government that citizens would enter into a contract with. The government would not be governed by one person but by a group of individuals that would also form different institutions.

From this hierarchy a number of observations can be made. Firstly, it is evident that citizens do not place themselves within the hierarchy. As such, they have less influence over the decisions of the government. The fact that citizens accept that they have no power or influence over government decisions means that they care less about the legitimacy of the government as those in leadership seem to have the right to rule by “default”. Again, one possibility for this reasoning could be the level of education of the sample population. Secondly, citizens make a distinction between who actually has the authority to provide and deliver public services on one hand, and who facilitates the provision and delivery on the other hands. In this case, the president, cabinet and civil service belong to the former category and the MPs and councilors to the latter. However the blame is placed on the MPs for failing to facilitate the delivery of the services. As such citizens still owe their allegiance to the government (whose power is exercised by those in the top hierarchy).

4.4.4 The availability and quality of public services and the willingness to obey the law

The study finds that citizens feel obliged to obey the law regardless of the government to deliver quality public services. The citizens found no connection between the failure of the government to deliver quality public services and the breaking of the law. The first reason is that the government is regarded as a “parent”. As such, the

failure of the “parent” does not mean justification of the “children” in this case the citizens to do wrong too. As stated by one woman:

“Kholo ndi kholo basi”

“A parent will always be a parent.”

The second reason was that citizens feel that “no one is above the law”. Every citizen is subordinated to the law of the land as such have no power not to obey what the law says. Citizens are not part of the law making process, and as such also have no power to choose not to obey the law. The government puts the law in place and citizens must obey it. One man said:

“Olo utawamenya akazi ako omwe ku court sungakanene kuti komatu ndawamenyawa ndi akazi anga, akumangabe ndithu. Chifukwa lamulo liposa mphamvu”

“Even if you beat up your own wife, in a court of law you would never defend yourself by saying you beat her up because she is your wife. This is because no one is above the law”

The third reason was that the law is important because it ensures that there is order and stability. The study found that citizens believe that obeying the law ensures that there is no chaos as all citizens have a uniform standard of living. Without, conformity to the law, life would be chaotic as everyone would do anything and everything they saw fit.

These findings could be explained using Thomas Hobbes’ social contract. When citizens enter into the social contract with the government, unlimited liberty does not mean absolute freedom of the individuals that are being ruled by a government. The agreement that they make with the government means that all individuals abandon all

their powers and allow the new sovereign to fully use its power without obstacle. The government was justified to use force in enforcing the law as the law was supreme above every individual. This is what Hobbes calls “artificial chains” that are created by the sovereign. Individuals are bounded by civil law which they have no choice but to obey. The political legitimacy of the sovereign and the moral obligation that citizens have towards the sovereign are approved by the free will of the people. People’s free will decides to transfer rights voluntarily and it is this will that creates obligations for citizens.

It is however ironic, that citizens generally agree that the government is justified to use force to ensure that citizens respect the law even if the government fails to deliver essential public services. The provision of equitable public services by the government in Malawi is a constitutional requirement. Therefore the failure of the government to deliver public services entails a violation of the law. It is interesting to note that the government is allowed to “waiver” its responsibility to respect the law but at the same time use force to citizens to respect the law. Citizens do not seem to understand that provision of service delivery is a constitutional requirement regardless of the fact that they perceive the provision of public services as the most crucial function of the government. The fact that the delivery of public services is not linked to the respect of the law explains why citizens still consider the government legitimate regardless of its failure to deliver public services. This might have been influenced by the education levels of the sample population. Only about 3% had a university qualification and 6.5% post-secondary school qualification

4.4.5 The availability and quality of public services and pride of being

Malawian

The study finds that citizens were proud to be Malawian regardless of poor service delivery. The first reason was that Malawi was a peaceful country. The peace that they enjoy in Malawi makes them appreciative of being Malawian. The citizens felt that the problems that they face could not compare to the peace and stability they enjoy. They even compared themselves with other countries. One man said:

*“Bola tizivutika ndi umphawi konkuno kusiyana ndikumakakhala
mwamantha ngati mmene anthu akhalira ku Joni”*

*“It is better to live in poverty here than live in fear like people
do in Johannesburg”*

The second reason was that no one could question God’s decision to make them Malawian. Since God who is Almighty had decided that they are born in Malawi, it was only right to be proud of their Malawian Nationality.

These findings could be explained in a number of ways. Firstly, citizens accept the inadequacy in coverage and poor quality of public services as something they can live with. The inadequacy does not cause a discomfort to a level that citizens lose their national pride. Due to this, citizens are comfortable staying in Malawi, even when government fails to deliver public services as per their expectation. This means that although citizens complain about the quantity and quality of public services, it is just enough to sustain them. Secondly, citizen’s pride in the Malawian nationality regardless of government’s failure also means that citizens cannot demand government to do more. It portrays a satisfaction with the level and quality of public services that the government is delivering. Thirdly, citizens might have accepted poor

service delivery as being a “norm” of governments in Malawi. It was not anything new and as such it was not reason enough for them to lose their national pride. There could be other factors that influenced their pride other than the delivery of public services, such as national security and cultural diversity and tolerance.

The continued obligation that these citizens have towards the government regardless of the government’s failure to meet the expectations of the citizens can be explained by Rousseau’s “non-continual” consent. Rousseau had argued that it was not necessary for citizens to continuously give the sovereign consent to rule as had been put by Locke. While it was important that citizens give consent to the sovereign to rule over them and make rules, that consent was to be given once. No continued consent was needed as long as people remained silent and did not argue about the rules. The study observes a continued consent of citizens that complain about the failure of their government to deliver public services, but nonetheless stay silent and do not argue about the rules that the government has put in place.

CHAPTER FIVE

CONCLUSION

This thesis aimed at understanding the context in which the delivery of public services enhances or undermines government legitimacy. State legitimacy is understood as citizens' acceptance of the state's right to rule (McLaughlin, 2014). The thesis was however focused on studying government legitimacy as the government is the apparatus through which the state uses to implement its policies. The main objective of the study was to analyze the context in which the delivery of public services enhances government legitimacy. The study aimed at answering three research questions. First, how do citizens conceptualize the government and its functions? Second, how citizens determine government legitimacy? Last, how does the availability and quality of public service delivery affects government legitimacy? Research was undertaken in Blantyre District in T/As Kapeni and T/A Kuntaja. Research was undertaken by comparing perceptions in T/A Kapeni where there is better access to health facilities and T/A Kuntaja using the most similar systems design method. The mixed methods research design was used. The study had a sample size of 400 respondents with 200 respondents coming from each of the T/As. FGSs were used as a qualitative method. SPSS was used a package to analyze quantitative data while Content Analysis was used to analyze the qualitative data.

Social contract theorists, mainly Hobbes, Locke and Rousseau have contended that citizens enter into a voluntary agreement with the state where the citizens give up their rights and freedoms in return of security and stability. Citizens submit to the state in the social contract and are obliged to perform a number of responsibilities like obeying the law instituted by the state and paying taxes to the state. The contract therefore means that the state is entrusted with the right to rule over its citizens. The sustenance of the contract rests upon the extent to which the state delivers. In cases where the state fails, citizens have the right to terminate the contract with the state in the most extreme cases by revolting against the state. Citizens may also shun away from their responsibilities when the state fails to deliver.

The literature however portrays a lack of consensus among scholars as to whether the delivery of public services has an effect on government legitimacy. Some studies suggest that the relationship between public service delivery on one end and government legitimacy on the other hand might be non-linear (Ndaruhutse, 2012; Mcloughlin, 2015). This study was premised on this debate to understand the circumstances under which public service delivery enhances or undermines government legitimacy. More interesting for the Malawian case is that the Constitution in Section 30 places responsibility over the state to facilitate development for all its citizens by providing public services. This suggests that public service delivery is a key expectation that citizens have of the state.

As measures of government legitimacy, the study was focused on taxation policies, respect for the law and national pride. These measures are chosen as they are indicators of behavioral legitimacy. According to Mcloughlin (2014), citizens that

provide their consent to the existence of the state cooperate and comply with it and can be said to show behavioral legitimacy. The study finds no significant differences between the perceptions of citizens in T/A Kapeni with those of citizens of T/A Kuntaja. Over 80% of all respondents defined the government as the people. While citizens regard themselves to be the government, the power to deliver public services lies with the president, the cabinet and the civil service. The citizens solely depend on MPs to facilitate public service delivery and as such the blame for poor coverage and quality public services is placed on the MPs. Allegiance is owed to the government by virtue of it being an entity that has been vested with power rather than on what it can deliver to its citizens.

Regardless of the government's failure, most citizens accepted their responsibility to pay tax and the duty of the tax authority to collect tax. Tax as an obligation that citizens have towards the government is directly linked to the provision of public services by the government. However, the majority of citizens disagreed that the tax authority was justified to use force to make citizens pay tax if it failed to deliver public services. Similar perceptions were also shared for obligations to obeying the law. However, whilst the majority had said that the tax authority was not justified to use force to make people pay tax if it failed, a majority of citizens agreed that government was justified to use force to enforce the law even if it failed to deliver public services. The responsibility of the government to coerce its citizens to obey the law is not dependent on whether the government delivers public services or not. The government was seen as a "parent" that could not be faulted. Citizens generally do not regard public service provision as a constitutional mandate. One explanatory factor is the low education levels of the people engaged in the study. As such, failure of the

government to deliver public services is not regarded as violation of the law. Thus the failure of the government to deliver public services does not undermine its legitimacy.

Over 80% of the respondents were proud to be Malawian regardless of the government's failure to provide public services. They said that their pride in being Malawian could not be affected by anything as they enjoyed the peace that prevailed in the country and that they were happy to be in line with God's plan for their life as Malawians. This poses a big challenge as citizens cannot demand their government to do more. The fact that citizens are proud to be Malawians regardless of government's failure to deliver public services shows that citizens are satisfied with just what government is delivering. This could also be that it is the norm that governments will never provide enough and so the failure of government to deliver public services is not a significant factor determining the legitimacy of government.

The study finds evidence that nullifies the hypothesis. The thesis had assumed that the delivery of public services enhances government legitimacy. However, the study finds no differences between the perceptions of people that had better access to health service and those that have less access to public services. Regardless of a general consensus that the government is failing to deliver essential public services as per the expectations of the citizens, a majority of respondents are obliged to pay tax, respect the law and are proud to be Malawian. The impact of public service delivery on government legitimacy in Malawi is complicated, in that it is non-linear. The extent to which the delivery and quality of public services enhances or undermines government legitimacy is dependent on a number of factors. Firstly, the inclusion of citizens in the power hierarchy. It is not enough to have popular definitions of the government as "the people". Rather what matters is if people really feel that they have the power to

influence decision making or not. Where citizens do not feel to have any real decision making power, the right to rule is absolutely placed in the government regardless of whether the government delivers or not. Secondly, the presence of multiple actors operating at different levels of the power hierarchy. This arrangement creates accountability challenges over who must deliver public services. In the Malawian case, the blame is placed on the MPs as they are regarded as the intermediaries that must ensure that public services are delivered. As such the civil service (placed at a higher level than MPs) which directly provides and delivers public services is not faulted. Thirdly, norms shape perceptions of government legitimacy. Citizens accept government failure to deliver public services as something that has always been experienced. As such, their pride in being Malawians is not influenced by the extent to which government delivers public services. Fourthly, the extent to which citizens identify public service delivery as a constitutional requirement. Where citizens do not acknowledge the provision of public service delivery as a constitutional requirement, the delivery of public service delivery cannot influence government legitimacy.

The failure of the study to find a direct relationship between public service delivery and government legitimacy requires a similar study that delves more into understanding the determinants of government legitimacy in Malawi. A predominantly qualitative study is required to gain in depth understanding of the determinants of government legitimacy in Malawi. Whilst this study was done in Blantyre district, a national study that covers a wider area and more public services is sought.

REFERENCES

- Babbie, E. (1998). *The Practice of Social Research (8th ed)*. New York: Wards worth Publishing Company
- Beetham, D. & Weber, M. (1987). *The Theory of Modern Politics (2nd ed.)*. Cambridge: Polity Press
- Berdufi, N. & Dushi, D. (2015). Social Contract and the Government's Legitimacy. *Mediterranean Journal of Social Sciences*, 6(6), 123-39
- Berggren, N., Bjornskov, C. & Lipka, D. (2014). *Legitimacy and the cost of Government*. Sweden: Research Institute of Industrial Economics.
- Bratton, M., Coulibaly, M. & Machado, F. (2000). Popular Perceptions of Good Governance in Mali. *Afrobarometer Working Paper No. 9*
- Carter, D. (2015). Sources of State Legitimacy in Contemporary South Africa: A Theory of Political Goods. *Afrobarometer Working Paper No. 134*
- Chafuwa, C., Kenani, J. and Kaunda, S. (2007). Tax Policy and Administration Evolution and Revenue Performance in Malawi. *Malawi Revenue Authority Working Paper WP/01/07*
- Denney, L., Mallett, R. & Mazurana, D. (2015). *Peace building and Service Delivery*. United Nations University Centre for Policy Research
- Dossani, S. (2012). Malawi: A development. *Global Majority E-Journal*, 3(1), 20-32.
- Evers, W. M. (1977). Social Contract: a Critique. *Journal of Libertarian Studies*, 1(3), 185-194.
- Gilley, B. (2006). The Determinants of State Legitimacy: Results for 72 Countries. *International Political Science Review* 27 (47), 24.

- Gilley, B. (2006). The Meaning and Measure of State Legitimacy: Results for 72 Countries. *European Journal of Political Research*, 45(1), 26.
- Heywood, A. (2002). *Politics*. New York: Palgrave Macmillan
- Hobbes, T. (2010). *Leviathan*. USA: Yale University Press.
- Howlett, M., Ramesh, M. and Perl, A. (2009). *Studying Public Policy: Policy Cycles and Policy Systems* (3rd ed.). Oxford: Oxford University Press
- Hsieh, H.F. & Shannon, S.E. (2005). Three Approaches to Qualitative Content Analysis. *Qualitative Health Research*, 15 (9), 1277-1288
- Hughes, O. (2003). *Public Management and Administration: An Introduction* (3rd ed.). New York: Palgrave Macmillan
- Jackson, R. and Jackson, D. (1997). *A Comparative Introduction to Political Science*. New Jersey: Prentice-Hall, Inc.
- Jackson, J., Bradford, B., Hough, M., Myhill, A., Quinton, P., and Tyler, T. R. (2012a). Why do People Comply with the Law? Legitimacy and the Influence of Legal Institutions. *British Journal of Criminology*, 52, 1051–1071.
- Jackson, J., Bradford, B., Stanko, E., and Hohl, K. (2012b). *Just Authority? Trust in the Police in England and Wales*. Oxon: Routledge.
- Jana, M. (2015). *Understanding Political Legitimacy in African Emerging Democracies: The Juridical, Symbolic, and Instrumental Legitimacy Interface* (Doctoral Dissertation). Wits University, RSA.
- Kaplan, S. (2008). *Fragile States Fractured Societies Fixing Fragile States: A New Paradigm for Development*. London: Praeger Security International.

- Lake, D (2007). *Building Legitimate States after Civil Wars: Order, Authority, and International Trusteeship*. Retrieved 30 December 2016
<https://ssrn.com/abstract=1004425> or <http://dx.doi.org/10.2139/ssrn>.
- Levi, M., Sacks, A. and Tyler, T. (2009). Conceptualizing legitimacy, measuring legitimating beliefs. *American Behavioral Scientist*, 53 (3), 354.
- Marying, P. (2002). *Qualitative Content Analysis*. Retrieved 19 December 2016 from
<http://www.qualitative-research.net/html>.
- Mcloughlin, C. (2010). Engagement with Non-State Service Providers in Fragile States: Reconciling State-Building and Service Delivery. *Development Policy Review* 28 (2), 131–154.
- Mcloughlin, C. (2014). *State Legitimacy*. USA: DLP
- Mcloughlin, C. (2015). *Researching State Legitimacy: A Political Approach to a Political Problem*. Birmingham: University of Birmingham
- Ndaruhutse, S. (2012). *Synthesis Research Report: State-building, Peace-building and Service Delivery in Fragile and Conflict-affected States*. UK: CfBT Education Trust.
- O’Neil, P. (2003). *Essentials of Comparative Politics*. New York: W.W. Norton & Company Inc.
- Organization for Economic Co-operation and Development (OECD) (2008). *State-Building in Situations of Fragility: Initial Findings*. Paris: OECD.
- Olson, M. (1971). *The Logic of Collective Action: Public Goods and the Theory of Groups*. USA: Harvard University Press
- Peltier, J. (2007). *State Legitimacy in Sub-Saharan Africa*. USA: Michigan State University.

Rotberg, R (2004). The Failure and Collapse of Nation-States: Breakdown, Prevention and Repair. In R. Rotberg (Ed.), *When States Fail: Causes and Consequences* (pp. 3-10). Princeton, NJ: Princeton University Press

Tyler, T., Stephen, S., and Aziz H. (2010). Legitimacy and deterrence effects in counter-terrorism policing: A study of Muslim Americans. *Law and Society Review*, 44(1), 365-401.

UNDP (2015). *Briefing note for countries on the 2015 Human Development Report: Malawi*. Lilongwe: UNDP

Weber, M. (1984). Legitimacy, Politics and the State. In W. Connolly (Ed.), *Legitimacy and the State* (pp. 69-77). New York: New York University Press.

APPENDICES

Appendix 1: Interview Guide

1. In your view, who or what do you think is the government?
2. In your view, what do you think are the most important functions of the government?
3. In your view, what do you think are the reasons that give the government much authority to rule?
4. In your view, what are the reasons in your view that would prevent the government from enjoying its right to rule?
5. Do you think that the delivery of public services gives the government more authority to carry out its functions?
6. Which public services matter the most? Do you have access to all these public services?
7. Are you satisfied with the quality of public services that you have?
8. Do you think government is justified to provide more public services in some areas than others? If yes, under what circumstances?
9. Do you think government is justified to provide better quality public services in some areas than others? If yes, under what circumstances?
10. Do you think people that have access to public services must pay taxes in the same way as those who do not have access?
11. Do you think people that have access to public services must obey the laws in the same way as those who do not have access?
12. Do you think people that have access to public services feel the same pride to being Malawian as those that do not have access?

Appendix 2: Questionnaire

Gender

Male	0
Female	1

Q.1. Please tell me, what/who in your view is the government? (Interviewer to probe for multiple understandings).

- 1.....
- 2.....
- 3.....
- 4.....
- 5.....

Q.2. Please tell me what in your view, are the most important functions of the government (functions to be rated according to importance).

- 1.....
- 2.....
- 3.....
- 4.....
- 5.....

Q. 3. Which one of these functions in your view is the government effectively performing?

.....

Q.4. Please tell me whether you agree or disagree with the following statement:
Citizens have a duty to obey the law (Interviewer to probe for strength of opinion).

Strongly disagree	1
Disagree	2
Agree	3
Strongly agree	4
Don't Know	9

Q.5. Please tell me whether you agree or disagree with the following statement:
Citizens have a duty to pay taxes (Interviewer to probe for strength of opinion).

Strongly disagree	1
Disagree	2
Agree	3
Strongly agree	4
Don't Know	9

Q.6. Please tell me whether you agree or disagree with the following statement: All
citizens must be proud to be Malawian (Interviewer to probe for strength of opinion).

Strongly disagree	1
Disagree	2
Agree	3
Strongly agree	4
Don't Know	9

Q.7. Please tell me which public services you consider to be the most important.

1.....

2.....

- 3.....
- 4.....
- 5.....
- 6.....
- 7.....
- 8.....

Q.8. Please tell me which of the following statements is closest to your view? Choose Statement 1 or Statement 2. (Interviewer to probe for strength of opinion)

Statement 1: The government always delivers all essential public services

Statement 2: The government sometimes faces challenges in delivering essential public services

Strongly agree with 1	1
Agree with 1	2
Strongly agree with 2	3
Agree with 2	4
Agree with neither	5
Don't Know	9

Q.9. Please tell me why in your view, the government may sometimes fail to deliver public services? (Interviewer to probe for multiple reasons)

- 1.....
- 2.....
- 3.....
- 4.....
- 5.....

Q.10. Please tell me whether you agree or disagree with the following statement: The tax authorities always have the responsibility to make people pay taxes (Interviewer to probe for strength of opinion) .

Strongly disagree	1
Disagree	2
Agree	3
Strongly agree	4
Don't Know	9

Q.11. Please tell me whether you agree or disagree with the following statement: The government always has the responsibility to make people obey the law (Interviewer to probe for strength of opinion).

Strongly disagree	1
Disagree	2
Agree	3
Strongly agree	4
Don't Know	9

Q. 12. Please state whether you agree or disagree with the following statement:
Citizens must always be proud to be Malawian (Interviewer to probe for strength of opinion).

Strongly disagree	1
Disagree	2
Agree	3
Strongly agree	4
Don't Know	9

Q. 13. Please tell me if you agree with the following statement: the government exercises enough authority in its right to collect taxes (Interviewer to probe for strength of opinion).

Strongly disagree	1
Disagree	2
Agree	3
Strongly agree	4
Don't Know	9

Q. 14. Please tell me if you agree or disagree with the following statement: the government exercises enough authority in enforcing the law (Interviewer to probe for strength of opinion).

Strongly disagree	1
Disagree	2
Agree	3
Strongly agree	4
Don't Know	9

Q. 15. Some people say that is justifiable to stop paying taxes if the government does not deliver public services. Do you agree or disagree with the statement (Interviewer to probe for strength of opinion).

Strongly disagree	1
Disagree	2
Agree	3
Strongly agree	4
Don't Know	9

Q. 16. Some people say it is justifiable to stop obeying the law if the government does not deliver public services. Do you agree or disagree with the statement (Interviewer to probe for strength of opinion).

Strongly disagree	1
Disagree	2
Agree	3
Strongly agree	4
Don't Know	9

Q. 17. Please tell me if you are agree or disagree with the following statement: It makes you proud to be Malawian (Interviewer to probe for strength of opinion).

Strongly disagree	1
Disagree	2
Agree	3
Strongly agree	4
Don't Know	9

Q. 18. Please tell me if you agree or disagree with the following statement: You would still be proud to be Malawian even if the government failed to deliver public services (Interviewer to probe for strength of opinion).

Strongly disagree	1
Disagree	2
Agree	3
Strongly agree	4
Don't Know	9

Q. 19. Please tell me which of the following statements is closest to your view? Choose Statement 1 or Statement 2. (Interviewer to probe for strength of opinion)

Statement 1: The government is justified to use force to make citizens pay taxes even if it does not deliver some public services

Statement 2: The government is not justified to use force to make citizens pay taxes if it does not deliver some public services

Strongly agree with 1	1
Agree with 1	2
Strongly agree with 2	3
Agree with 2	4
Agree with neither	5
Don't Know	9

Q. 20. Please tell me which of the following statements is closest to your view?

Choose Statement 1 or Statement 2. (Interviewer to probe for strength of opinion)

Statement 1: The government is justified to use force to make citizens obey the law even if it does not deliver some public services

Statement 2: The government is not justified to use force to make citizens obey the law even if it does not deliver some public services

Strongly agree with 1	1
Agree with 1	2
Strongly agree with 1	3
Strongly agree with 1	4
Agree with neither	5
Don't Know	9

Q. 21. Please tell me whether you agree or disagree with the following statement: The government is justified to deliver more public services to other areas than others (Interviewer to probe for strength of opinion).

Strongly disagree	1
Disagree	2
Agree	3
Strongly agree	4
Don't Know	9

Q. 22. Please tell me whether you agree or disagree with the following statement: The government is justified to deliver more public services to other groups of people than others (Interviewer to probe for strength of opinion).

Strongly disagree	1
Disagree	2
Agree	3
Strongly agree	4
Don't Know	9

Q.23. How old are you?.....

Q. 24. What is the highest level of education you have completed?

No formal schooling	0
Informal schooling only	1
Some primary schooling	2
Some secondary school/high school	3
Post-secondary qualifications, not University	4
University education	5
Don't Know	9