



Language

A very interesting example of civil resistance promoting the ultimate success of democratic institutions occurred in Malawi in 2019-2020. Mass year-long protests, coordinated by civil society groups in the Human Rights Defenders Coalition, contested the flawed presidential election in June 2019, when President Mutharika won another term despite the notorious altering of ballot counts with Tippex and other irregularities. Popular pressure underpinned key decisions by the Malawi judiciary, in particular the decision by the Constitutional Court in February 2020, despite death threats, to annul the June 2019 election. The Court ordered a re-run under a new electoral system, which replaced 'first past the post'. Opposition political parties - divided in 2019 - also came together to form a united coalition in June 2020, and defeated Mutharika in June 2020. In addition the Malawi Electoral Commission, which had failed to challenge the 2019 result, in 2020 under a new chairman, resisted attempts by Mutharika to get the poll results overturned. Finally and crucially, the armed forces (despite changes in the top posts made earlier by Mutharika) maintained its political neutrality. Commentators also noted that the success in 2020 drew on earlier struggles for democratization and the strengthening of civil institutions. (See: [E. I.2.1.a.i. - Malawi](#) [1]) Malawi's successful defence of democracy received very little coverage in mainstream English language media, but some informative references are listed below.

Gabay, Clive, [Exploring an African Civil Society: Development and Democracy in Malawi, 1994-2014](#) [2], Chicago IL, Rowman and Littlefield, 2015, pp. 132

This is an interesting critical look at 'civil society' in an African context, in particular the role of international donors in promoting 'civil society', which can be seen as a continuing form of imperial control. However, the author suggests that since Malawi became a multi-party democracy in 1994 civil society groups generally played a constructive democratic role, especially in the 2011 protests against the increasingly authoritarian President Bingu wa Mutharika.

Green, Duncan, [How Does Change Happen? Lessons from Malawi](#) [3], Oxfam FP2P, 2020

Oxfam provides a very useful analysis of developments in Malawi by Nic Cheeseman and Golden Matonga, who argue that two key lessons are that change results from a combination of pressures and that 'people power is critical to strengthening the independence and effectiveness of democratic institutions'. There are also 10 comments on this analysis by Malawi citizens.

See also: Corcoran, Bill, 'Malawi One of the Few Wins for Democracy in 2020:', *Irish Times*, 28 December, 2020.

Corcoran comments on Chatham House awarding their 2020 prize in December to the judges of Malawi's Constitutional Court in recognition of their bravery in annulling the presidential poll of 2019. He then elaborates on the evolution of the campaign to annul the election and to celebrate the upholding of democracy in Malawi when it was under threat in many other parts of the world.

See also: Swift, Richard, 'Introducing Lazarus Chakwera', *New Internationalist*, September-October 2020, p.11.

Brief but useful summary of events leading to the election of the opposition leader Chakwera in June 2020.

Kell, Fergus, [Malawi's Re-Run Election is Lesson for African Opposition](#) [4], Chatham House, 01/07/2020,

Kell stresses the role of the constitutional court and notes the role also played by the high court in thwarting an attempt by President Mutharika just before the re-run June 2020 election to force the chief justice to retire. But he also notes the importance of public pressure and the judiciary have worked together before to uphold the



constitution and prevent a president from abolish term limits on his tenure.

See also: Moffat, Craig, 'Malawi Elections Provide a Global Lesson in Democracy', *Mail and Guardian* (South Africa), 23 November 2020, pp.3.

Moffat celebrates the securing of democracy in Malawi, notes key factors which led to the successful election of the opposition in the June 2020 re-run election, and comments also on the difficult context of Covid-19 and the absence of external observers to monitor the conduct of the poll.

See also: 'Lessons from Malawi's Fresh Presidential Elections of 23 June 2020', International IDEA, 25 November 2020, pp. 23.

Conference Report and Webinar in August 2020, when Malawi's Electoral Commission share their experiences with other electoral commissions in the Southern African Development Community (SADF).

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