



Malawians support 2019 post-election demonstrations but split on government power to limit protests

Afrobarometer Dispatch No. 354 | Joseph J. Chunga

Summary

The Constitution of the Republic of Malawi (1995) stipulates that “every person shall have the right to assemble and demonstrate with others peacefully and unarmed.” In the aftermath of the 2019 general election, the country has been engulfed in a series of protest marches. Led by the Human Rights Defenders Coalition (HRDC) of civil society organizations, the protesters continue to demand the resignation of Malawi Electoral Commission (MEC) members on charges that they mismanaged the election (Chauluka, 2019). Some protests have degenerated into deadly and destructive clashes with the police and ruling-party cadres (Khamula, 2019; Malekezo, 2019).

In response, President Peter Mutharika and his Democratic Progressive Party (DPP) have labeled protest organizers “terrorist groups” (Maravipost, 2020) and accused them of advancing a regime-change agenda orchestrated by opposition political parties (Chiuta, 2019). The government has repeatedly tried to stop the demonstrations through court orders, by denying protesters “permission” through local government councils mandated to process notification of such assemblies, by demanding huge sums of money for surety, and by prohibiting access to certain areas under the 1960 Protected Places and Areas Act.

These events have ignited debate regarding freedom of assembly in Malawi. Critics say the government is bent on stifling people’s right to protest and recall the 2011 tragedy when at least 20 protesters were shot dead by the police (Mkwanda, 2019). The government contends that protests should be stopped because they are destructive and a threat to public security.

The latest Afrobarometer survey in Malawi shows that as of late 2019, a majority of citizens saw the 2019 post-election protests as justified and agreed with protesters’ demand that MEC Chairperson Justice Jane Ansah resign. However, they were split on whether freedom to demonstrate should be absolute or government should have the power to limit protests to safeguard public security. The proportion of Malawians who had feared and experienced violence during political events and protests showed an increase.

These results point to Malawians’ aspirations for high-quality elections and a desire for a political settlement that will safeguard peace and security without trading off freedoms. This entails restoring the legitimacy of the electoral management body and exploring ways to ensure violence-free protests.

Afrobarometer surveys

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surveys in 2019/2020 are planned in at least 35 countries. Afrobarometer conducts face-to-face interviews in the language of the respondent's choice with nationally representative samples

The Afrobarometer team in Malawi, led by the Centre for Social Research at the University of Malawi, interviewed 1,200 adult Malawians in November-December 2019. A sample of this size yields country-level results with a margin of error of +/-3 percentage points at a 95% confidence level. Previous surveys in Malawi were conducted in 1999, 2003, 2005, 2008, 2012, 2014, and 2017.

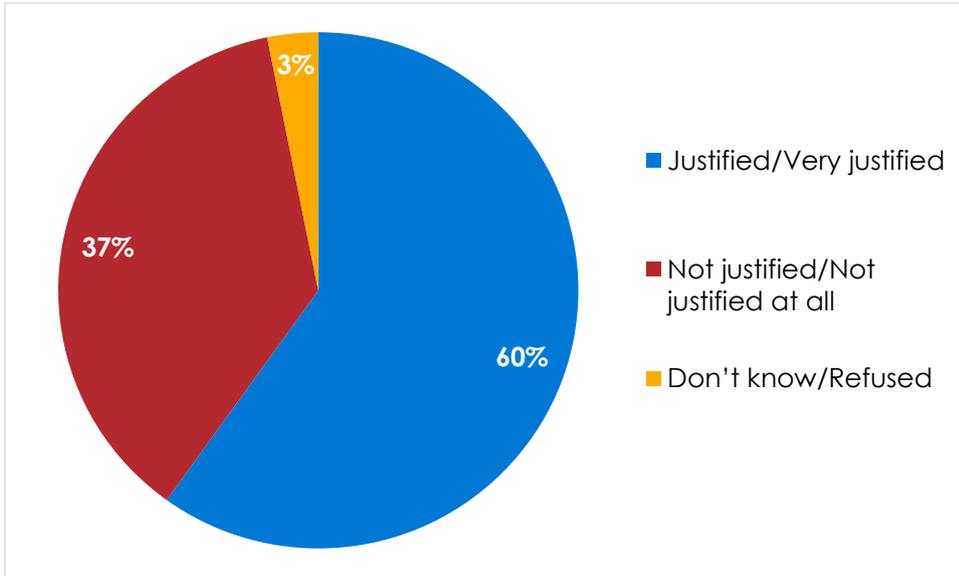
Key findings

- Of the 77% of Malawians who were aware of the post-election demonstrations as of late 2019, six out of 10 (60%) said the protests were justified.
 - Views on the protests were sharply divided along political party lines: More than eight out of 10 Malawi Congress Party (MCP) and UTM sympathizers endorsed the protests, compared to about one in four DPP and United Democratic Front (UDF) adherents.
 - Support for the protests was high (75%) among Malawians who believe the 2019 election was not free and fair. It was also above average among more-educated and urban respondents as well as residents in the Northern region of the country.
- More than half (53%) of Malawians said they agreed with the key demand of protest leaders that the chairperson of the Malawi Electoral Commission resign for mismanaging the election.
 - This view seems to be linked to people's perception of whether the MEC is neutral. Those who see the commission as favouring "particular people, parties, or interests" were almost three times as likely to support the chairperson's resignation as those who see the MEC as impartial (74% vs. 27%). In spite of claims that the chairperson was unfairly targeted for being a woman, fewer women than men disagreed with the idea of forcing her to resign.
- Despite popular support for the post-election protests, fewer than half (45%) of respondents claimed an absolute freedom to demonstrate. A slim majority (51%) instead said the government should have the power to limit demonstrations to protect public peace and security. Political partisanship produced only modest differences on this issue.
- Compared to 2017, the proportion of people who had experienced violence at protests or political rallies during the previous two years doubled, to 16%. Violence was more frequently reported by supporters of the political opposition.

2019 post-election protests: Justified or not?

At the time of the survey in late 2019, Malawi was experiencing a succession of post-election protest marches organized by civil society organizations and calling for the resignation of Justice Ansah as chair of the Malawi Electoral Commission. Asked whether they were aware of these demonstrations, more than three-fourths (77%) of survey respondents replied in the affirmative. Of those who were aware, six out of 10 said they considered the protests "justified" (15%) or "very justified" (45%) (Figure 1).

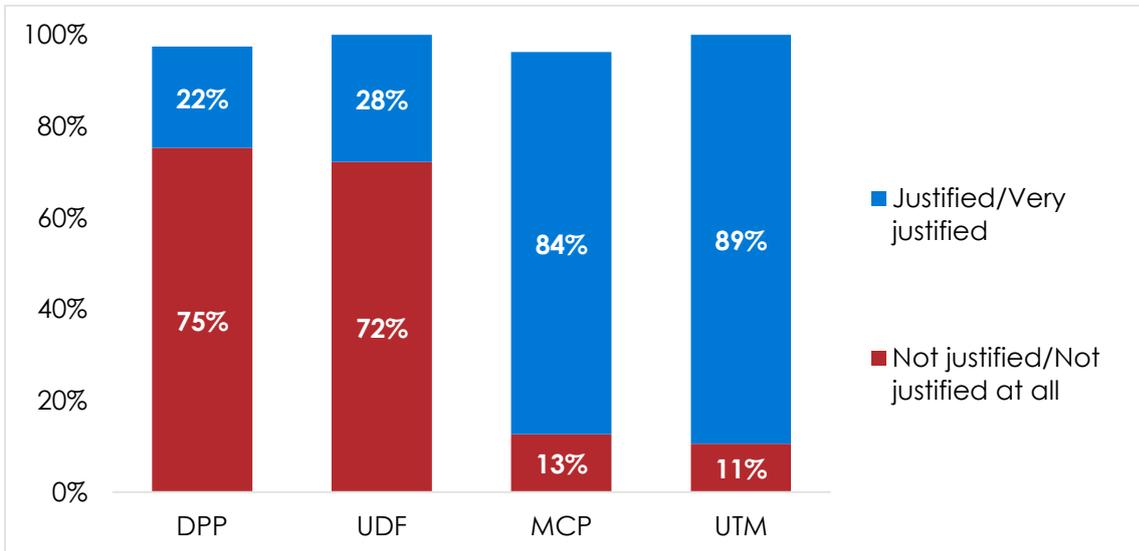
Figure 1: Were the protests justified? | Malawi | 2019



Respondents were asked: *In your opinion, would you say the demonstrations that have been organized by civil society organizations calling for the resignation of the chairperson of the Malawi Electoral Commission, Justice Jane Ansah, for her handling of the 2019 elections are justified or not justified?*

But views on the demonstrations were highly polarized by political party affiliation.¹ While more than eight in 10 supporters of the opposition UTM and MCP considered the protests justified, most adherents of the ruling DPP (75%) and the UDF (72%), which in early 2020 re-established an alliance with the DPP, disagreed (Figure 2).

Figure 2: Were the protests justified? | by party affiliation | Malawi | 2019

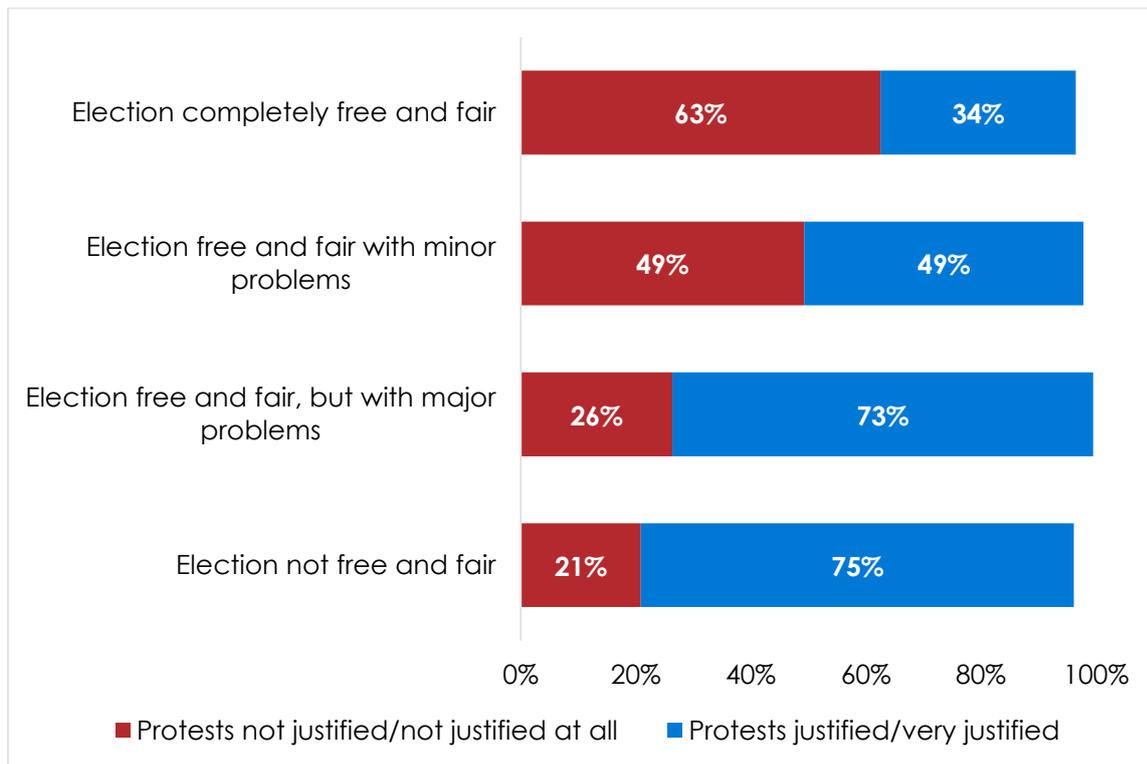


Respondents were asked: *In your opinion, would you say the demonstrations that have been organized by civil society organizations calling for the resignation of the chairperson of the Malawi Electoral Commission, Justice Jane Ansah, for her handling of the 2019 elections are justified or not justified?*

¹ Afrobarometer determines political affiliation based on responses to the questions, "Do you feel close to any particular political party?" and, if yes, "Which party is that?"

Analysis of Malawians' views on the protests and their assessment of the quality of the 2019 election suggests there is a relationship between the two. Three in every four Malawians who deemed the 2019 election "not free and fair" said the protests were justified (75%); in contrast, only one-third of those who considered the election to have been "completely free and fair" endorsed the protests as justified (34%) (Figure 3).

Figure 3: Were the protests justified? | by respondent's assessment of freeness and fairness of 2019 election | Malawi | 2019



Respondents were asked:

On the whole, how would you rate the freeness and fairness of the last national election, held in 2019?

In your opinion, would you say the demonstrations that have been organized by civil society organizations calling for the resignation of the chairperson of the Malawi Electoral Commission, Justice Jane Ansah, for her handling of the 2019 elections are justified or not justified?

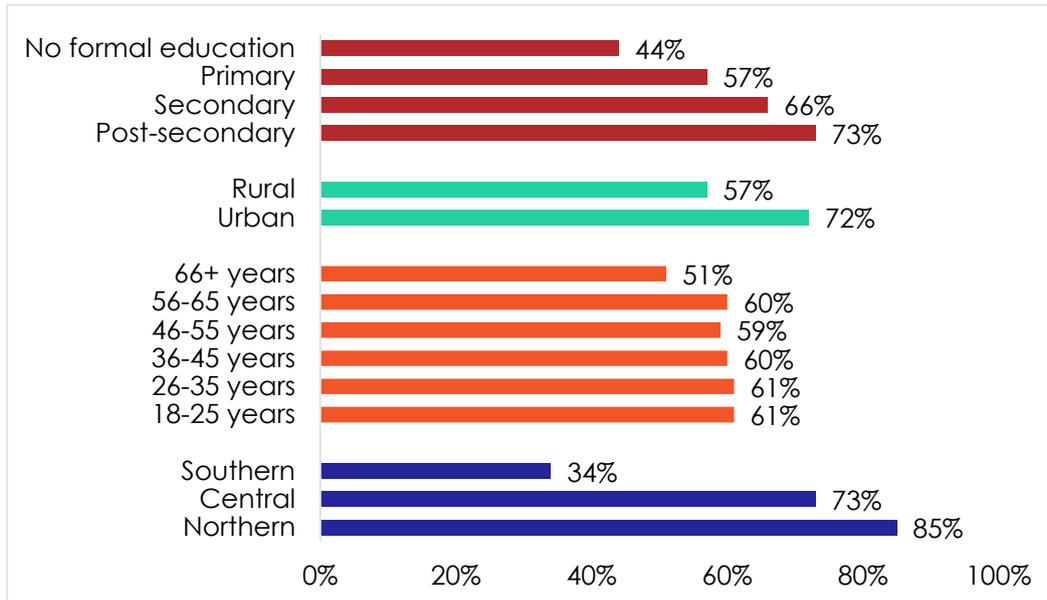
Support for the protests increased with respondents' education level, ranging from just 44% among those with no formal education to 73% of those with post-secondary qualifications (Figure 4). Urban residents (72%) were considerably more supportive of the protests, although even among rural residents, a majority (57%) endorsed them.

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Only one-third (34%) of respondents in the Southern region thought the protests were justified, compared to 73% in the Central and 85% in the Northern regions.

However, age does not seem to be a factor on this point. In line with evidence from other sources (Resnick & Casale, 2011), younger respondents were no more likely to support the protests than most of their elders. Even among those aged 66 and above, where the level of support was lower, more than half (51%) agreed with the idea of taking to the streets.

Figure 4: Protests were justified | by socio-demographic group | Malawi | 2019

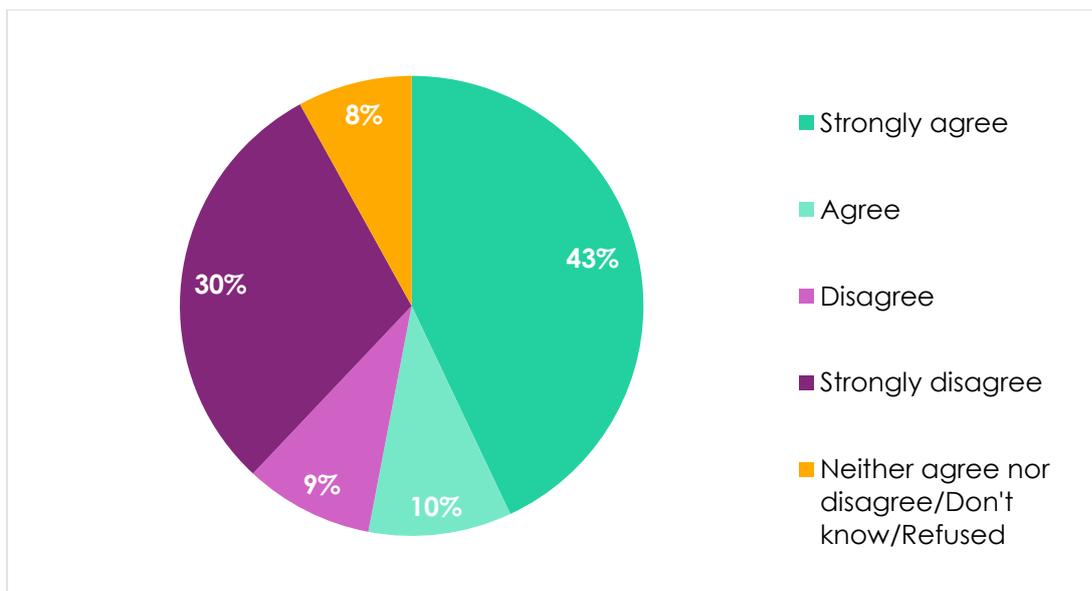


Respondents were asked: *In your opinion, would you say the demonstrations that have been organized by civil society organizations calling for the resignation of the chairperson of the Malawi Electoral Commission, Justice Jane Ansah, for her handling of the 2019 elections are justified or not justified?*

Popular support for protesters' demand – resignation of MEC chair

According to leaders of the protests, their cause was a call for “electoral justice,” of which the key demand was resignation of the chair and members of the Malawi Electoral Commission (MEC) (Aubi, 2020). Asked for their views on the demand that the MEC chair resign because of her handling of the 2019 election, a majority (53%) of Malawians “agreed” (10%) or “strongly agreed” (43%) with the protesters’ petition (Figure 5).

Figure 5: Should MEC chairperson resign? | Malawi | 2019

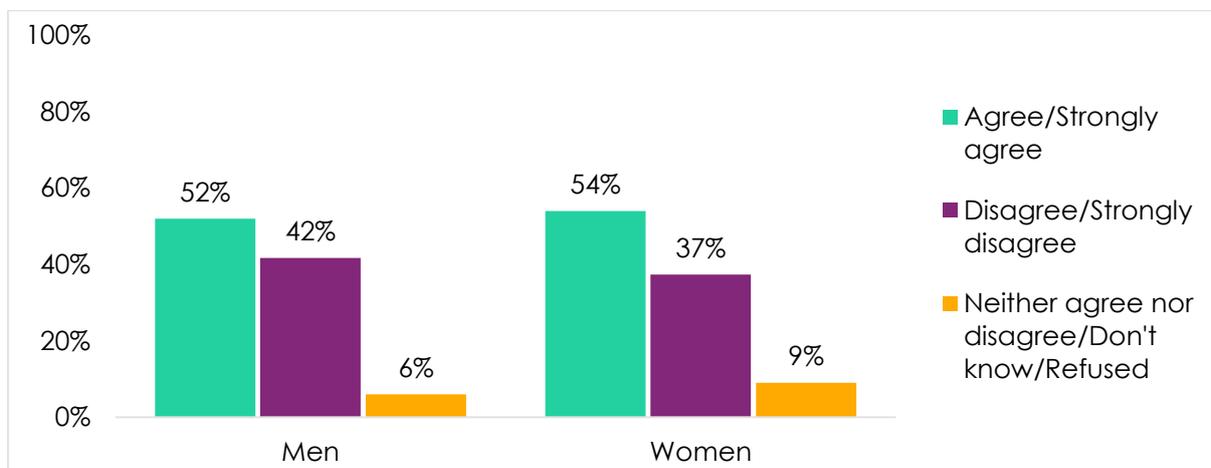


Respondents were asked: *Please tell me whether you agree or disagree with the following statement: The chairperson of the Malawi Electoral Commission, Justice Jane Ansah, should resign for her handling of the 2019 elections.*

When the call for Justice Ansah's resignation first emerged, some women's-rights activists decried it as an attack on her because she is a woman. They called on women to rise in solidarity and organized a protest march in Blantyre (Masina, 2019). However, in the Afrobarometer survey, women were actually less likely than men (37% vs. 42%) to disagree with the protesters' demand that Justice Ansah resign (Figure 6).

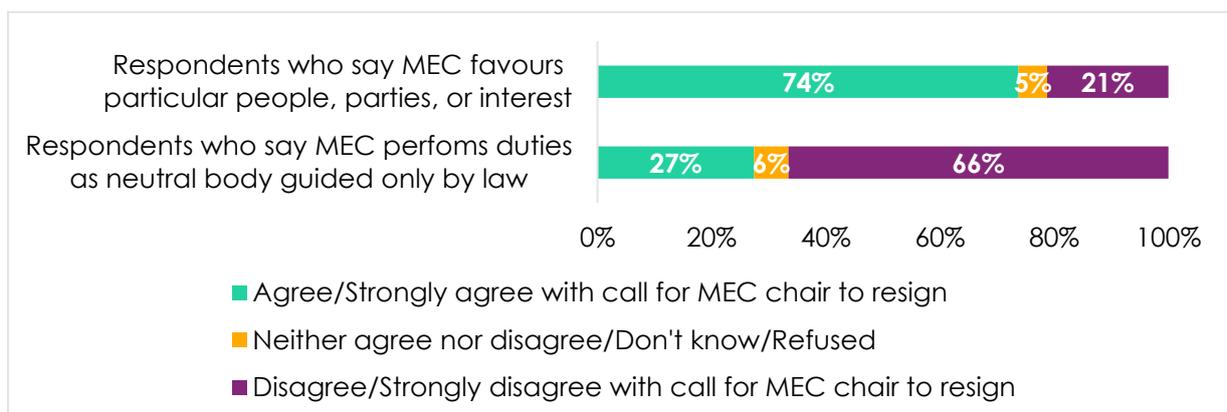
There seems to be a close link between people's position on whether the MEC chairperson should resign and their views on the neutrality of the commission. A majority (55%) of Malawians said the MEC makes decisions that "favour particular people, parties, or interests" instead of doing its job "as a neutral body, guided only by law" (41%) (not shown). Among those who perceived the MEC as serving certain narrow interests, three out of four (74%) supported the call for its chairperson's resignation, compared to just one-fourth (27%) of those who saw the MEC as neutral (Figure 7).

Figure 6: Should MEC chairperson resign? | by gender | Malawi | 2019



Respondents were asked: Please tell me whether you agree or disagree with the following statement: The chairperson of the Malawi Electoral Commission, Justice Jane Ansah, should resign for her handling of the 2019 elections.

Figure 7: Should the MEC chairperson resign? | by views on neutrality of MEC | Malawi | 2019



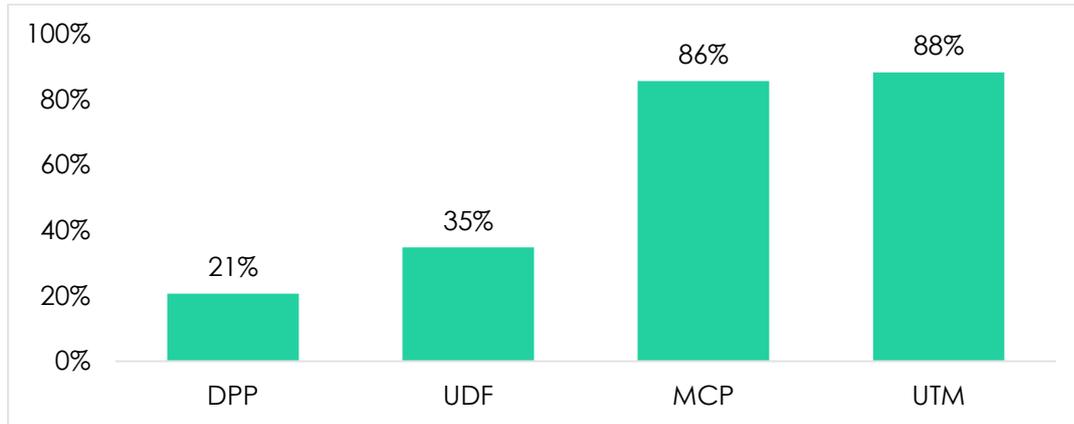
Respondents were asked:

For the following organizations, please tell me whether you think they perform their duties as a neutral body, guided only by law, or would you say they make decisions that favour particular people, parties, or interests?

Please tell me whether you agree or disagree with the following statement: The chairperson of the Malawi Electoral Commission, Justice Jane Ansah, should resign for her handling of the 2019 elections.

As on the question of whether the protests were justified, Malawians were sharply divided by political-party affiliation regarding the call for Justice Ansah's resignation. While close to nine out of 10 UTM (88%) and MCP (86%) supporters wanted her out, only one in five DPP sympathizers (21%) shared this view (Figure 8).

Figure 8: MEC chairperson should resign | by party affiliation | Malawi | 2019

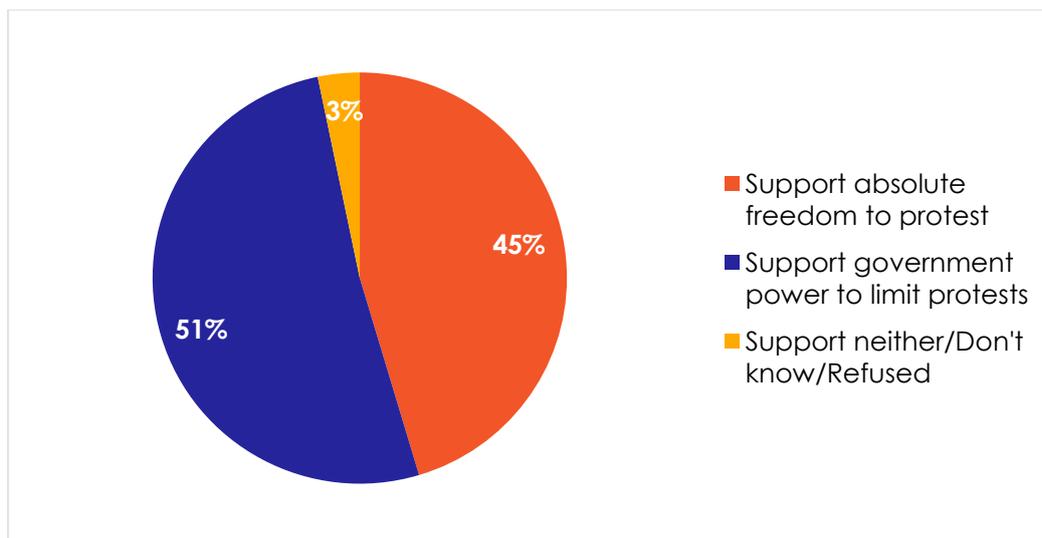


Respondents were asked: Please tell me whether you agree or disagree with the following statement: The chairperson of the Malawi Electoral Commission, Justice Jane Ansah, should resign for her handling of the 2019 elections.

Should government have the power to limit protests?

While a majority of Malawians endorsed the recent protests, fewer than half (45%) of all citizens asserted that their freedom to demonstrate is absolute. A slim majority (51%) instead said the government should be able to limit demonstrations in the interest of peace and security (Figure 9).

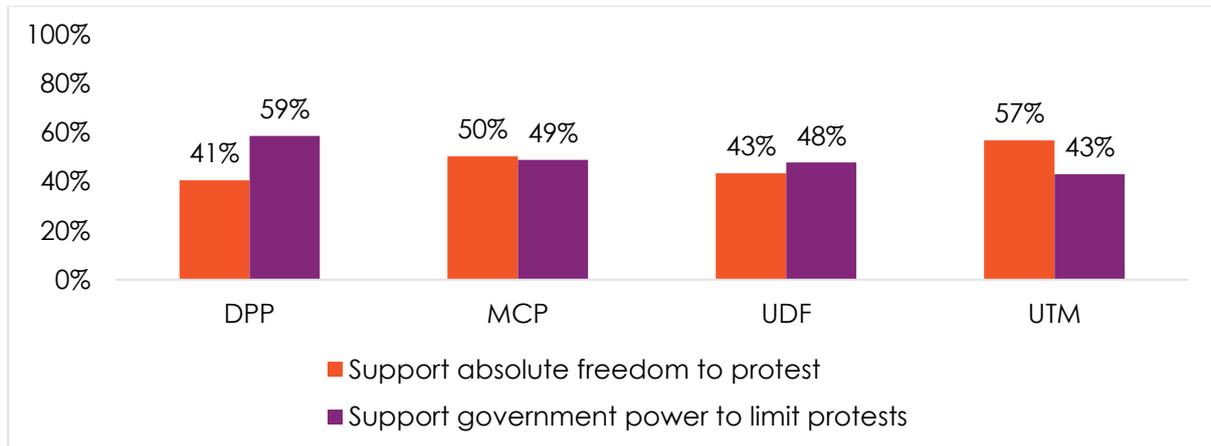
Figure 9: Government should be able to limit protests vs. absolute freedom to protest | Malawi | 2019



Respondents were asked: Which of the following statements is closest to your view?
 Statement 1: Freedom to demonstrate is absolute, meaning that government should never ban demonstrations and protests.
 Statement 2: The government should have the power to limit public demonstrations and protests in the interest of peace and security.
 (% who "agreed" or "agreed very strongly" with each statement)

On this point, there is a reasonable level of consensus across party lines. Almost half (49%) of opposition MCP supporters agreed that the government should be able to limit protests, and four out of 10 DPP adherents (41%) endorsed the view that government should never ban demonstrations (Figure 10).

Figure 10: Government should be able to limit protests vs. absolute freedom to protest | by party affiliation | Malawi | 2019



Respondents were asked: Which of the following statements is closest to your view?

Statement 1: Freedom to demonstrate is absolute, meaning that government should never ban demonstrations and protests.

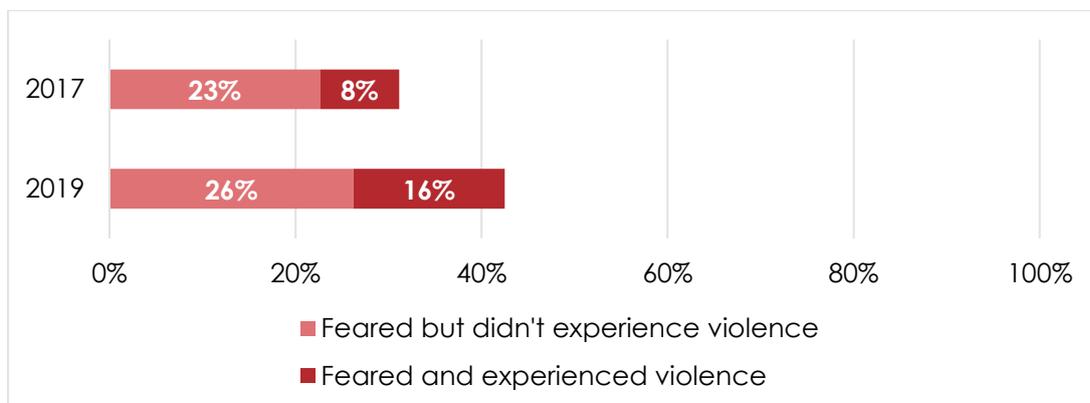
Statement 2: The government should have the power to limit public demonstrations and protests in the interest of peace and security.

(% who "agreed" or "agreed very strongly" with each statement)

Fear and experience of violence and participation in protests

More Malawians reported fearing and experiencing violence during protests or political rallies in 2019 than in 2017. Four out of 10 (42%) said they had feared such violence during the previous two years, including 16% who said they had actually experienced the violence. The proportion of citizens experiencing violence at a political rally or protest doubled between 2017 and 2019 (Figure 11).

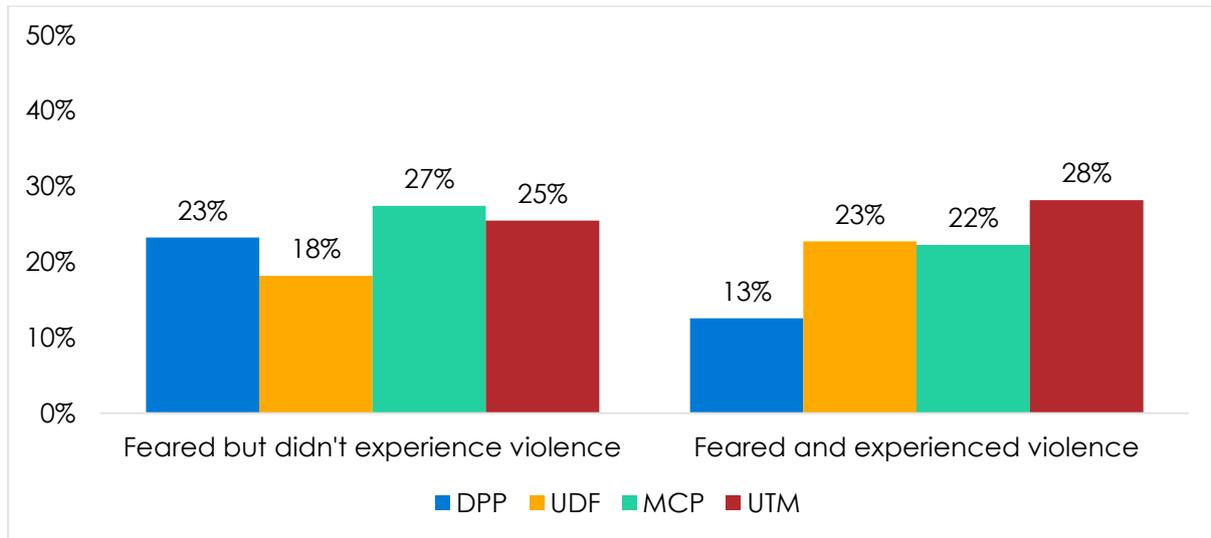
Figure 11: Fear and experience of violence during rally or protest | Malawi | 2019



Respondents were asked: In any society, people will sometimes disagree with one another. These disagreements occasionally escalate into physical violence. Please tell me whether, in the past two years, you have ever personally feared any of the following types of violence: Violence at a political rally or public protest? [If yes:] Have you actually personally experienced this type of violence in the past two years?

While the fear of violence was only slightly more common among supporters of the opposition parties than among adherents of the ruling party, the actual experience was more prevalent among opposition followers (Figure 12). For example, the proportion of UTM sympathizers who said they had experienced violence (28%) was more than double that of their DPP counterparts (13%).

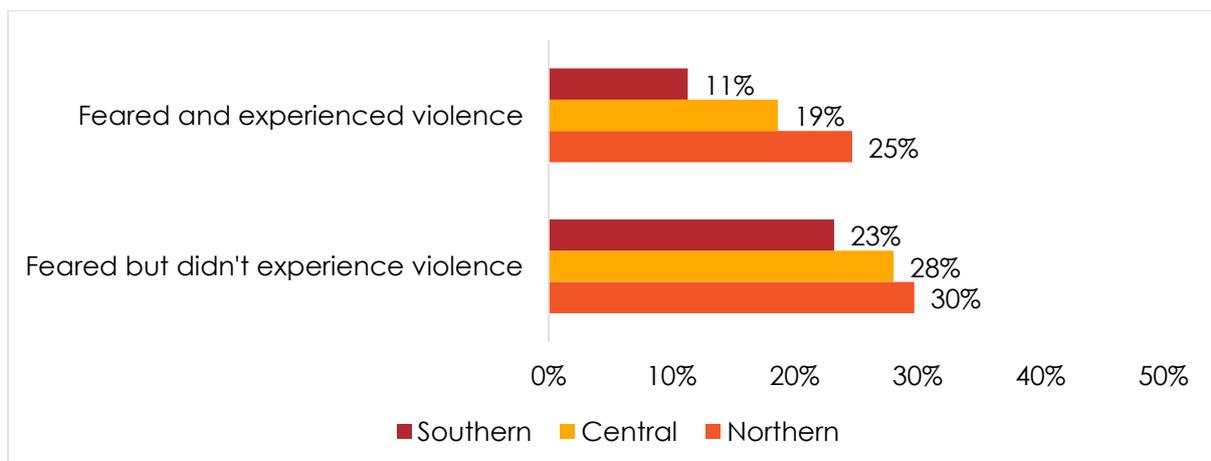
Figure 12: Fear and experience of violence during rally or protest | by party affiliation | Malawi | 2019



Respondents were asked: Please tell me whether, in the past two years, you have ever personally feared any of the following types of violence: Violence at a political rally or public protest? [If yes:] Have you actually personally experienced this type of violence in the past two years?

Furthermore, the findings show that Malawians in the Northern region were disproportionately affected by both fear and experience of violence during political rallies or public protests. More than half (55%) feared the occurrence of political or protest-related violence, compared to 47% and 34%, respectively, of Central and Southern region residents (Figure 13).

Figure 13: Fear and experience of violence during rally or protest | by region | Malawi | 2019

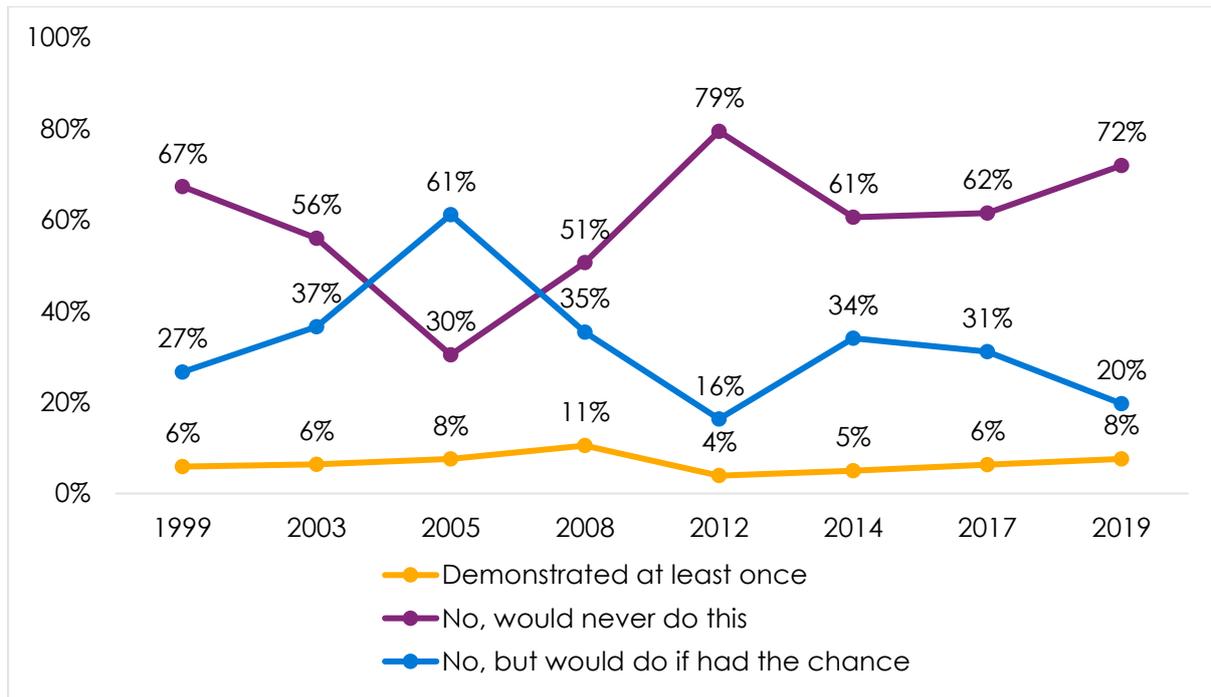


Respondents were asked: Please tell me whether, in the past two years, you have ever personally feared any of the following types of violence: Violence at a political rally or public protest? [If yes:] Have you actually personally experienced this type of violence in the past two years?

Meanwhile, the percentage of Malawians who said they participated in protest marches during the 12 months preceding the survey remained below one in 10 (8%), though it has been on a slow increase since 2012 (4%) (Figure 14).

Over time, remarkable variations can be noted in the proportion of citizens who said they had not participated in a protest but would do so if they “had the chance.” The record low was 16% in Afrobarometer’s 2012 survey, which was conducted after the deadly 2011 protests. The next-lowest point was 2019, during the recent run of post-election protests, when 42% of respondents said they had feared violence. This suggests that the drop in the proportion of those who said they would take part in protests may be due to fear of violence.

Figure 14: Level of participation in protests | Malawi | 1999-2019



Respondents were asked: Here is a list of actions that people sometimes take as citizens. For each of these, please tell me whether you, personally, have done any of these things during the past year: Participated in a demonstration or protest march? [If no:] Would you do this if you had the chance?

Conclusion

Malawi is searching for a delicate balance between freedom and order in an intense political environment following the disputed 2019 election. Popular support for protests demanding “electoral justice” seems clear, as is the need for government to exercise its powers to maintain peace and stability.

In the short run, popular support for protests and for the demand that the MEC chairperson resign suggests that the commissioners’ ability to oversee acceptable elections is in doubt. This calls for serious reflection on the management of elections in the country.

In the broader scheme, the fact that Malawians are split, regardless of political affiliation, on whether government should have the power to limit protests suggests a need to negotiate a political settlement in which individuals’ freedoms are guaranteed but at the same time the greater public good is safeguarded.

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