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“Multi-party is War”. Reflections on Local Mediation in Malawi’s Electoral Conflicts

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In 1993 Malawian voters, in a referendum, overwhelmingly favoured a multi-party system. It brought an end to the one-party rule of the MCP (Malawi Congress Party) and the ‘life presidency’ of President Kamuzu Banda, who was in power since independence from British rule in 1964. The implementation of multi-party democracy was, however, not easy and the road since 1993 has been bumpy and, at times, dangerous (EISA 2009). At the national level several constitutional crises occurred, such as the attempt by President Bakili Muluzi of the UDF (United Democratic Front) in 2002 to change the constitution and allow him a third term in office; the defection of President Bingu was Mutharika in 2005 from the UDF – the party on whose ticket he was elected – to establish a new party, the DPP (Democratic Progressive Party); the first term of Mutharika (2004-2009) who had to rule with minority support in parliament and under threat of impeachment; and the sudden death of Mutharika in 2012 that led to the transfer of power to the incumbent vice president, Joyce Banda. Banda was elected as vice-president with Mutharika, but she left the DPP in 2011 because of disagreement with the president, establishing her own party, the PP (People’s Party). In the space of two decades power has been transferred from the MCP to the UDF, from the UDF to the DPP, and from the DPP to the PP. In spite of these crises Malawi has avoided armed conflict or civil war. However, the events were not violence-free and it was at the local level where the tensions and violence were experienced most acutely.

In the wake of the elections of 1999 two teachers who came from the northern region, a region that predominantly supported the opposition party AFORD, were chased out of Mangochi, a Muslim-dominated town in the south that was within UDF ‘territory’. It led to a cycle of violence whereby mosques were burnt down in the northern region and churches and properties of opposition parties were burnt down in Mangochi. This event informed the decision by the Malawi Electoral Commission (MEC), in collaboration with the German development assistance agency, GTZ, to establish local conflict management mechanisms. In 2000, when local council elections took place, Multi-party Liaison Committees (MPLCs) were used for the first time. GTZ established the GTZ-Forum for Dialogue and Peace in 2003 that supported MPLCs administratively, but also in terms of capacity building. The MPLCs are inclusive bodies at the district level with the mandate to manage electoral conflict in the district. They are composed of district level representatives of political parties, local government, traditional chiefs, the police, civil society organizations, and the youth formations of parties. A MPLC is chaired by the district commissioner. MPLCs have been successful. Since their formation incidents of election-related violence declined in spite of the fact that, at the national level, political tensions remained high. Their contribution has been acknowledged by independent observers (Gloppen et al, 2006; Patel, 2006; EISA, 2009; Patel, 2009. See also Mwale and Etter, 2011). After the 2009 election GIZ discontinued financial support to the Forum for Dialogue and Peace because they have reached the end of their funding cycle. Other funders, at the request of the MEC, are considering support of these bodies, and even extend their mandate beyond the management of electoral conflict to include other forms of community conflict.

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From 2004 to 2007 I was Project Officer for the GTZ-Forum for Dialogue and Peace responsible for the central and southern regions, and from 2008 for the whole country. In what follows I reflect on my own experience and focus on how district-level political conflicts were defused through two approaches: mediation; and training in promoting the culture of multi-party democracy. I argue that the introduction of multi-party democracy in Malawi did not coincide with a total rejection of the general political culture of authoritarianism and exclusive rule. The MCP slogan in 1992-3 when canvassing for a vote against the multi-party system, was “*Matipate ndi nkhondo*” (multi-party is war). While exaggerated, subsequent experiences have certainly not proved that the slogan was completely wrong. The resolution of electoral tensions, therefore, has to go hand-in-hand with challenging this political culture. I first discuss an example of local mediation, and then the role of training. In the last section I summarize what has been learnt through these experiences.

Mediation

Following the formation of the DPP in 2005, relationships between the DPP and the UDF supporters in particular were very strained. The tension was primarily between the two leaders of the parties, but at the local level people had to choose whom to follow. It created opportunities for local rivalries to play themselves out. If, for example, the district chairman was UDF, his or her deputy would defect to the DPP to be in a position of equal power and status, and vice versa. The strained relationships had a very negative impact. These are people who came from the same villages and knew each other very well. They now attacked each other from public platforms and used their intimate knowledge of the other to humiliate them. They even referred to childhood incidents. Furthermore, at the local level it is not possible for political rivals to stay out of the other’s way. They live in close proximity and their paths frequently cross. They hardly greeted or talked to each other. They even stopped attending funerals of people of the opposite party, even if from the same family. Marriages broke down, and the role of the chiefs was also affected as they took sides. Even development projects came to a standstill. In Jika village, for example, the work on the construction of a bridge was stalled and vandalized. Vandalism of water boreholes was widely experienced. The reasoning was that the new DPP government should provide for its supporters; they cannot continue to benefit from what the previous UDF government had established.

My first experience dealing with such a situation was in Mulanje in 2005. It was considered a relatively difficult district as, two years ago, one person was killed in Mulanje because of political violence. A good friend of mine, Dyson Mathewe, organized a meeting between the UDF, DPP and MCP constituency committees in the district, and asked me to facilitate the meeting. He had a good relationship with all of them because he was not a political actor. At the time the MPLC was dormant because the committees were only operational during times of elections. The atmosphere in the room was quite heavy and no-one talked to each other. In the room were deputies sent by the leaders of each constituency committee, because the leaders were skeptical of the purpose of the meeting.

I had, by then, received some training in mediation, but I had never worked with politicians before. In fact, I had a rather negative view of them, but as I looked at them I suddenly realized that these were people like me, with similar feelings, with families and responsibilities like myself. This realization, I believe, had been very important. It helped me to be respectful of what people were saying and not to be judgmental or aggressive. I have subsequently seen how fellow mediators disagreed publicly with stakeholders.

Such an approach did not work well because it resulted in the mediators losing the respect of those stakeholders.

Dyson Mathewe explained the purpose of the meeting. He said he did not like to see the people of his community so divided, living as bitter enemies. This was contrary to what he voted for when supporting the multi-party system. That set the tone for the meeting as participants began to talk about their negative experiences. I made the rule that people should feel free to speak about negative experiences and problems, but must do so without finger-pointing and attacking people personally. It was a difficult discussion, but by the end of the day we had agreed that we have to work together to stop the negative impact of the multi-party system on our communities. Tempers had dropped and participants went out of the door shaking hands for the first time.

The meetings continued over the next months. By the third or fourth meeting the leaders of the constituency committees began to attend. They even asked their followers to sit with those of the other parties and not separate from them. They agreed to practice this attitude also in the community. The two local leaders of the UDF and DPP publicly demonstrated their newfound relationship by walking together as they came to our office. They passed by the bus depot and market, leaving people wondering who 'bought' who! This took place while, at the national level, relations between the two parties were extremely strained.

The outcome of these meetings was a code of conduct – without the participants realizing at the outset that that was what the result would be. Since the problem was the nature of their relationships as political parties, they agreed, as discussions continued, on rules of behavior such as not to speak ill of opponents, even when their national or regional leaders did so in their presence. They would defend their stance to their leaders by emphasizing that the enmity had created a lot of suffering in their community. They also committed themselves not to resort to violence. They would rely on party manifestos and not violence or intimidation to win the election.

This mediation process therefore resulted not only in the restoration of important relationships, but in a better understanding of multi-party democracy and what is necessary to prevent it from causing harm.

Training

One of the most important reasons for the success of the MPLCs was that each MPLC had to go through a training process of two days. The training focused not only on how they should perform their task of conflict management, but on an analysis of the causes of electoral violence in Malawi. The nature of the training was experiential. It meant that participants were guided through a process of reflecting on what actually happened and why it happened. This process consistently led to the startling realization by participants that electoral violence was caused by the persistence of the one-party political culture – in spite of their collective decision to embrace a multi-party system. In other words, even though all were in favour of the multi-party system, they all behaved with the mentality of a one-party system by, for example, enforcing "*kuchipinda kwa chipani*" (literally "bedroom of the party", meaning no-go areas). Furthermore, it did not matter what party was in power; the underlying attitude of exclusion and intolerance was shared by all.

In the process of training MPLCs during 2007-2008, twenty guidelines for keeping the peace between political parties during elections were formulated on the

basis of such reflective sessions. The guidelines were collected from all twenty-eight districts in Malawi (except Likoma Island) and were published in a small booklet. The guidelines were, in effect, rules for political behavior in a multi-party democracy, but they were not imposed as theoretical ideas from outside, but as lessons that had been learnt in Malawi through hard experience. For example, one of the guidelines stated that party leaders should lead by example in discouraging political violence, and acknowledge the damaging effects of inciting political intolerance. The principle was formulated by the Mangochi MPLC in the wake of the violent events in that district, and after the party leaders in the district took the blame for inciting violence in the past and committed to discouraging violence in future. Another guideline was that there should be preventive measures in place to prevent acts of political violence from spilling over from one district to the other. There were clear examples of the spill-over effect of violent incidents, and MPLCs have learnt that if they met immediately when they received news of such incidents in neighbouring districts, they were able to prevent any spill-over. A last example of a guideline was that members of political parties should be advised that if they were caught breaking the law, they would be arrested as individuals. Their political affiliation would not protect them. The police regularly received calls from political parties requesting that their members be released, but the police did not arrest political parties, only individuals who broke the law.

A serious problem experienced by MPLCs was that leadership at the regional and national levels did not share their commitment to peaceful political competition. The peaceful conduct of politics at the local level was in fact seen by some higher-level leaders as a weakness. We therefore decided to present these training opportunities also at regional and national levels. We have to date not been able to do the training at the national level, largely due to budget constraints. At the regional level, however, the training has been well received. An example of the interaction between the national and local levels was the decision by the Balaka MPLC not to allow party flags to fly in public places like markets and bus depots because they observed that many clashes occurred because supporters removed the flags of their opposition. Flags would only be allowed at private homes or the offices of parties, and when there was a special occasion such as a high-level visit by a party official. This decision did not please the regional and national leadership, particularly of the dominant party in that region. The MPLC and the District Commissioner in particular had to bear the brunt of their displeasure. What it points to is that people at the local level have actually moved ahead of those at other levels in their understanding of the rules of multi-party competition.

The training offered to MPLCs was therefore an opportunity for the collective leadership at the local level to reflect on and formulate rules of behavior to guide political competition. The MPLC trainings provided a space where people could discuss and reach consensus on how to behave in the new dispensation. An elderly lady who was the MCP representative at the MPLC in Blantyre in 2007-8, exclaimed after the training: "Where were you in 1994? If this training was done in 1994 when the UDF was taking over from the MCP, my house could not have had all its window panes broken by the Young Democrats (the youth wing of the UDF)." She added that women in MCP uniform were physically undressed by political opponents that day and had nowhere to go with their complaints.

Lessons learnt

In looking back at my experience over the past years, the following lessons stand out:

- The ideology of multiparty democracy was not matched by supportive attitudes. However, through concerted efforts, and particularly through experiential training, it was possible to promote more appropriate attitudes and practices. It is also noteworthy that mediation can contribute to a better understanding of multi-party democracy and the type of behavior that is required.
- The pre-emptive approach to conflict resolution that MPLCs are based on seems to work well. It is, however, a precondition that the MPLCs should be made operational some two years before elections to enable sufficient training and allow leaders collectively to develop the attitudes and skill to deal with tense situations.
- Ownership of the process to prevent and resolve conflicts should begin at the lowest level possible; especially in areas that are “hot spots” and where violence is likely. If disputes at these levels are mediated well, it prevents the escalation of conflict and violence.
- MPLCs cannot in the long run be totally effective without support from political leaders at regional and national levels. Efforts should therefore be increased to achieve buy-in at these levels.
- The attitudes and skills of training facilitators and mediators play an important role in the success of mediation and training. It is important not to be prejudiced against some politicians. It is also important that we should open ourselves to criticism. We cannot expect from politicians to be tolerant of criticism if we as facilitators do not practice the same attitude.

References

- EISA 2009. (Electoral Institute for the Sustainability of Democracy in Africa) 2009, Malawi Presidential and Parliamentary Elections, 19 May 2009. Election Observer Mission Report no 30.
- Gloppen, Siri, Edge Kanyangolo, et al. (2006). The Institutional Context of the 2004 General Elections in Malawi., Chr. Michelsen Institute. **R2006:21**.
- Mwale, Doc and Rachel M. Etter (2011). “Impact Survey of Multiparty Liaison Committees.” Lilongwe: German Development Cooperation (GIZ).
- Patel, Nandini (2006). Troublemakers and Bridge Builders: Conflict Management and Conflict Resolution. The Power of the Vote. Malawi’s 2004 Parliamentary and Presidential Elections. Martin Ott and Bodo Immink. Blantyre, Kachere: 217-241.
- Patel, Nandini (2009). Malawi: Support to conflict prevention around the 2009 elections. Project Evaluation Report. Lilongwe, GTZ Forum for Dialogue and Peace.