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Discussion Paper

27/2018

# Cultural Values, Attitudes, and Democracy Promotion in Malawi

How Values Mediate the Effectiveness of Donor  
Support for the Reform of Presidential Term  
Limits and Family Law

*Daniel Nowack*

Cultural values, attitudes, and democracy  
promotion in Malawi

How values mediate the effectiveness of donor support  
for the reform of presidential term limits and family law

Daniel Nowack

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## Foreword

This Discussion Paper has been written as part of the DIE research project “What is Democracy’s Value? The Influence of Values on the Effectiveness of Democracy Promotion”, which is supported by the German Federal Ministry for Economic Cooperation and Development (BMZ). The project contributes to research that informs the implementation of Goal 16 of the Sustainable Development Agenda as well as theory-building on external influence on the evolution of political regimes. This paper is one of two country case studies on how social values mediate the effectiveness of donor interventions to support democratic rights. More information and related Discussion Papers can be found at <https://www.die-gdi.de/en/research/projects/details/what-is-democracys-value-the-influence-of-values-on-the-effectiveness-of-democracy-promotion/>.

Many thanks are due to colleagues and peers who assisted in the development of this paper. These include my colleagues at the DIE, Dr Julia Leininger, Dr Merran Hulse, Charlotte Fiedler, and Dr Christine Hackenesch and the attendees of the workshop “Wither the End of the Liberal Order: Do Societal Values Influence the Effectiveness of Democracy Support?”, held at the German Development Institute / Deutsches Institut für Entwicklungspolitik (DIE) from 7 to 8 December 2017, all of whom provided valuable comments on earlier drafts of this paper. This research would not have been possible without the openness and the willingness to help of the interviewees in Malawi who deserve my deepest gratitude.

Bonn, 25 September 2018

Daniel Nowack

## Abbreviations

AFORD	Alliance for Democracy (Malawi)
AU	African Union
BMZ	Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung (German Federal Ministry for Economic Cooperation and Development)
CCAP	Church of Central Africa Presbyterian
CCJP	Catholic Commission for Justice and Peace (Malawi)
CEDEP	Centre for the Development of People (Malawi)
CHRR	Centre for Human Rights and Rehabilitation (Malawi)
CSO	civil society organisation
IMF	International Monetary Fund
LGBTI	Lesbian, Gay, Bisexual, Transsexual, & Intersex
MCP	Malawi Congress Party
MP	Member of Parliament
NGO	non-governmental organisation
OECD	Organisation for Economic Co-operation and Development
PAC	Public Affairs Committee (Malawi)
SADC	Southern African Development Community
UDF	United Democratic Front (Malawi)
UK	United Kingdom
UN	United Nations
US	United States



## Executive summary

Democratisation as a historical process began in the 19th century and is continuing in the 21st. As one aspect of this, donor countries of the Organisation for Economic Co-operation and Development (OECD) are promoting democratic standards around the globe. Democracy promotion now constitutes a central part of development cooperation between donor and partner countries. A number of scholars, however, argue that the current practice of democracy promotion is inherently flawed. By promoting democracy as a *culturally invariant* political order, donor countries are glossing over significant cultural differences in other countries and this hampers the successful and effective promotion of democratic institutions. Yet, how cultural differences affect the promotion of democracy is still not sufficiently understood.

This Discussion Paper is part of the larger research project “What is Democracy’s Value? The Influence of Values on the Effectiveness of Democracy Promotion”, which aims at understanding how societal values and attitudes influence the effectiveness of international democracy promotion in African countries. The project looks at how social values and political attitudes mediate the promotion of democracy in two specific realms: attempts by heads of state to circumvent presidential term limits; and reforms to legislation in the realm of family law and LGBTI (Lesbian, Gay, Bisexual, Transsexual, Intersex) rights. This Discussion Paper focuses on two cases situated in Malawi: the attempt of former president Bakili Muluzi to alter presidential term limits in Malawi in 2002; and the reform of Malawi’s family and marriage law in 2015. In both cases, donors engaged in democracy promotion in different ways and to different degrees. In the former case, donor countries and organisations warned the Muluzi government to heed the democratic process and thereby seconded popular attitudes. In the latter, donor countries and organisations played an important role in coordinating and mobilising domestic actors towards the reform of Malawi’s family and marriage law.

Both cases are analysed using in-depth process tracing investigating how donors took part in the constellations of actors engaged in the reform of either the term limit or the family law. The results of the analysis are fourfold: First, although the supply of organisational resources to domestic actors played an important role in both cases, this was not in itself sufficient to guarantee the success of democracy promotion. Rather the coordination of partner organisations played a crucial role in rendering democracy promotion effective. Second, popular mass attitudes played a crucial role in determining the outcome of the two reform processes analysed here. Third, democracy promotion involving the employment of conditionality instruments was effective when the values of the donors matched those of domestic audiences. Finally, when donors were held in esteem in Malawi this aided the effectiveness of democracy promotion by means of public statements and other appropriateness-focused instruments. However, donor esteem did not trump popular attitudes which emphasises that the effectiveness of democracy promotion is sensitive to the specific issue it addresses.

These findings prompt a number of recommendations for donors wishing to promote democracy. First, donors need to assess the space available for intervention on an issue-by-issue basis. Values and attitudes in partner countries cannot simply be generalised across issues but are uniquely linked to certain social and political issues. Where attitudes

and values in partner countries do not match the goals of donors, it is necessary for donors to support an open discourse. If, in turn, local attitudes and values *do* favour donors' goals, domestic civil society actors in partner countries are still in need of support from donors for the purpose of mobilisation and coordination. Furthermore, interventions making use of conditionality seem to necessitate a concurrence of attitudes and values between donor and partner countries.

## 1 Introduction

Democracy promotion is a highly normative undertaking. This expresses itself in repeated negotiation and renegotiation between domestic and international actors. Evidence shows that recipients of democracy promotion do not endorse it uncritically and may even challenge it (see, for instance, Poppe & Wolff, 2013; Khakee, 2009). Following this evidence, a whole new literature strand on the contestation of Western norms of liberal democracy has opened up in recent years (Wolff & Zimmermann, 2016). At the core of contestation lies the need to align promoted institutions and formal rules with the political beliefs and notions of domestic actors. This emphasises the significance of cultural values and attitudes in the promotion of democracy, even if the exploration of this significance can still be considered a blank spot (Leininger, 2016).

The literature on democracy promotion and norm diffusion has established that democracy promotion proceeds through two major types of channel, one based on rationalist conditionality and one based on normative persuasion or socialisation (Beichelt, 2012; Börzel & Risse, 2003, 2009; Checkel, 2001). Yet, much of this literature does not allow for the fact that both channels of democracy promotion – rationalist conditionality and normative persuasion – do not address unformed recipient actors. Instead, individuals and organisations in recipient countries have fully formed ideas, beliefs, values, attitudes, and opinions. These stem from socialisation into the local culture, and influence the effectiveness of both the conditionality and the persuasion approach to democracy promotion.

The paper addresses this literature gap by asking how societal values and attitudes influence the effectiveness of both democracy-promotion channels. By doing so, it provides further differentiation of the understanding of what instruments work when and how in democracy promotion. This will provide donors with more information on how to form better strategies for their promotion of democracy and how to tune the instruments they use to the different scenarios they face. The methodology applied is a qualitative case study design that uses structured process tracing to identify the mechanisms behind how value orientations influenced democracy promotion in Malawi in the two empirical cases. In the first case, democracy promotion in the context of the debate on limits to the presidential term of office in the period 2002-2003 is investigated. The second case looks at the role of values and democracy promotion in the reform of Malawi's marriage and family law, a process that culminated in the passing of the Marriage, Divorce, and Family Relations Act in 2015.

The next section will discuss both theory and the method applied. In subsection 2.1, we will start with a discussion of key concepts and will deduce four hypotheses to guide the empirical analysis in subsection 2.2. The next two subsections introduce the methodological approach of structured process-tracing and the two cases selected. The empirical section 3 begins by providing a briefing on the historical, political, and economic background of Malawi. Subsections 3.2 and 3.3 form the analysis. Each is structured by first providing a description of the process at hand and of the actor constellations involved; this is then followed by a discussion of factors that explain the process outcomes. The results of the process tracing of both cases is synthesised in Section 4, where they are discussed in the light of the hypotheses previously outlined. The concluding section, Section 5, provides a list of recommendations for democracy promotion in developing cooperation.

## 2 Research design: theory and method

### 2.1 Discussion of concepts: democracy, democratisation, democracy promotion, and values

In its broadest understanding, the term “democratisation” describes an “expansion of a set of political ideals” (Harrison, 2007). The spread of these “ideals” happens both in the form of notions at the individual micro-level as well as in the form of institutional design at the societal macro-level. Although it is not only a process that takes place on the scale of societies but also on the level of global discourse, it is most often investigated as a specific country-based process in which a given political system transitions towards democracy. Democratic transition is not a smooth, linear process. Although phases of democratisation can be distinguished, there is no clear-cut sequence of democratisation. Any political system – formally democratised or not – may drift back and forth within a spectrum spanning democracy and autocracy (Carothers, 2002).

Political competition and equality appear to be essential conceptual characteristics in most scholarly attempts to define democracy. Political competition channelled through the electoral principle ensures contestation, and hence inclusiveness. The significance of political competition was upheld early on in 1942 by Schumpeter (see Schumpeter, 2003) who conceded in a minimalist definition that democracy is a political system in which decision-making power is acquired “by means of a competitive struggle for the people’s vote” (p. 269). Political competition also features prominently in Dahl’s widely accepted conception (Dahl, 1971, accepted for example in Vanhanen, 2000; Lijphart, 2012) which – along with contestation – includes participation and civil liberties. It is worthwhile noting that the principle of democratic contestation does not only encompass electoral competition over political office, but also includes policy contestation by civil society (Becker, 1983; Warren, 2011). Unfortunately, political competition is a fragile principle that can easily be undermined. Low quality of elections, for instance – that is, electoral processes that are not conducted properly – can turn political competition into a farce (Ham & Lindberg, 2015), while violent conflict may inhibit and disrupt political competition.

For this reason, the principle of political competition needs to be tied to the principle of equality. In the electoral arena, this amounts to the implementation of the principle of “one person, one vote” and of universal suffrage. Outside the electoral arena, however, these need to be met by the “rule by laws, not men”. The purpose of the rule of law is to inhibit arbitrariness as well as abuse of power, and hence to facilitate political competition on equal footing. Oppression of opposition actors, either through violence or through non-violent forms such as pursuing them through the courts, is clearly outside the rule of law as it tilts the balance of power towards the incumbent’s advantage. Rule of law and the political rights, civil liberties, and the accountability mechanisms supporting them are commonly accepted as core features of any democratic political system (O’Donnell, 2004). Hence, in addition to political competition, equality is the second cornerstone of democracy.

Strengthening these two fundamental principles of democracy in recipient countries is the general goal of democracy promotion. Democracy promotion is defined as activities undertaken by external actors that aim to “enable internal actors to establish and develop democratic institutions that play according to democratic rules” (Grimm & Leininger, 2012, p. 396). It is carried out either directly through building the capacity of democratic

actors and institutions in the recipient country, or indirectly by establishing favourable conditions for democratisation such as economic stability, peace, or education for vibrant civil society participation.

Despite its increase, no well-established findings exist on what works best in promoting democracy (Burnell, 2007). Democracy promotion comes with an array of different instruments and approaches, but the mechanisms in which they work are still not well understood (Beichelt, 2012). As briefly sketched out above, they can be broadly sorted into two categories. These relate to two different logics of social action that delineate motivations for actor behaviour. The logic of consequences reflects instruments that work as incentives and conditionality. It perceives domestic actors in recipient countries as rational who, in line with a rational choice approach, calculate costs and benefits (Beichelt, 2012). Thus, democracy promoters attempt to incentivise them, for instance through an increase in foreign aid, or inversely sanction them, by cutting aid. Immaterial incentives are also possible, for example by offering diplomatic support on an unrelated issue of international relations. In contrast, the logic of appropriateness works through socialisation, social learning, and normative persuasion (Börzel & Risse, 2009; Checkel, 2001). It encompasses instruments that address actors according to their intrinsic conceptualisations of the obligations they have, given their identity or social role. Instead of taking a course of action due to the expectation of extrinsic consequences and results, recipient actors make decisions based on intrinsic – that is, internalised – social norms and the obligations that come with their identity (March & Olsen, 1989, 2009). Such instruments of the logic of appropriateness are, for example, statements of condemnation or support, pleas, demands, and requests or references to international law and standards.

To truly understand the effectiveness of the instruments of both logics, contextual factors domestic to recipient countries need to be accommodated into any democracy promotion analysis (Leininger, 2010). As mentioned in the introduction, democracy promotion is in itself a normative process – a process of cultural change. The logic of appropriateness testifies to this as it presupposes a common understanding of social norms. But most scholars do not usually take account of normative contextual factors such as culture differences between recipient and donor countries. Fish (2009) is a notable exception to this. He investigates how the position of recipient countries towards democracy and towards the promoting donor country is likely to affect the prospective outcomes of democracy promotion. This paper links up to this in that it explores the role of value orientations and attitudes as independent variables.

There is no established and widely regarded conceptualisation or definition of values and of attitudes – and the difference between them – in the literature. Nevertheless, most conceptualisations acknowledge that “values” are broad notions transcending specific situations but serving as a “guiding line” in life, while “attitudes” are more situation-specific and issue-focused. Hofstede (2003, p. 347) regards values as “broad preferences for one state of affairs over others [...]. They are opinions on how things are and they also affect our behaviour”. Maleki and Hendriks (2015) follow Hofstede, while Fischer and Schwartz (2011, p. 1128) see values as “abstract beliefs about desirable goals, ordered by relative importance, that guide individuals as they evaluate events, people, and actions”. The conceptualisation of values used in this paper also acknowledges the “guiding line-characteristic” of values. They are thus seen as broad but to a degree individually variable cultural traits that serve as heuristics or “rules of thumb” (Nunn, 2012, p. 109). They are

abstract, intersubjective notions that arise from culture and are thus transmitted in ongoing socialisation processes, both horizontally and vertically. As such, they are a product of social learning, and change only slowly and most times inter-generationally (Henrich & McElreath, 2003). Our conceptualisation of values is much in line with how they are generally conceptualised within the literature on political psychology (Feldman, 2013). According to that, values are organised cognitively in the human mind as an evaluation system. The interaction between the values in this evaluation system can shape behaviour through different channels, among others, by informing the attitudes individuals hold. Attitudes in turn are concrete positions towards direct, external phenomena, often social in some way, that translate into personal opinions. While they are often roughly on a par with beliefs, they are often more abstract preferences. While attitudes position individuals on questions of social interaction and order, preferences are positions toward more market-like transactions and trade-offs. While values change slowly and often inter-generationally, attitudes can change faster and more frequently as they are not simply informed by the values an individual holds but also by the conflict between these values. An example might clarify this conceptualisation: Ecological sustainability and responsibility can serve as a value for an individual. This value shapes the individual's attitude on how society deals with agricultural production. In particular, it is likely to create a disapproval of intensive livestock farming. Subsequently, the preference formed through this is a preference for organic meat – or no meat at all.

Scholars and researchers widely acknowledge that values are not directly observable (Halman, 2007). Because values are more abstract than attitudes, they are more difficult to observe than attitudes. Hence, the most common approach in measuring values is by bundling attitudes in order to detect their underlying latent value orientation. Methodologically, this is done by using attitudinal items asked in large-n surveys and by indexing or scaling them. The outcome is often a single measure reporting a value dimension.

There are two prominent value orientations in the cross-cultural psychology literature that promise to be especially important for political questions. These are the value orientations of *individualism-collectivism* and *egalitarianism-hierarchy*.

Hofstede's (2003) *individualism-collectivism* dimension describes a value continuum ranging from an emphasis on individuals, self-reliance, and the importance of the self above group membership (that is, individualism) to an emphasis on the collective in contrast to the self, and the integration of individuals into strong, cohesive and united groups (collectivism). The individualism-collectivism value orientation maps particularly on competition. Individualistic values put a greater emphasis on competition than collectivistic values do. In contrast, in collectivism, people act more pro-socially out of inherent motivations (Moorman & Blakely, 1995). Consequently, collectivism is associated with better in-group coordination (Wagner, 1995; Boroş, Meslec, Curşeu, & Emons, 2010), but this is something that does not however reflect at the societal level (Marcus & Le, 2013). Hence, a collectivistic value orientation might not raise the stakes against a society-wide opposition towards, for instance, an incumbent president seeking an unconstitutional third term. In contrast, the individual value orientation is associated with greater social capital, such as engagement in associations or voluntary work, as well as with a greater trust towards other persons (Allik & Realo, 2004; Van Hoorn, 2014).

A similar well-established value orientation is provided by Schwartz' cultural value theory (1992, 2006). Schwartz developed seven value orientations based on universal problems

that all societies face. Among these seven value orientations is the dimension of *egalitarianism-hierarchy*. A hierarchic value orientation compels people to take an unequal distribution of power, roles, and resources as given and legitimate. Authority, humility, social power, and wealth are the major values of hierarchic value orientations. In contrast to this, egalitarian value orientations emphasise that people recognise one another as equals, and help one another. Dominant values in this orientation are help, honesty, social justice, responsibility, and equality.

## 2.2 Actor constellations, values, and the effectiveness of democracy promotion

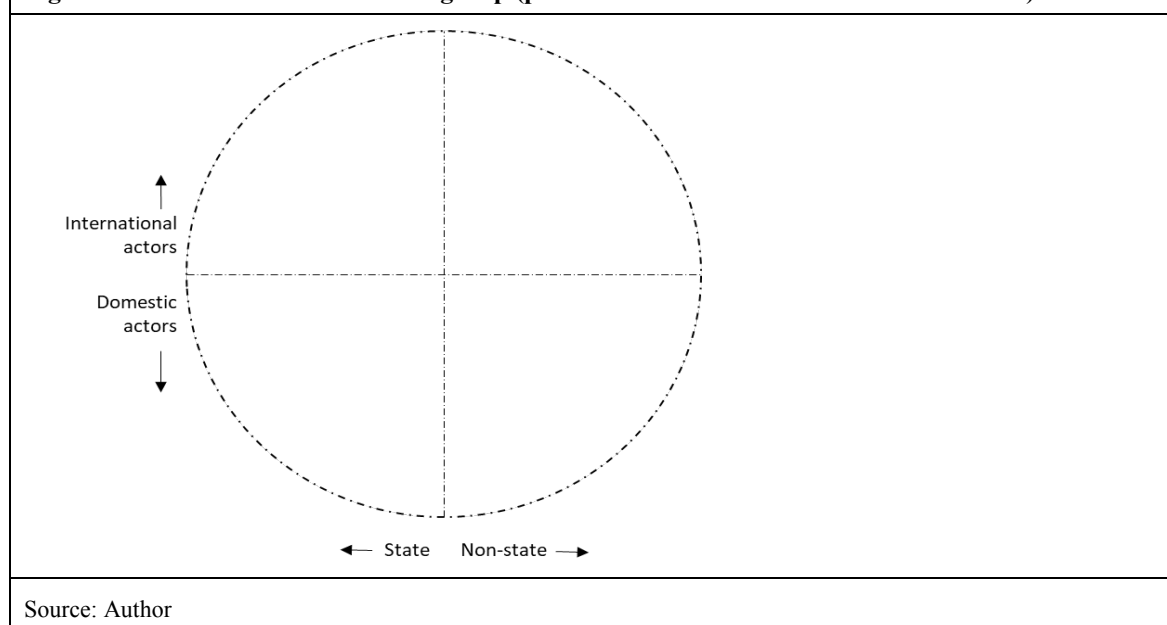
As noted above, democracy support as an element of development cooperation is seen as being carried out by actors external to recipient countries. Traditional research approaches to democracy promotion emphasise the role of external, international actors such as donor countries or international organisations by differentiating between internal and external actors. Hence, actors are grouped according to whether they are organisations in the recipient country or not, creating a group of domestic actors that “receive” democracy promotion and a group of international actors that “deliver” democracy promotion (Beichelt, 2012).

However, this approach distorts the actual real-world process of democracy promotion. There is, in fact, no clear-cut line between international and domestic actors. Many international organisations, international non-governmental organisations (NGOs) as well as donor country representations in recipient countries are staffed with domestic personnel. Often enough international NGOs found country-specific “daughter NGOs” which renders them domestic entities in legal terms. Even in the case of donor country representations such as embassies, it is easy to see that they are not detached from the domestic political and societal system of the recipient country but are, in fact, part of it. The external-internal distinction in approaches to democracy promotion can thus be rightly criticised (Leininger, 2010).

Instead of making an external-internal distinction, this paper follows Leininger (2010) in employing the alternative conceptualisation of pro and contra actor groups in democracy promotion. Processes of democracy promotion are often tied to a specific political process or policy. The positions that actors of democracy promotion take towards these issues are often not unanimous. Contrary to that, democracy promotion proceeds as a discourse, or even struggle, over rival positions. These positions do not even need to be simply in favour of or opposed to democracy *per se*; instead they might be trying to achieve the same end by different means, such that conflicts over specific objectives arise (Grimm & Leininger, 2012). It hence makes sense to conceptualise actors of democracy promotion as either pro or contra groups. Thus, when for instance the issue at hand of democracy promotion concerns a specific act of legislation, it makes sense to divide participating actors into actor groups that favour or oppose the particular piece of legislation. Each actor group encompasses a diversity of actors along the dimensions of international versus domestic, and state versus non-state actors (see Figure 1): international state actors (upper left of Figure), international non-state actors (upper right), domestic non-state actors (lower right), and domestic state actors (lower left). The advantages of this conceptualisation are that the specific country context can be taken into account much more easily by shifting the focus of the analysis onto the dynamics between pro and contra factions. It also

acknowledges the existence of international actors that do not promote but in fact *oppose* democracy, and that actors of the recipient country do not unanimously welcome or refute democracy promotion. Besides this, a pro and contra distinction also allows us to zoom in on how the domestic and international actors of each actor group work together in pushing for their respective goals.

**Figure 1: Dimensions of one actor group (pro and contra distinction not included here)**



Before the background of democracy promotion as a discourse between pro and contra factions is dealt with, the question arises as to what eventually influences which group will succeed in realising its position. Several hypotheses concerning which actor group succeeds as well as concerning the effectiveness of democracy promotion arise.

### 2.2.1 Organisational resources

The literature on social movements and civil society shows that access to resources and resource mobilisation are important factors for societal actors in achieving their goals (see, for instance, Edwards & McCarthy, 2007; Jenkins, 1983; McCarthy & Zald, 1977). The same logic is likely to apply to the actor groups involved in the promotion of democracy. Greater access to resources capacitate actor groups to push for their goals. Resources may include monetary resources such as funding; physical capital such as buildings, vehicles, or office equipment; and human capital in the form of well-educated and skilled personnel as well as knowledge and information – for instance of how legislative processes work.

Therefore, we posit *Hypothesis 1*, namely that *the more organisational resources an actor group controls, the more likely it will achieve its aims.*

### 2.2.2 Congruence of attitudes

The interactions of actor groups in democracy promotion do not take place in an empty space. Instead, they take place against the background of popular attitudes prevalent in the



recipient country. For any actor group in instances of democracy promotion, the road to success leads via the actors that have decision-making power. Hence, an actor group will aim at convincing these decision-makers, who may be parliamentarians or government members, or, in an autocratic setting, actors that control the reigns of physical power such as army generals. Besides attempting to convince them, actor groups also leverage their arguments by exerting pressure on these decision-makers and power wielders. This happens through mobilising popular support for the actor group's position. If the actor group's position is already close to attitudes prevalent in the population, mobilisation is much easier to achieve. In a comparative case study on Kyrgyzstan and Kenya, Fiedler (2018) finds, for instance, that international democracy support is more effective when its goals connect to the broader population.

Hence, *Hypothesis 2* assumes that *the greater the match between an actor group's position and prevailing political attitudes at the societal level, the more likely it will achieve its aims.*

### 2.2.3 The use of material incentives: how values mitigate the logic of consequences

Hypotheses 1 and 2 make statements about the differential chances for success of whole actor groups. These actor groups, however, may involve international actors that promote democracy by using the logic of consequences. The use of instruments of the logic of consequences likely influences the total actor group's outlooks on achieving its aim. Instruments of the logic of consequences, that is, material incentives, are less likely to be effective if the values promoted by international actors in democracy promotion are incongruent with the predominant societal values in the recipient country. Attempts to "buy off" opposition might even weaken the standing of the actor group that applies material incentives or sanctions. In contrast, attempts work best if a commonality on values already exists.

Hence, according to *Hypothesis 3*, *the greater the fit between the values promoted by international actors and domestic social values, the more likely it is that the use of material incentives will encourage change in the direction supported by the international actors.*

### 2.2.4 Social status of international actors: how values mitigate the logic of appropriateness

Fish (2009) argues not only that cultural disposition towards democracy is an important predictor of the effectiveness of democracy promotion, but that the prevailing attitude towards the democracy-promoting countries bears importance, too. As most democracy-promoting countries are "Western", he reasons that the general disposition of a country's population towards "The West" is important for the success of democracy promotion efforts.

However, although he explains his argument intuitively, he does not flesh out a clear mechanism. Why should the generally ascribed social status of democracy-promoting actors in recipient countries make much difference? The differentiation between instruments of the

*logic of consequences* and the *logic of appropriateness* provides for an answer. As mentioned earlier, the logic of appropriateness encompasses calls that address the recipient's identity and role as well as the obligations that follow on from these. Obviously, such calls do work better when they come from actors who are revered in the recipient country. In contrast, calls by international actors who have only a low standing in the recipient country, and who might even be mocked, are more likely to be derided. The recipient country would risk its credibility, if it suddenly heeded the calls of actors of minor status and prestige. In contrast, following the calls of the more prestigious will transfer some prestige also onto the recipient country.

*Hypothesis 4* thus suggests that *the higher the social status attributed to international actors, the more likely it is that change will occur in the direction advocated by the international actors.*

### 2.3 Methodology

The outcome variable of interest is the effectiveness of democracy promotion. Unfortunately, measuring democracy promotion effectiveness is inevitably ambiguous. The debate on formalism in democratisation exemplifies this well: a successful electoral process, for instance, does not necessarily mean that democracy in a country is robust. Instead, evaluations always need to be contextualised.

To capture the effectiveness of democracy promotion, instances in which democracy promotion could strengthen essential characteristics of democracy as a political system need to be identified. As rationalised above, the two core dimensions of democracy are equality, and peaceful political competition. Over the last years there have been two types of occurrences that are of relevance to these two core dimensions: attempts aimed at unconstitutional third terms of office; and legal reforms in respect to equal rights for groups that suffer legal discrimination.

Where the former are concerned, in recent years many young democracies have seen attempts by incumbent presidents to extend their presidential careers by a third term in breach of term limits set by the Constitution. Such patterns have been especially observable in Africa (Posner & Young, 2007; Tull & Simons, 2017). At the time of writing, attempts to change, or abolish, presidential term limits are becoming visible in Zambia, Gabon, and Burundi.<sup>1</sup> Such attempts are efforts to remove the constitutional checks that ensure democratic competition, and thus make for paths towards autocracy.

With regard to legal reforms for equal rights, we choose to focus on gender equality and LGBTI equality. Gender equality is still an unachieved goal in many countries of the world. Although this is true for both well-established as well as young democracies, social institutions tend to be more discriminatory in not yet consolidated democracies and in non-democracies. According to the Organisation for Economic Co-operation and Development's (OECD) Social Institutions and Gender Index (SIGI) 61 per cent of the

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<sup>1</sup> See Africa Research Bulletin, Political, Social, and Cultural Series, (2018), 55(1) under <https://onlinelibrary.wiley.com/toc/1467825x/2018/55/1>.

108 countries surveyed have social institutions in place that discriminate against women on a medium to very high level. Restricted civil liberties, restricted access to resources and assets, and a family code discriminating against women, among others, are particularly prevalent in many African countries (OECD [Organisation for Economic Co-operation and Development], 2014).

Similar to the state on gender equality, in many parts of the world legal discrimination against LGBTI persons is still in place. For the year 2017, the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) counted a total of 72 countries in which acts of homosexuality are criminalised. In some of these countries, the punishment for homosexual acts is very drastic, such as in Saudi Arabia where the penalty is the death sentence. Although many countries around the world have some kind of protection measures in place, same-sex marriages are only legal in a minority of 22 countries (Carroll & Mendos, 2017).

Cases in which presidents attempted to abolish the presidential term limit specified in a country's constitution, as well as cases of legal reform for or against more gender equality posit occurrences, in which the two core features of democracy, namely equality and competition, are at stake. To evaluate the outcomes of such occurrences for democracy, we apply the following operationalisation rules. In respect to the third-term cases: failed attempts to remove a third-term limit by incumbent presidents does no damage to democracy, while attempts that succeed damage democracy. Attempts are regarded as failed when the incumbent president eventually aborts his attempt or when a motion to remove the term limit fails in parliament or other institutions of the political system, such as the constitutional court. In addition, cases in which an incumbent succeeds in cowing institutions so that he is allowed to run for another term but in which he loses out against his election competitor are also regarded as failed third-term attempts. This reflects the rationale that the electorate has neither been cowed nor deceived and that the incumbent has eventually been forced to accept the judgement of the electorate. Hence, in such cases the democratic process worked.

With regard to gender law reforms, any law reform needs to be assessed on its overall impact, as one legal stipulation in the reform text could improve women's standing in society while another one in the same reform text could have the opposite effect. Hence, an overall assessment of its impact on democracy is facilitated by a case-sensitive investigation of the net effect of the reform measures in light of its – possibly – competing stipulations. Concerning operationalisation, we focus on whether the reform enters into force legally. This means we stop short of investigating the behavioural impact for change on the ground but concentrate on the behaviour of the actors of the political system. Hence, a reform is operationalised as successful when it is passed by parliament, assented to by the head of state, and not “shot down” by any other political institution such as the constitutional court. The limitation to the aspect of passing a law reform versus also investigating its actual implementation does no harm to the analysis. This is so because the final outcome variable of interest is the effectiveness of democracy promotion.

This approach is coherent with our theoretical departure. We are interested in how democracy promotion can effectively influence behaviour within the political system. Both the logic of consequences and the logic of appropriateness use their leverage in forming motivations by addressing and creating reasons for behaviour. Hence, in order to

infer the motivations of actors, it is best to use the methodological qualitative approach of structured process tracing. Process tracing is derived from cognitive psychology in order to infer the causal intermediate steps in a process and can well be applied to trace the impact of ideational factors on motivations (Jacobs, 2015). Bennett and Checkel (2015, p. 6) define it as a method that “attempts to identify the intervening causal process – the causal chain and causal mechanism – between an independent variable (or variables) and the outcome of the dependent variable”. It does so by “drawing descriptive and causal inferences from diagnostic pieces of evidence – often understood as part of a temporal sequence of events or phenomena” (Collier, 2011, p. 824). These diagnostic bits and pieces of evidence constitute “causal process-observations” (Mahoney, 2012, p. 571) that in combination with scientifically backed-up or universally true generalisations uncover the causal mechanism leading to the dependent variable. The characteristic element of process tracing is its diagnostic reasoning as illustrated by Collier (2011) in his applied introduction to process tracing.

Carrying out structured process tracing necessitates a case study design in which “thick data” on causal-process observations can be gathered and analysed qualitatively. In order to draw general conclusions from the analysis, this paper will comparatively investigate both a law reform for equality and a third-term attempt within one country in order to control for country-specific effects.

To bring in the influence of values and attitudes, secondary quantitative survey data will be presented. The nature of attitudes as direct positions on questions of social organisation means that they can be presented with survey data. This contrasts to value orientations that are more general and abstract dispositions. In order to operationalise value orientations, we constructed two three-items-based value indices that reflect the value dimensions of *individualism-collectivism* (Hofstede, 2003) and of *egalitarianism-hierarchy* (Schwartz, 1992, 2006). We chose these two value dimensions as they reflect orientations towards the two essential core characteristics of democracy: competition and equality.

To construct these value indices we identified a number of items from the Afrobarometer survey (Afrobarometer: A pan-African series of national public attitude surveys on democracy, governance, and society, 2018) that can be hypothesised to map these two value dimensions. Because not all of the items identified were asked about in all the same rounds, it was only possible to use three items for each index. We then applied principal components analysis to extract an index score for every respondent (see Appendix 3 for more information on the selected items and the method employed). The indices range from 0, indicating egalitarian values or individualist values respectively, to 1 indicating hierarchical or collectivist values respectively.

## 2.4 Case selection

The within-country comparison limits the population of cases to those countries in which i.) incumbent presidents at least once attempted to overstep a constitutional term limit, and ii.) a legal reform of the status of women or LGBTI persons was attempted. In addition, donors should be active and operative in the country so that the effectiveness of their democracy promotion activities in the respective cases can be assessed.

For case selection, we compiled data on attempts to extend or abolish term limits as well as to reform family and LGBTI law in African countries (including North Africa) for the period 1990 to 2016. We then classified each episode according to operationalisation rules as either “successful” or “failed”. We identified 48 episodes in which term limits were reached. Incumbents unsuccessfully attempted to extend their term in 6, and succeeded in 13 of these episodes. Regarding our second case – legal reforms for gender or LGBTI equality – we identified 172 episodes, 139 of which resulted in legislation being successfully turned into law. Ninety-one of these episodes were an improvement for women or LGBTI persons, while 11 were not.

Ultimately Malawi was selected as a country case worth studying more closely. In 2015, it had passed a legal reform that aimed at harmonising its various marriage and family laws. In addition, its first democratic president, Bakili Muluzi, attempted to abolish the constitutionally set limit on his term of office after serving his second term, but eventually failed to achieve his aims in 2002/2003. What is more: not only are OECD donor countries very active in Malawi, but the country also presents itself as an important case of a democratically stable country without a history of past conflict.

To facilitate the process-tracing analysis, we collected and analysed primary newspapers through online archives for the periods under analysis. Data gathered from the newspapers was complemented by 21 in-depth semi-structured interviews with representatives of donor countries, civil society actors, ministries, and members of the Malawian parliament (MPs) conducted in Lilongwe from April to May 2017 (see Appendix 2).

### **3 Country analysis: democratic reforms in Malawi**

#### **3.1 The political background of Malawi, 1992 to 2017**

Shortly after gaining its independence, Malawi was turned into a one-party state ruled by the Malawi Congress Party (MCP) under the leadership of Dr Hastings Kamuzu Banda, who declared himself “Life President” in 1970. During his dictatorship, Banda created a centralised rent-economy in which any spheres outside of the government were drastically oppressed using a special security apparatus.

As with so many other countries that slipped into autocracy after independence, change came in the early years of the 1990s. Throughout Banda’s regime, a diaspora of political opposition had aimed at bringing him down. Throughout the 1980s, Malawi’s economy had been faltering and distress increased when a drought hit the country in 1992. Church leaders from all congregations began criticising the regime publicly in pastoral letters because of mismanagement and oppression. Amidst an emerging atmosphere of criticism, a major opposition leader returned to Malawi, openly called for multi-party democracy, and founded the Alliance for Democracy (AFORD). Thus encouraged, students took to the streets in public protest against autocracy while workers of many different economic branches went on strike all over the country. When the AFORD leader was arrested by security forces, this sparked another spike of opposition which eventually forced Banda to call for a referendum on multi-party democracy in 1993, of which almost two-thirds of the Malawians voted in favour (Ihonvbere, 1997).

When the first presidential elections under the new multi-party regime were held in 1994, Bakili Muluzi, leader of the United Democratic Front (UDF) emerged as the winner. The democratic transition of Malawi had been regarded as an astounding success as it had not involved much violence and seemed to be carried by popular groundswell. However, it is often argued that, while Malawi facilitated a transition from autocracy to democracy formally, no *true* end was put to the clientelistic political rule established by Banda after independence. Such a “transition without transformation” (Cammack, 2017, p. 664) made Malawi vulnerable to backsliding. Subsequently, Malawi faced another crossroads when Muluzi attempted to abolish the constitutional term limit in 2002, although he did not succeed in doing so.

Slowing economic growth in 2008 and 2009 meant that the country was heading towards a critical crisis in 2011, when civil society started to criticise the Mutharika administration that followed Muluzi’s presidency for mismanagement and misconduct. In response, the government cracked down on civil society, so that several civil society leaders went into hiding (Cammack, 2017; Wroe, 2012).

Malawi faced another critical juncture, when in 2012 president Bingu wa Mutharika passed away due to a heart attack. According to the Constitution, Vice-President Joyce Banda – who had earlier been sidelined by Mutharika and founded her own party – was to take over, but during a period of several tense weeks it seemed as if her presidency might be contested by Mutharika’s followers (Patel & Wahmann, 2015). The Malawi Defence Forces (MDF) emerged as a critical actor upholding the Constitution, as they openly declared their support for, and aim to protect, Joyce Banda (personal interview 3).<sup>2</sup> After starting off well and serving two years as Acting President, Joyce Banda was eventually defeated in the elections of 2014 by Mutharika’s younger brother, Peter Mutharika, who will face the next elections in 2019.

As can be inferred from this brief historical description, Malawi is a young democracy with fledgling institutions. It is a Presidential Republic with a unicameral parliament and a single tier of local government situated at District Level. Its political system is often described as “defective” (Chinsinga, 2008, p. 11). “Defective democracies” are characterised on the one hand by sufficiently strong political institutions that can implement democratic elections and uphold the core functions of the democratic system, but, on the other hand, major deficiencies exist in the rule of law as well as in horizontal accountability as powerful cliques tend to dominate the political arena (Merkel & Croissant, 2004).

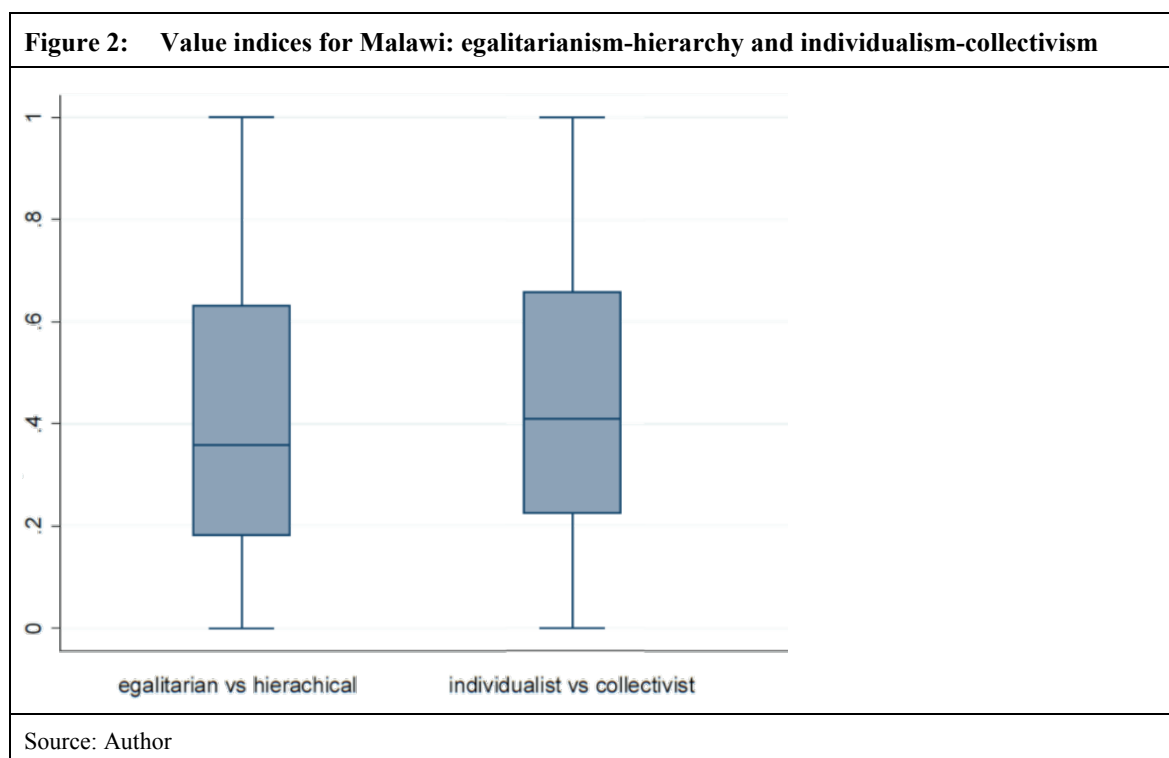
In economic terms, Malawi is among the poorest countries of the world. In the United Nations’ Human Development Index it was ranked 170th out of 188 countries in 2015, coming in just behind Afghanistan. Hence, it is no surprise that Malawi is highly aid dependent. The most important donors are the European Union, Norway, the United States, and the United Kingdom. The ratio of received net Official Development Assistance (ODA) to government expense reached a record high of 112 per cent in 2012. Although this has subsided since then, the figure for 2015 was still very high at 88.2 per cent. Against this background, it is also not surprising that donors play an important role in the politics of Malawi. For instance, during Malawi’s democratic transition in 1994, donors played a key

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2 For a list of personal interviews, see Appendix 2.

role in exerting pressure on the Banda regime by withholding aid (Ihonvbere, 1997; Brown, 2005). However, Malawi’s relationship to donor countries has become strained in recent years (Wroe, 2012). Donors suspended direct budgetary aid after a major fraud scandal erupted in September 2013. This had major impact on service delivery and operation by the government leading to delay in salaries for public servants and a suspension in the recruitment of new staff, among other things (personal interview 1).

Figure 2 shows the distribution of Malawian respondents’ scores in relation to the value indices that we constructed. For both value orientations, Malawians tend more towards egalitarian and individualist values. In both cases, more than half of all respondents have scores smaller to .5, thus are closer to egalitarian and individualist values than to hierarchical or collectivist values. Because slightly more than half of all respondents even score below .4 for the egalitarian-hierarchical value orientation, it seems that egalitarian value-orientations are slightly more frequent than individualist values compared to their opposite value-orientations.



These results deviate from other assessments of cultural values in African societies. Data on cultural value orientations for African societies are scarce, and no studies on Malawi exist to which our cultural value orientation indices can be compared. However, data by Hofstede (2003) and by Schwartz (2006) suggest that African societies are fairly collectivistic and hierarchic. The differences between this general assessment and our index scores probably stem from differences in samples. Both Hofstede (2003) and Schwartz (2006) use specific samples for their surveys (IBM employees in the case of Hofstede, and teachers and students in the case of Schwartz), while we used representative Afrobarometer (2018) survey data.

## 3.2 Case 1: Muluzi's attempt at a third term

### 3.2.1 Process description

Table A1 in Appendix 1 provides an overview of the process of Muluzi's third-term attempt in 2002/2003. Nevertheless, this section will provide a brief description of how the debate on Muluzi's third term unfolded, and which positions different actors took throughout the debate.

According to Morrow (2006), the idea that Muluzi might run another term as president was floated for the first time by representatives of his party (UDF) and civil service officials just after his election to the presidential office in 1999. But the debate on abolishing the presidential term limit did not really take off until early 2002, when the UDF unsuccessfully attempted to change the provision that constitutional amendments necessitate a two-thirds majority (Hussein, 2004). From then onwards, the UDF started actively promoting the abolishment of the term limit and the institution of an open end to presidential terms. The party founded a commission with the goal to advocate for another term for Muluzi and consult with presidents of other countries who had successfully abolished constitutional term limits (Banda, 2002b). Muluzi himself publicly stated that he would not seek another term unless asked so by the people of Malawi (Kanguru, 2002), but also argued that he had "a lot of development plans that [would] benefit Malawians" and that he wanted "to finish them" (Morrow, 2006, p. 156). Meanwhile, considerable pressure was exerted on opposition politicians and opposing businessmen. Allegedly, many opposition politicians were bought off with either land holdings or cash (Morrow, 2006). Eventually, even the leaders of the two major opposition parties, AFORD and the MCP, went over to the pro-open term faction after they had negotiated with Muluzi over a possible government of national unity after Muluzi's successful additional term bid (Chinsinga, 2008). Meanwhile, the government issued a ban on demonstrations to curtail popular opposition led by church and other civil society organisations towards the open term-bid. Although the ban on demonstrations was declared illegal by a judge of Malawi's High Court, Muluzi ordered the people to ignore the ruling and, in response to government pressure, the High Court overturned the ruling (Morrow, 2006).

Eventually, the Open Term Bill was presented to Parliament in July 2002 as a Private Member's bill by an AFORD party member, although it failed to be passed by only three votes (Morrow, 2006). However, the issue reappeared on the public agenda when the UDF announced it would propose a modified version of the bill that would not abolish the presidential term limit but would only extend it by a third term (IRIN [United Nations Integrated Regional Information Networks], 2002c). After the defeat of the Open Term Bill, civil society opposition remained alerted. Although the ban on demonstrations still applied, it was defied by civil society organisations, and allegedly Muluzi ordered his party followers to intensify buying off opposition MPs (Mwase, 2002b). The Third Term Bill was eventually gazetted in September, but meanwhile internal dissent cracked open within the UDF, as leading party members started opposing Muluzi's conduct and general party leadership (Mweninguwe, 2002; IRIN, 2002e; Jamieson, 2002). As the internal party support ebbed away, civil society and donor pressure became stronger throughout the second half of 2002. Meanwhile part of the third-term debate revolved further around the government ban on public protests and demonstrations after Muluzi ferociously declared about whoever wanted to demonstrate that he would "demolish all of [them] together"



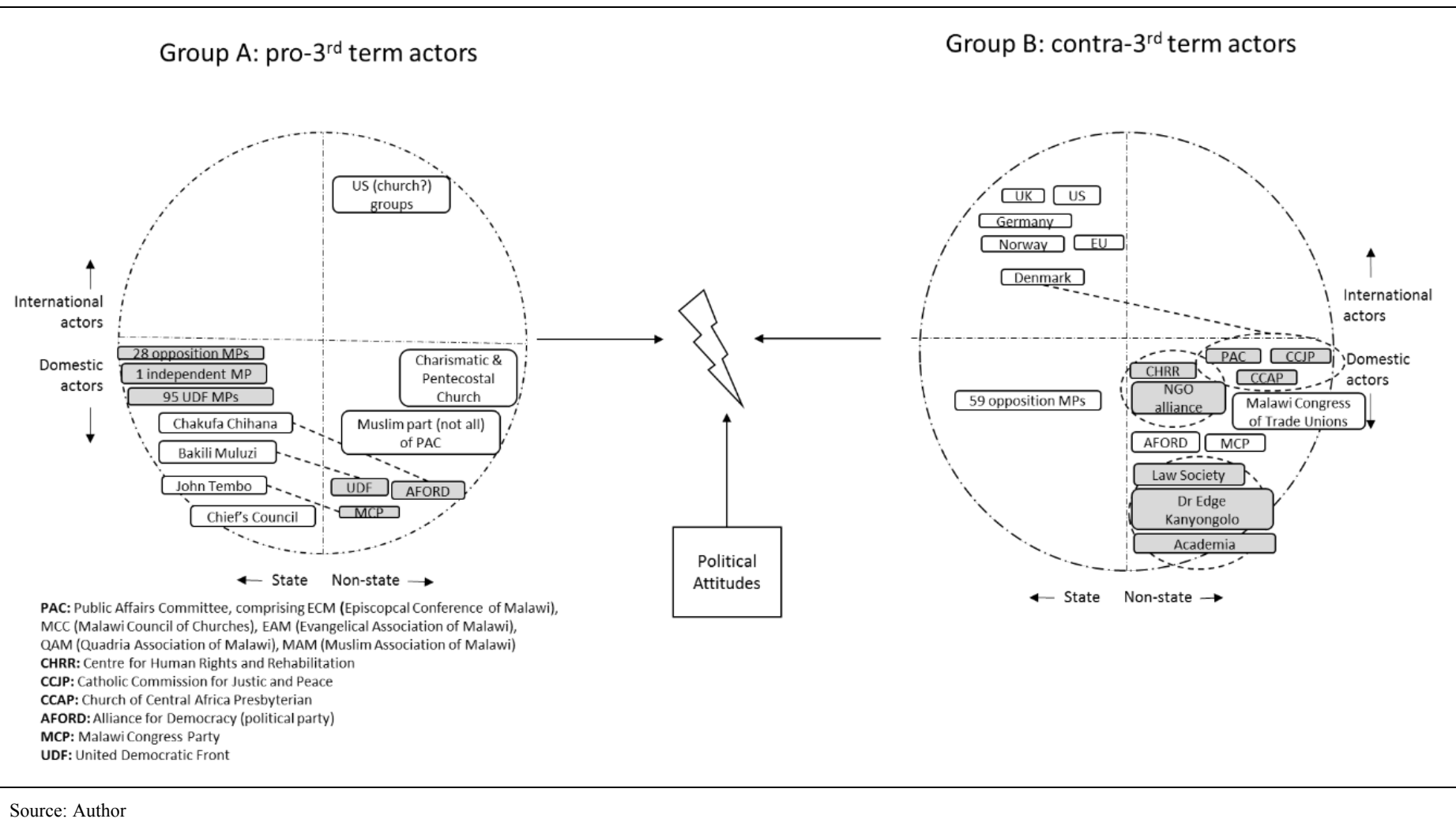
(IRIN, 2002d). Violent clashes between demonstrators and police who made use of teargas and gunfire to disperse the protesters ensued in November (African Church Information Service, 2002d).

Hence, after much heightened tension at the end of the year 2002 and during a special parliamentary session in January 2003, Muluzi and his followers had to face the fact that they could not possibly muster a majority for the Third-Term Bill. Subsequently the bill was sent back to the parliament's Legal Affairs Committee for revision, a de facto withdrawal (Morrow, 2006). Two months later, Muluzi announced that Bingu wa Mutharika as the UDF candidate running for president in the upcoming elections.

Figure 3 shows the constellation of actors that were active throughout Muluzi's third-term bid. Each sphere presents either the pro-third term faction (left) or the contra-third term faction (right).

The contra-third term faction consisted mainly of civil society, including human rights organisations such as the Centre for Human Rights and Rehabilitation (CHRR), workers' associations under the umbrella of the Malawi Congress of Trade Unions, several church organisations such as the Church of Central Africa Presbyterian (CCAP), as well as specialised associations such as the Law Society which has ties to academia. It should be noted that the graphical depiction may distort the size of the contra-faction. This is especially with regard to civil society organisations (CSOs) which had organised themselves under two large umbrella organisations, the Forum for the Defence of the Constitution, and the Human Rights Consultative Committee which was comprised of 50 CSOs alone (Dulani, 2011, p. 125). In addition to these civil society actors, the two major opposition parties also appear in the contra-faction, as they were effectively split over the issue of Muluzi's attempt at a third term after he had succeeded in drawing large numbers of them into his faction.

**Figure 3: Actor constellation during Muluzi's third-term bid, 2002-2003**



Source: Author

In contrast to the contra-third term faction, no international state actors backing the pro-third term faction were found although some newspapers rumoured that Muluzi received direct support from Libya's Gaddafi regime (Jamieson, 2002; Namingha, 2002a) and similar rumours on support from US American charismatic church groups existed on the behalf of non-state international actors (Morrow, 2006). However, such claims could not be further substantiated. Instead, the pro-third term faction consisted mainly of the UDF and the members of the AFORD and MCP opposition parties that Muluzi and his followers could convince and draw into their faction. In addition, the pro-third term faction received some support from charismatic and Pentecostal churches as well as from some, though not all, Muslim organisations of Malawi. Importantly, the traditional authorities of Malawi represented by the chiefs' council also backed Muluzi's bid after he had raised their stipends by 25 per cent in the debate leading up to the open term bill tabling (Morrow, 2006).

From this description of the process, it becomes clear that the proximate cause of why Muluzi's bid for another presidential term failed lay in the waning support from both UDF and opposition MPs. When Malawi's parliament voted on the Open Term Bill, Muluzi missed the mark by only three votes, but half a year later conditions had changed considerably, so much so that he did not even dare to attempt to introduce the Third Term Bill in parliament. It is worthwhile shedding more light on what turned the tide.

### 3.2.2 Explanatory factors

Two factors played out particularly during the process of Muluzi's third-term bid. On the one hand, civil society, including non-government organisations (NGOs) and other CSOs as well as church organisations, was very active in mobilising popular attitudes for protest. On the other hand, the fact that donors warned the Muluzi government about the importance of adhering to the democratic process complemented protests on the ground.

#### *Civil society & popular attitudes*

Throughout the third-term bid, civil society played a major role in expressing and mobilising opposition to Muluzi. First and foremost were Malawi's church organisations. In the early 1990s, these had already been instrumental in fuelling Malawi's democratic transition and saw – and still see – themselves as occupying the role of “democratic watchdogs”. This pertains for instance to the inclusion of contents dealing with good governance in the educational curricula of future priests (personal interview 13). In addition, many pastoral letters and statements publicised by the various church organisations deal with issues of governance and democracy. For instance, already one year before Muluzi's third-term bid started in earnest did Catholic bishops publish a pastoral letter cautioning against manipulation of the Constitution, similarly to CCAP which published a letter on democratic culture in April 2001 (Morrow, 2006).

When Muluzi's third-term bid became more apparent in the first months of 2002, the Catholic Church issued its Lentine Pastoral letter in April which read that “any amendment to the Constitution should be preceded by broad public consultations and consensus. On fundamental issues, no change should be done without a referendum” (Mnela, 2002). The churches also continued to clash with Muluzi after the defeat of the

Open Term Bill when Muluzi accused them of “[exercising] questionable ambitions” (Mwase, 2002a). The Catholic Commission for Justice and Peace (CCJP), for instance, published a statement in October 2002 condemning Muluzi’s attempt to push his bid for another term, calling “upon all the MPs who now hold power to either destroy or build our nation, to examine their conscience [...] by firmly and categorically VOTING NO! NO! NO! NO! to the third term bill” (“The Catholic Commission”, 2002). The churches’ campaign against Muluzi’s third term was not limited to the Catholic Church only, but was an endeavour which cut across congregations. The Evangelical Lutheran Church in Malawi (ELCM) publicly opposed Muluzi’s bid (African Church Information Service, 2002c), while the Public Affairs Committee (PAC) was one of the major actors of the contra-third term faction, bringing opponents of the third term together in, for instance, evening dinners (Morrow, 2006). As an umbrella-body including multiple congregations and faiths, it also includes major Muslim organisations. However, as such, the PAC was not immune to internal fragmentation either. Fault lines existed, especially between the Christian and Muslim organisations (Mwanyongo & Kang’ombe, 2002). This led some country observers to argue that the opposition of Christian church organisations to Muluzi’s third-term bid was fuelled by reluctance to accept yet another term under a Muslim president rather than by their concern for the respect of Malawi’s Constitution (Meinhardt & Patel, 2003). Indeed, representatives of the CCAP interviewed stated that, at least for some Christian constituencies, Muluzi’s religious congregation played a role in their opposition to his bid for another term. But Morrow (2006) warns against emphasising Christian-Muslim rifts too much, arguing that Muslim church leaders had already fallen out with Muluzi one year before the tabling of the Open Term Bill.

From the very beginning, church organisations cooperated with non-governmental organisations that were active in the promotion of human rights, such as the Centre for Human Rights and Rehabilitation (Mnela, 2002). CSOs like this were active in liaising with the church organisations, academia, the Malawi Law Society, and especially in awareness-raising in local communities (personal interviews 10; 13). Demonstrations later in the debate were often organised by NGOs. Thus, the Forum for the Defence of the Constitution for instance organised the demonstrations in November 2002 that led to heavy clashes with police forces. Church organisations and NGOs could thereby count on popular attitudes. According to survey data from the Afrobarometer (2018), 76.33 per cent of Malawians agreed either very strongly or strongly with having a limit on the number of presidential terms. This political attitude, which appears to be comparably stable from 2003 to 2014 (see Table 1), probably stems from Malawi’s past experience with Banda’s “Life Presidency”. It is matched by a strong attitude against autocracy shared by almost four-fifths (77.92 per cent) of the population. Afrobarometer data also show that Malawians were split in their attitudes towards Bakili Muluzi as president in 2003, with one-half trusting the president “not at all” or “a bit”, and another half “somewhat” or “a lot”.

<b>Table 1: Attitudes on term limits and one-man rule</b>				
	<b>2003</b>	<b>2008</b>	<b>2012</b>	<b>2014</b>
<i>Term limit?</i>				
Agree with term limit	13.58%	12.5%	13.96%	6.08%
Agree very strongly with term limit	62.75%	46.58%	62.9%	71.29%
<i>Abolish elections and parliament?</i>				
Disapprove	62.17%	68.17%	68.92%	75.5%
Disapprove strongly	15.75%	12.00%	18.28%	8.46%
N	1,200	1,200	2,407	2,400
Notes: Term limits: “Which of the following statements is closest to your views? Choose Statement A or Statement B: A: The President of Malawi should be able to serve as many terms in office as he wishes. B: In Malawi, the President must obey the law, including the constitution, for example by serving no more than two terms in office.” Abolish elections and parliament: “There are many ways to govern a country. Would you disapprove or approve of the following alternatives? Elections and parliament are abolished so that the president can decide everything.” Source: Afrobarometer, 2018				

### *Donor interventions*

Tacit donor pressure complemented the protests and demonstrations of the Malawian civil society. Donors engaged in a “carrot-and-stick” strategy vis-à-vis the Muluzi government by withdrawing aid, cutting debt and condemning the behaviour of Muluzi’s government rhetorically.

In the run-up to Muluzi’s third-term bid, Malawi’s relation to traditional donors had gradually worsened. At the end of the 1990s, donors such as the World Bank, the International Monetary Fund (IMF), and the United Kingdom had pushed for reforms towards greater transparency and accountability (Brown, 2005). But, finding their demands not met satisfactorily, the EU, the United Kingdom and the United States ended direct budget support in 2001 (Banda, 2001). Denmark took a more extreme measure in early 2002, withdrawing not only budget support but all aid (Banda, 2002a), citing as the reason that “political developments continue to move in a negative direction” (IRIN, 2002a) while the Malawi government accused Denmark of cutting aid due to a change of government in Copenhagen. Other donors, such as the United Kingdom and the IMF took the opportunity to warn Muluzi’s government about economic mismanagement and a lack of transparency as well as governance (“Britain cautions Muluzi”, 2002; Ganthu, 2002). Much of how donors talked in the first half of 2002 was hence rather stiff as they argued that they were waiting for the results of an IMF assessment on Malawi’s economic and governance performance before deciding whether to release further aid (African Church Information Service, 2002a).

Amid this tense atmosphere, several donors reverted their course in the summer of 2002 by cutting Malawi’s debt. This reversion was announced with rhetorical but allegedly not causal connection to Muluzi’s bid for another presidential term. After a warning condemnation by the EU of how the third-term debate was handled by the Muluzi

government, both Germany and Italy cut proportions of Malawi's debt while at the same time warning Malawi's government to heed the democratic participatory process (IRIN, 2002b; "Germany, Italy write-off", 2002). By the same token, the United States warned Malawi against taking autocratic measures to suppress popular participation (African Church Information Service, 2002b), while the United Kingdom joined the choir just briefly after the Open Term Bill was defeated in parliament by stating that aid to Malawi was not "lost", yet without referring to the third-term debate (Chafunya, 2002). According to Resnick (2012), who cites information by the *Economist's* Intelligence Unit, donors also took more explicit steps, threatening Muluzi's government with additional aid cuts if the ban regarding demonstrations on the third-term issue was not lifted. However, his claim could not be substantiated. Morrow (2006), too, argues that donors like the United States did not only exert open, but also concealed, pressure on the Malawian government. Opposition party leaders and civil society activists, too, emphasised the role donor pressure played during the third-term debate (Namingha, 2002b; IRIN, 2002d; 2002e).

The role of donors also comes into play in supporting civil society organisations belonging to the contra third-term faction. Many of the NGOs who rallied to this faction were directly funded by donor governments, such as the CHRR which received support from the United Kingdom and the EU at the time (personal interview 10). However, this partly led to serious backlashes against the activity of such NGOs as they were accused of acting as "foreign agents" ("Donors fuel political feud", 2002). By the same token, the funding that contra-third term organisations such as the Forum for the Defence of the Constitution, the PAC, or the CCJP received from the Norwegian Church Aid was attacked as foreign meddling, and official state donors were pressured to declare that their funding was not specifically tied to political activist campaigns ("Donors fuel political feud", 2002). Such suspicions were further fuelled by the actions of the Danish development organisation Danida, which had withdrawn completely from Malawi in January 2002 but then channelled funding to the PAC for campaign purposes through a Zambian NGO (Morrow, 2006).

### 3.3 Case 2: reform of the marriage law

#### 3.3.1 Process description

The second case selected for study is Malawi's Marriage, Divorce, and Family Relations Act which outlawed child marriage and harmonised existing legislation on marriage and family law, thus slightly improving the legal standing of women (see Table A2 in Appendix 1 for an overview of the process).

In the course of Malawi's transition to democracy, the female MPs in Malawi's parliament (a minority) had formed an informal group that cross-cut parties and advocated in parliamentarian debates and dealings for women's and children's rights. This informal group was formalised as the parliament's Women's Caucus in 1996 (Chiweza, Wang, & Maganga, 2016). Two years later, civil rights activists backed by support from the United Nations Development Programme (UNDP) and seconded by the Malawian government founded the Gender Coordination Network, an NGO which collaborated extensively with the female MPs of the Women's Caucus.

These actors were vital in putting the Marriage, Divorce, and Family Relations Bill on track. One of the Women's Caucus goals, as declared in its by-laws, was the harmonisation of

laws pertaining to women's rights (Chiweza, Wang, & Maganga, 2016). To this end, the Malawian government instituted a Special Law Commission on Gender, (henceforth called the Gender Commission) in September 2001 (Law Commission, 2006).<sup>3</sup> After its foundation, the Gender Commission conferred with the Women's Caucus and civil society stakeholders for women's rights to identify which parts of Malawi's legislation on women's rights needed to be reformed. The resulting Gender Law Reform Programme identified succession and inheritance, marriage and divorce, and general gender equality as major areas and laid out a work programme spanning ten years (Mwale, 2012). In the next four years, the Gender Commission carried out a review of existing laws, as well as consulting NGOs and local communities (personal interview 3).

The Gender Commission's work resulted in a report with an accompanying draft bill that harmonised the disparate legislative acts on marriage and divorce in Malawi (Law Commission, 2006). The stated goal of the draft bill was to harmonise legislation on the three forms of marriage prevalent in Malawi: the statutory marriage, the customary marriage, and the marriage by repute or permanent cohabitation. Although the draft bill did not create full harmonisation – as the legislative texts on the three forms of marriage were simply “bundled” into one bill rather than harmonised – it nevertheless proposed three important legal changes: These were i) an improvement of the rights of women in marriage by repute or permanent cohabitation; ii) the criminalisation of polygamy; and, iii) by raising the legal marriage age from 15 to 18, the criminalisation of early marriage.<sup>4</sup>

Especially the two later propositions, outlawing polygamy and child marriage, rendered the debate on the Marriage, Divorce, and Family Relations Bill value-sensitive. Both polygamy and child marriage is common and deeply rooted in Malawian culture (MHRC [Malawi Human Rights Commission], 2006). Thus, reform of the family and marriage law in Malawi faced substantial political inertia. Hence, when the Marriage, Divorce, and Family Relations Bill was introduced to parliament for the first time in 2010, Parliament sent the bill back for revision to the Gender Commission despite a comfortable government majority (CHRR [Centre for Human Rights and Rehabilitation], 2011).

For the next two to three years, changing the bill lay dormant. Although civil society and non-governmental organisations kept on campaigning against child marriage, no concerted efforts to reintroduce the bill were attempted. However, momentum gathered after UN Women, the United Nations organisation promoting gender equality and women empowerment, opened its Malawi office and became operative in 2012/2013. In

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3 Malawi's democratic Constitution sets out a programme to carry out a wide and comprehensive review and reform of its existing laws. To achieve this, the Law Commission was founded in 1996 as a parastatal body with the mandate to review all laws, and draft suggestions for reform. This is not done by the Law Commission itself but by specially instituted thematic commissions in which various stakeholders and experts, such as academics, church and civil society members, and ministry officials, sit seconded by programme officers of the Law Commission (personal interview 3).

4 Legally speaking, marrying below the age of 18 does not constitute an act of child marriage if the legally specified age of the child is not set at 18 but at 15, say. Although the United Nations Convention on the Rights of Children specifies 18 as the age of transition from childhood to adulthood, this only applies if a majority is not achieved earlier under national law (UNOHCHR [United Nations Office of the High Commissioner of Human Rights], 1989). Nevertheless, in much of the academic and non-academic literature, child marriage denotes marriage under the age of 18 (see, for instance, Lee-Rife, Malhotra, Warner, & McGonagle Glinski, 2012). This same definition is applied in this paper.

cooperation with the Ministry for Gender, UN Women pushed the Marriage, Divorce, and Family Relations Bill back onto the legislative agenda. By mid-2013, legislation to reform the marriage age was again in discussion in the media (personal interview 15). UN Women and the Gender Ministry consulted with both parliament's Women's Caucus and the Social Affairs Committee, and set up meetings with the other parliamentary committees as well as consultations with the Gender Commission and actors from civil society.

Eventually, the bill was tabled in the Cabinet in October 2014, and subsequently introduced to parliament by the Ministry of Justice. A majority of MPs expressed their concern about the stipulations of the bill that would criminalise polygamy (personal interviews 2; 16). Because it was feared and sensed that the bill would not gain approval by Parliament if the stipulations on polygamy remained, they were dropped before the bill was tabled in Parliament in February 2015. On the day of the vote, MPs voted on the bill in a roll call. The presence of civil society representatives on Parliament's grandstand who "kept their eyes" on the MPs voting below suggests that some measure of social control was exerted (personal interviews 2; 5). In the end, the bill was passed unanimously as opposing MPs, who demanded more space and time for discussion, abstained from the vote.

After it had been passed by Parliament, President Peter Mutharika signed the Bill in April 2015. However, the discussion on it did not subside but continued with the issue that it stood in conflict with Malawi's Constitution ("New marriage law deemed invalid", 2015). The Constitution still stipulated that children are persons younger than 16 years, and that marriage between persons between 15 and 18 is possible with parental consent (Government of Malawi, 2016). Changes made to the Constitution in 2010 made it possible to amend some of the Constitution's subsections through a two-third's parliamentary vote rather than through popular referenda. Hence, after passing the Marriage, Divorce and Family Relations Act, the focus of CSOs and NGOs advocating against child marriage shifted towards amending the Constitution through parliamentary vote.

In order to exert pressure for the constitutional amendment, some Malawian civil society organisations filed a complaint with the African Committee of Experts on the Rights and Welfare of the Child (ACERWC), a body of the African Union (AU). During the November 2016 AU summit meeting in Gambia, representatives of the Malawian Ministry of Justice responded to the complaint and pledged that Malawi would align its Constitution with regional and international standards (personal interview 11; Human Rights Watch, 2016). By mid-February 2017, Parliament voted into effect the Constitutional Amendment Act No. 3 raising the age of the child to 18, receiving presidential assent in April of the same year.

The debate about the Marriage, Divorce, and Family Relations Act was characterised by a large pro-reform alliance made up of government agencies, donor institutions, and inter- and transnational actors. Part of their success was due to the fact that they faced only fragmented opposition that had not yet coordinated itself (see Figure 4). Central domestic state actors were the parliamentarians of the Women's Caucus seconded by the Social Affairs Committee, as well as the ministries and the Law Commission who are by definition key players in the formal law-drafting process. Local chiefs, formally belonging to Malawi's government structure, also played a key role. Through enacting by-laws that forbade child marriage in their districts, many chiefs prepared the ground for the Marriage, Divorce, and Family Relations Act in MPs' local constituencies. On the non-state domestic side, a broad and varied coalition of civil society actors was motivated to push



for law reform but faced substantial transaction and coordination costs. This broad coalition found important counterparts in international, non-state actors, especially among UN agencies as well as international NGOs. Some of the non-state domestic civil society organisations also strategically instrumentalised access to bodies and organisations of regional and international law such as the Southern African Development Community (SADC), the AU, or the UN Human Rights Committee. Important for the work of all domestic pro-reform actors, either state or non-state, were traditional state-donors who supplied them in particular with funding and financial support.

In contrast to the dense web-structure of the pro-reform actors, the opposition actors were less organised. Opposition within parliament focused mainly on a handful of MPs who opposed the bill for various reasons. Members of the Legal Affairs Committee for instance opposed the bill on the ground of its being in conflict with the Constitution. The Law Society, a Malawian association of lawyers also raised this concern. Then again, the Law Society cooperated with some of the pro-reform civil society organisations on legal issues and questions, hence blurring the line between both camps (personal interview 1; 2; 6; 16). Figure 4 illustrates this with the dashed lines that connect some of the opposing actors with the actors favouring reform of the law. Several domestic civil society organisations criticised the Act for not making provisions for gay marriages (Fahamu, 2015). Popular criticism as well as concerns were sometimes voiced during consultations, both those undertaken by the Law Commission but also in the media, for example in call-in radio shows (personal interviews 2; 3; 5; 9). The main opposition faced by the pro-reform camp, however, originated among individual parliamentarians.

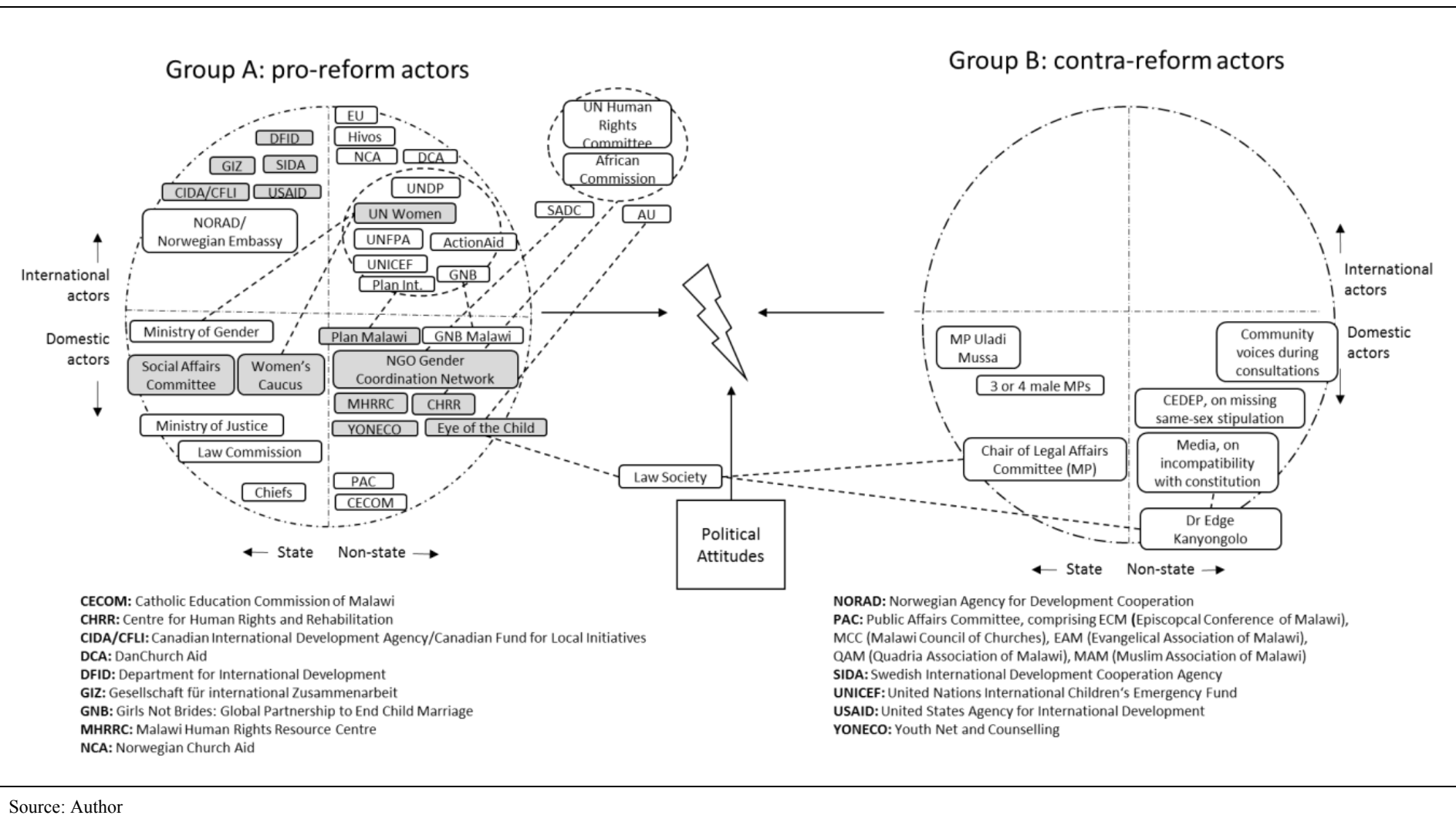
### 3.3.2 Explanatory factors

Three explanatory factors stand out in explaining the protracted but eventual success of the Marriage, Divorce, and Family Relations Act. First, the process of the Marriage, Divorce, and Family Relations Act played out against a background of domestic changes in attitudes and practices. Next, it was embedded in an international climate that opposed child marriage. International organisations and treaties propelled the diffusion of anti-child marriage norms. Finally, international organisations and non-government organisations as well as donors played an important role in capacitating domestic actors.

#### *Domestic attitudes and practices*

While the attitude of the masses is fairly favourable, there still seems to be strong opposition in some parts of Malawian society towards gender equality. Set against this, a change in the attitudes of the cultural elite, Malawi's traditional chiefs, was crucial in supporting the Marriage, Divorce, and Family Relations Act. According to Afrobarometer data, attitudes in Malawi towards gender equality are split but show a tendency towards supporting equal rights for women. As Table 2 shows, the proportion of Malawians supporting gender equality rather than traditional, customary laws for women oscillated between 57 per cent and 72 per cent for the period 2003 to 2012. On the flipside, this meant that two in five (2005) or one in four (2012) Malawians still tended to oppose gender equality. Survey data from the more recent Afrobarometer round of 2018 shows strong support for equal access to land for women (80 per cent). Overall, this suggests that the application of customary law to women's rights is a vanishing minority opinion in Malawi.

**Figure 4: Actor constellation during the process of the Marriage, Divorce, and Family Relations Act**



Source: Author

	<b>2003</b>	<b>2005</b>	<b>2012</b>
Customary (Statement A)	29.75%	41.58%	26.98%
Equality (Statement B)	68.42%	56.59%	71.86%
N	1,200	1,200	2,407

Notes:  
 Question: Which of the following statements is closest to your view? Choose Statement A or Statement B.  
 A: Women have always been subject to traditional laws and customs, and should remain so.  
 B: In our country, women should have equal rights and receive the same treatment as men do.  
 Source: Afrobarometer, 2018

This is seconded by the findings of the consultations undertaken by the Gender Commission during the drafting process of the Marriage, Divorce, and Family Relations Act. Many community leaders and members stated that, although early or polygamous marriage was customarily practiced in their respective region, they actually would not prefer it for their own children if they had a choice (personal interview 3).

However, these attitudes do not square well with the high occurrence of child marriage in Malawi, where the proportion of women married before their 18th birthday was 47 per cent in 2015 (Demographic and Health Survey, 2017). Community leaders attempting to forbid child marriage in their constituencies also reported strong opposition within communities, such as the threat of physical attacks (personal interview 17), suggesting a strong preference for women's traditional roles within some parts of the Malawian population. A possible explanation for this contradicting evidence is that attitude-behaviour correspondence is not as robust and linear as hitherto assumed, a fact that is often reported in much of social psychology literature (refer, for instance, to Itzhakov, Uziel, & Wood, 2018; Jerolmack & Khan, 2014; Glasman & Albarracín, 2006).

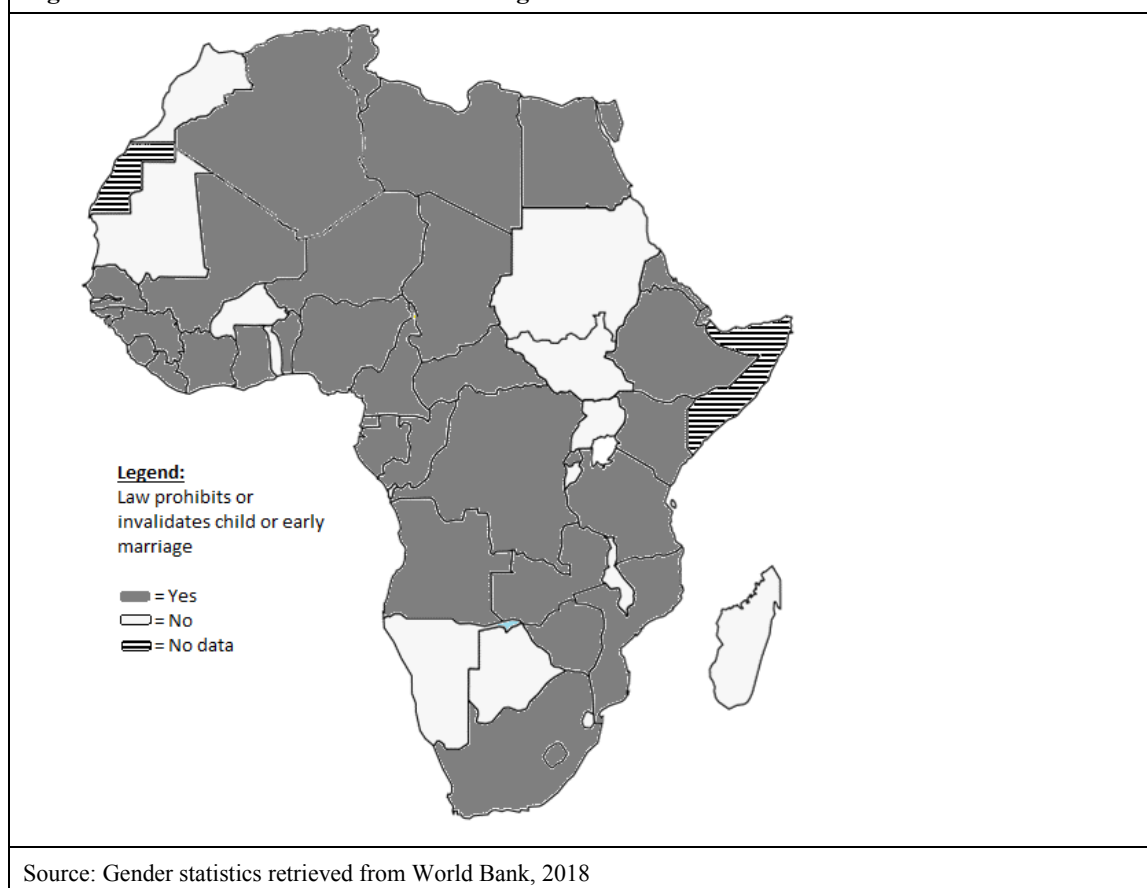
Besides the attitude of the masses, an important change in attitude towards child marriage concerns Malawi's chiefs. In the years running up to the passing of the Marriage, Divorce, and Family Relations Act, Malawian chiefs increasingly took an anti-child marriage stance. Theresa Kachindamoto, the senior chief of Dedza district, for instance won national and international acclamation as the "terminator of child marriage" ("Fearsome chief", 2016). In addition, a number of chiefs publicly campaigned against the practice of child marriage (Witmos, 2014). In 2014, chiefs launched a public campaign to increase the marriage age to 21 (Masina, 2014). The likely origin of the chiefs' commitment to end child marriage is threefold: Just fourteen years ago, chiefs had been publicly derided as "deathmongers" (Ligomeka, 2000) by the wife of the then Malawian president due to their implications in both child marriage and polygyny, as well as the related sexual initiation and cleansing rituals found in some parts of Malawi. Such "public shaming" may have exerted pressure on these traditional authorities and their successors. Second, since then a new generation of traditional chiefs has succeeded the older generation. Not only is this new generation of chiefs younger and in many instances more educated, but the proportion of female chiefs has risen as well (personal interviews 12; 17; Muriaas, Wang, Benstead, Dulani, & Rakner, 2017). Finally, these chiefs received much assistance from national and international NGOs and organisations to draft progressive by-laws forbidding child

marriage in particular (personal interviews 12; 17). Set against this backdrop, elite attitudes – particularly those of chiefs who are generally revered as “custodians of culture” (personal interview 17) – were an important precondition for the passing for the Marriage, Divorce, and Family Relations Act.

### *International norm diffusion*

Changes in attitudes and behaviour concerning gender equality – and child marriage in particular – also need to be put into the larger regional and international context of ongoing norm diffusion. The map in Figure 5 indicates which countries in Africa had criminalised child marriage by 2015. It illustrates that by that year most countries in Africa already had legislation in place that prohibited child marriage. In fact, Malawi stands out as one of only thirteen African countries that had not yet prohibited child marriage legislatively.<sup>5</sup> Even if one questions to what degree national child marriage prohibitions are actually enforced – and, hence, taking into account that some legislation is mere lip service – the map illustrates that anti-child marriage norms had already been diffused regionally.

**Figure 5: Criminalisation of child marriage in Africa in 2015**



5 At that time, Malawi was, of course, just about to criminalise child marriage as the Marriage, Divorce, and Family Relations Act was passed in early 2015. Nevertheless, as discussed above, a certain ambiguity about the validity of the new legislation existed until the constitutional amendment was passed two years later.

Consequently, within the regional organisations in which Malawi is represented, such as the AU and SADC, child marriage became an often discussed issue (personal interview 2). Representatives of civil society organisations stated that Malawi's reform of the law gained the country reverence in regional fora (personal interviews 1; 2; 5), showing that the fact that child marriage was on the agenda regionally rendered it more salient and provided an incentive towards reform.

In addition, anti-child marriage norms were diffused through international agreements and global campaigns initiated by international organisations and these, in turn, exerted pressure on Malawian decision-makers. In February 2013, the international movement "Girls not Brides" opened a chapter in Malawi. Two years later, UN Women declared President Mutharika champion of the global "He For She" campaign. International organisations such as the United Nations Population Fund (UNFPA) and Human Rights Watch pressurised the Malawian government publicly to reform the legal marriage age (Mwalwanda, 2014; Masina, 2014). Domestic actors not only adopted such campaigns but launched ones of their own. In November 2014, for instance, the Gender Ministry jointly with the Malawian NGO "Youth Net and Counselling" (YONECO) launched the "End Child Marriage" campaign.

National CSOs and NGOs used regional and international norm diffusion as a leverage point for pressuring the government. They participated in the drafting of regional rankings to create "naming-and-shaming" effects (personal interview 2). The Malawian NGO Gender Coordination Network, for instance actively participated in the Southern African Gender Protocol Alliance and, in collaboration with other regional NGOs, drew up country- and region-specific reports that monitored the implementation of the SADC Gender Protocol (see, for example, Kaliya, 2015). Likewise, the Centre for Human Rights and Rehabilitation (CHRR) submitted alternative and shadow reports to the United Nations Human Rights Committee and, together with the Centre for the Development of People (CEDEP), to the African Commission on Human and Peoples' Rights (CHRR & CEDEP [Centre for the Development of People], 2013; CHRR 2011). Similarly, Malawian CSOs and NGOs pushed the amendment to change the age of the child in the Constitution by petitioning the African Union. In this way, domestic civil society made use of norm diffusion at the international and national level by pressing the Malawian government to harmonise its domestic legislation and align it with international and regional agreements and treaties. These provided vital focal points for domestic CSOs and NGOs and thereby lowered their coordination and transactions costs.

### *International donors and organisations*

International donors and organisations played a key role in pushing forward the Marriage, Divorce, and Family Relations Act. Their importance played out especially in capacitating domestic actors, both civil society and state actors, to mobilise for reform of the law. Their contribution took the form of transfer of expertise and technical assistance, funding and partnership-based financial support, as well as lobbying and on-the-ground mobilisation.

Conventional international donors, such as OECD donor countries, played a large role in passive funding. Many domestic CSOs and NGOs as well as state agencies like the Law Commission are to a very large degree funded by donor countries. It was therefore no surprise that interviewees unanimously agreed that without these external funds their

organisations would not have been able to do their work. Funding from donor countries also reached domestic organisations and agencies through their partnership with international organisations. In such instances, donor countries funded an international organisation that would use these funds in their collaboration with domestic CSOs and NGOs. UN Women, for example, received a grant from the Norwegian Embassy and employed these funds in their cooperation with domestic NGOs and CSOs (personal interviews 12; 14).

While traditional donors took a more passive role, international organisations such as the UN agencies were free to adopt a more active role as they are often not traditional funding organisations. This allows them to transfer technical assistance and expertise to state and civil society organisations. CSOs, NGOs, and international organisations assisted many chiefs in setting up progressive by-laws prohibiting child marriage. In turn, CSOs and NGOs received background information about how similar law reforms had been undertaken in other countries (often from the SADC region) as well as statistical information from international organisations. International organisations also helped these domestic organisations to analyse and create input for the Marriage, Divorce, and Family Relations Bill. Finally, concerning decision-making in parliament, while in affluent countries MPs can often rely on an extensive staff of assistants, MPs in Malawi do not have offices, let alone assistants; in addition, they may be relatively uneducated or even illiterate (personal interviews 2; 6). In collaboration with domestic CSOs and NGOs, international organisations played an important role in this regard by setting up briefing meetings and workshops with parliamentarians to clarify and interpret the draft bill (personal interviews 6; 7; 12; 16).

Finally, international organisations also played a major role in lobbying for the Marriage, Divorce, and Family Relations Act. They were crucial in engaging the media, both print and – for popular mobilisation even more important – broadcast media. How sincere media outreach was viewed is exemplified by UN Women contracting a Malawi-based PR firm to manage some of its communications work during the period leading up to the Marriage, Divorce, and Family Relations Act (personal interview 20). Besides media outreach, lobbying also took the form of face-to-face lobbying with essential decision-makers. Hence, country-representatives of international organisations had personal interaction with, for instance, the president and ministers on the issue (personal interview 12). It is likely that representatives of donor countries, too, referred to the bill in their communication with decision-makers from higher echelons (personal interviews 14; 21). Finally, international organisations also contributed a great deal by connecting all stakeholders and bringing them together. They engaged CSOs and NGOs, ministries, and the parliament and convened meetings for strategic planning and briefing. They also facilitated exchange within the various different parliamentary groups, enabling the Women's Caucus and the Social Affairs Committee to pitch the Marriage, Divorce, and Family Relations Bill to other parliamentary committees. Hence, changing exact contribution of international organisations was twofold here: First, they facilitated coordination of different actors. Second, by funding venues and other resources, they provided the logistical resources necessary to hold such meetings (personal interviews 2; 6; 11; 12; 16).

Many interviewees mentioned the key role that UN Women took in these processes. While changing reform of the law cannot ultimately be ascribed to the agency of only one organisation, it seems as if UN Women was “at the right spot, at the right time”. It made a

major contribution by lowering transaction and coordination costs between the diversity of actors that were already pushing for the criminalisation of child marriage. Although the time was ripe, it seems as if these actors had hitherto not managed to form a broad coalition. The failure of Parliament to pass the Marriage, Divorce, and Family Relations Bill in 2010 supports this view. This failure took place despite the fact that the parliament of that time was new and keen to pass almost any legislation as the previous generation of parliamentarians had fiercely opposed any legislative initiatives coming from the government. The process leading up to the actual passing of the bill in 2015 gathered momentum after UN Women became active in the country in 2013. After that, UN Women – as a major coordinating player – collected up the “loose threads” and brought them together.

#### **4 Appraising the hypotheses: explaining the effectiveness of support to democracy**

The hypotheses can be evaluated in light of the insights gained through the process analyses. In each case, a number of factors contributed to the effectiveness of support for democracy. But it should be kept in mind that each case presents contextual uniqueness, especially with regard to differing time horizons. Donor activity in Muluzi’s third-term attempt to a great degree took the form of an intervention on short notice. In contrast, in the case of the reform of marriage law, donor activity was embedded in a lengthy process of mobilisation and sensitisation. International donor activity, however, seems to have been more decisive in the case of the Marriage, Divorce, and Family Relations Act.

##### **4.1 Organisational resources are a necessary but not a sufficient condition for effective democracy support**

According to Hypothesis 1, the more organisational resources an actor group controls, the more likely it is to achieve its aims. Only the case of the Marriage, Divorce, and Family Relations Act supports this hypothesis directly, while the case of Muluzi’s third-term bid refutes it. Taken together, the results emphasise the necessary trade-offs between an actor group’s size and its capacities. This trade-off eventually means that resources are only a necessary but not a sufficient condition for actor groups to achieve their aim.

In the case of Muluzi’s third-term attempt, the advantage of greater organisational resources lay with the Muluzi government. Although the opposing actor group consisting of civil society actors received their resources from international donors, the vote-buying undertaken by the Muluzi government clearly shows that his faction was at greater liberty to use resources – in this case in the form of money as the incumbent president Muluzi had large amounts of the state’s resources at his disposal to further his own cause. In contrast, the opposition faction relied on donor spending which was volatile and less flexibly accessible. Against this background, the fact that Muluzi almost succeeded in getting the Open Term Bill passed in 2002 testifies to the importance, but also to the limits, of organisational resources.

Likewise, the case of the Marriage, Divorce, and Family Relations Act supports this conclusion. Here the broad coalition of civil society and non-government organisations

had an edge over the opposing faction in terms of resources. This advantage accrued simply due to the size and scope, as the actor constellation diagram in Figure 4 illustrates. Despite this edge over the opposing faction, however, the first attempt to get the Marriage, Divorce, and Family Relations Bill passed in 2010 failed. In contrast, the bill was finally passed in 2015. In between these two points in time, UN Women became operative in Malawi in 2012/2013. As shown in the analysis, the organisation had a particularly key role in rallying the broad coalition of international and domestic civil society and non-government organisations, state institutions, and MPs. This further supports the fact that, although organisational resources are crucial for actor groups in pursuing their goals, resources alone do not suffice. In fact, resources need to be matched by effective coordination within the actor group.

## 4.2 Popular attitudes mediate effective democracy support

Hypothesis 2 argues that of two opposing actor groups the one that advocates for a position closer to domestic attitudes of the masses is more likely to succeed. Both cases analysed here support this hypothesis.

In the first case, Muluzi's third-term bid ran against the popular democratic mass attitudes of Malawians. Muluzi's bid came only ten years after Malawi had experienced a rare peaceful transition from autocracy to democracy. Autocracy in Malawi had come about precisely in a situation similar to Muluzi's third-term bid when Kamuzu Hastings Banda had himself declared "Lifelong President" in 1970. Consequently, as survey data shows, many Malawians are wary of the accumulation of power and prefer limited presidential terms to unlimited presidential terms (Table 1). Despite these popular attitudes, Muluzi almost succeeded in pushing through his Open Term Bill. This illustrates the fact that mobilisation is needed for popular attitudes to be expressed. It also raises questions about historical contingency. Abolishing term limits completely is naturally a less opaque risk to democratic political competition than extending the term limit by one year. If Muluzi had not started his third-term bid off with the Open Term Bill, but with the later Third Term Bill that eventually withered away, he might have had succeeded in securing another term. This reasoning is counterfactual and, hence, should be taken with a grain of salt. However, it suggests the further hypothesis that popular attitudes and their mobilisation play out more strongly in less opaque issues than in issues where the consequences are hard to assess.

In the second case, clear support of Malawians in favour of gender equality attests to the importance of popular attitudes. Comparing the issue of child marriage criminalisation with the criminalisation of polygamy stresses this further. Although no clear-cut attitudinal data on child marriage and polygamy exists, the process analysis of the Marriage, Divorce, and Family Relations Act suggests that popular attitudes opposed criminalising polygamy rather than criminalising child marriage. Because attempting to pass the Marriage, Divorce, and Family Relations Act with the stipulation criminalising polygamy still in it would likely have raised the stakes for decision-makers, the criminalisation of polygamy was dropped from the draft bill in the course of the legislative process. Although it remains speculative, it seems that the polygamy issue would have trumped the child marriage issue. Hence, the case of the Marriage, Divorce, and Family Relations Act illustrates how important it is for the effectiveness of democracy support to factor in local attitudes and to contextualise them.



#### 4.3 A value-fit between donor and recipient countries seems to condition the effectiveness of instruments of the logic of consequences, but definitive evidence is missing

The third hypothesis argues that the effective application of instruments that belong to the logic of consequences, for instance material incentives and sanctions, is conditional on whether there is a value-fit between donor and recipient country. The case of Malawi's third-term debate provides suggestive evidence for this, but similar evidence for the case of the Marriage, Divorce, and Family Relations Act is much weaker.

In the case of Muluzi's third-term bid, a value-fit between donors and broader society as an aggregate existed. Donors clearly warned the Muluzi government to heed democratic principles throughout the process, for example by warning it not to oppress demonstrations violently. Malawians, civil society organisations, as well as state actors such as the High Court in its ruling on the legality of demonstrations also defended democratic rights and principles. Within this context, public statements, the threat, and the actual withdrawal of aid proved to be effective, although they may have been only one factor that played into the outcome of debate. Donor countries and organisations became more active after the Open Term Bill had failed narrowly in Parliament in the summer of 2002. When Muluzi's planned Third Term Bill was not tabled during the October session of Parliament, some media ascribed this to international pressure from donor organisations. Eventually, by the end of the year, support for Muluzi's bid had fizzled out. Although the ultimate reason why the Third Term Bill had not been tabled during the October session of Parliament – as well as whether it would have been passed if it had been tabled – is not clear, the sequence of events nevertheless provides suggestive evidence that donor interventions played a role, at least to certain extent.

The case of the Marriage, Divorce, and Family Relations Act unfortunately does not serve well as a comparison. For this, a value-misfit between donor and recipient would be required, but whether such a misfit concerning gender equality existed is not as clear-cut as it might seem at first glance. Donors certainly advocated for gender equality, and according to survey data, Malawians too preferred gender equality to traditional gender roles (Table 2).

The limited opportunity for donors to use conditionality instruments in the case of the Marriage, Divorce, and Family Relations Act complicates a direct comparison of the two cases. At the time when the Act was eventually passed, donors had already suspended direct budgetary support. This meant that, in contrast to the case of Muluzi's third-term bid, they did not have the opportunity to cut the kind of financial support that would have felt most afflictive to the government.

Despite this, interviewees stated that mechanisms of reputation tied to development support were working implicitly in favour of the criminalisation of child marriages. Such reputation mechanisms worked through naming-and-shaming in regional and international changing as well as through accusing the Malawian government for not adhering to the agreements and treaties it had formally agreed to:

So, it is on that understanding that [SADC] member states will not be punished for not doing it [complying with the SADC gender protocol], but they face bad consequences for not doing it. The consequences can be many: the naming-and-shaming, and when you start being named-and-shamed other countries or the

development partners or those that are helping the country will start saying: ‘This country is not a country we should be investing in’. (Personal interview 2)

Hence, even if not directly sanctioned, governments are still subject to the implicit incentive to comply with international standards. This translates into incentives to produce a record of progressive legislation such as the Marriage, Divorce, and Family Relations Act. The moment of passing the Marriage, Divorce, and Family Relations Act provides some support for this. As some interviewees stated, international pressure on Malawi was rising in 2015. Direct budgetary support had already been suspended for two years, Moreover Malawi was regularly presented as one of the countries with the highest incidence of child marriages internationally, and the country had just failed to implement the Millennium Development Goals. This time-specific context might offer one part of the answer to the question of why the Marriage, Divorce, and Family Relations Act was passed in 2015 but not earlier in 2010.

Nevertheless, because a value-fit existed in both cases, the analysis can only assess that instruments of the logic of consequences do work when there is a value-fit, but cannot verify this vis-à-vis the opposite case.

#### 4.4 Instruments of the logic of appropriateness work if the donor enjoys high esteem, but this is sensitive to context

Hypothesis 4 states that instruments of the logic of appropriateness are more effective when they come from donors that enjoy higher esteem in the recipient countries. As it is difficult to trace variation in attitudes towards donors in Malawi, the analysis provides only tentative evidence for this hypothesis. However, the cases also show that the logic of appropriateness works generally, but that its effectiveness is context-sensitive to the exact issue at hand.

Aggregate Malawian attitudes towards donor countries and international organisations are difficult to decipher. According to data collected by the Afrobarometer, most Malawians have uninformed opinions on both the degree to which donors are assisting their country and on whether international donors and NGOs should have more or less influence (Tables 3 and 4).

	<b>International donors/NGOs</b>	<b>United States</b>	<b>European Union</b>	<b>United Nations</b>	<b>African Union</b>
Do nothing	3.02%	5.01%	5.15%	4.83%	5.56%
Do a little bit	5.9%	2.53%	2.52%	4.39%	5.08%
Do something	10.2%	11.27%	7.42%	9.31%	7.99%
Do a lot	16.26%	23.51%	24.03%	16.45%	12.29%
Don't know	64.62%	57.6%	60.81%	65.02%	68.77%

Notes:  
 Respondents were asked:  
 “In your opinion, how much do each of the following do to help your country, or haven't you heard enough to say?”  
 (Relates to international donors and NGOs apart from UN agencies).  
 Source: Afrobarometer, 2018, Round 4, 2008/2009

At best, the large proportion of participants who answered “Don’t know” indicates indifference towards donor activity in Malawi. At worst, the response category hides aversion towards donors. Focusing only on the remaining response categories, attitudes towards donor activity seems to be balanced although tending towards a positive view of donors. Thirty-five per cent of Malawians think that the United States assists their country a lot or somewhat, followed by the EU (32 per cent), other international donors and NGOs (27 per cent), the United Nations (26 per cent), and the AU (20 per cent). Similarly, respondents are divided on whether international donors and NGOs should have more influence. About one in seven Malawians argues that they should have more, less, or have the right amount of influence (Table 4).

Don’t know	57.53%
About right	13.76%
Somewhat or far too much	14.63%
Somewhat or far too little	13.78%
Notes: Respondents were asked: “Do you think that each of the following has too little, too much, or about the right amount of influence over your government?” (Relating to international donors and NGOs). Source: Afrobarometer, 2018, Round 4, 2008/2009	

Assessing the hypothesis also proves difficult because the reactions of different donors were similar to one another in both cases, thus restricting the variation in donor reaction. In the case of Muluzi’s third-term attempt, most donors issued rhetorical condemnation in the form of warnings in the summer of 2002. These warnings stated that Muluzi’s government should respect democratic principles and processes and should not interfere with them. These statements were echoed by popular attitudes. But underhand financing of some domestic NGOs by donors also kindled anxiety over unjust donor interference and thus reduced the esteem in which donors were held (Ligomeka & Kang’ombe, 2002). Using instruments of the logic of appropriateness, international donors signalled to Muluzi not to “overplay his hand”, and that he faced unified domestic and international opposition. As argued further above, these donor interventions likely played some part in why the Muluzi government did not introduce the Third Term Bill in the second half of 2002, but it was probably not the only decisive factor.

In the case of the law reform connected with gender, donor activity congruent with the logic of appropriateness was applied much more than in Malawi’s third-term debate in 2002. However, in this case donor activity also focused less on public statements and diplomacy but rather on assisting and working with domestic civil society and NGOs through lobbying and mobilisation. Donors made use of such instruments as well as other appropriateness-instruments, such as public statements, in the issue of gay rights in Malawi. It is useful to contrast the perception of the donors’ role in this issue with their role in the process of the Marriage, Divorce, and Family Relations Act.

In Malawi, homosexuality is a hotly debated issue. Only a very small number of NGOs work on LGBTI rights issues, and important civil society actors such as the churches condemn homosexuality. The arrest and prosecution in court of a gay couple in 2010 sparked broad international condemnation, including a personal intervention by the then UN

Secretary-General Ban Ki Moon (Mwakasungula, 2013). In reaction to this international condemnation, the prosecution of the gay couple was dropped, suggesting that donor esteem does amplify the effectiveness of instruments that use the logic of appropriateness.

Besides this, however, the comparison between the homosexuality debate and the child marriage issue in Malawi shows that donor esteem is context-sensitive. Based on field research in northern Malawi, McNamara (2014) shows that the homosexuality debate in Malawi is characterised by the perception that donors are imposing Western culture and values on Malawians. Consequently, this perception nurtures much opposition towards donor activity and so-called “interference” in the homosexuality debate. It is striking that in the case of child marriage such perceptions are lacking or are at least not as strong as in the homosexuality debate. One explanation for this could be found in the continuous campaigning on and sensitisation to child marriage that donors undertook for years prior to the Marriage, Divorce, and Family Relations Act. This suggests that the esteem they enjoy varies with the issue in which donors become active. Being an esteemed donor does not trump broad, popular-based opposition. Instead, a fit of attitudes and values between the society of the recipient country and donors is more crucial to the effectiveness of support for democracy. Such a fit can be reached through engaging debates on attitudes and values through campaigns and sensitisation. Furthermore, donor esteem is not fixed but can suffer if donors engage in issues in which external interference is perceived as unjust.

## 5 Conclusions and recommendations

The two cases analysed here show that there is no “silver bullet” for effective democracy support. No grand scheme, no blueprint can direct its instruments. In contrast, democracy has to be flexible to the specific situation it encounters. Ideally, policymakers could resort to an adaptive procedure of deciding which instruments to use. The following conclusions and recommendations may serve as a very first beginning in formulating such decision-making heuristics.

*Identify what leeway for democracy support exists in each issue*

The fact that the effectiveness of support for democracy is context-sensitive is clearly apparent from both of the cases analysed. The extent to which the instruments of both the logic of consequences and the logic of appropriateness work is restricted by the particular issues as well as by the specific local domestic attitudes they engage. Some issues are marked by strong attitudes in partner countries receiving democracy support. In some instances – for example regarding the issue of polygamy and homosexuality in Malawi – local domestic attitudes are very well established, and donors may alienate the domestic population by arguing forcefully against them. In other issues, attitudes are less strong or are on the verge of changing, as for instance in the case of child marriage in Malawi. In such instances, donors might find room for the possibility of supporting these attitudes. Hence, the esteem in which donors are held and the effectiveness of democracy promotion are often conditioned by the way in which donors engage in which issues. The issue of child marriage versus polygamy in Malawi’s family law reform highlights this very well. Moreover this insight urges donors to undertake fine discriminations between issues and the local domestic attitudes tied to them. Donors must differentiate between upcoming

issues that offer an opportunity to support democracy and those that do not. They then need to focus on those issues where democracy support has a high chance of being effective. In contrast, insisting slavishly on the domestication of Western attitudes in all regards would be the wrong course of action. Hence, this demands a degree of ambiguity and tolerance on the part of the donors.

*Seek open discourse if attitudes are unfavourable*

In those cases where attitudes are entrenched and opposed to democracy support and in which the issue at hand does not allow any space to manoeuvre, careful mobilisation and sensitisation embedded in a process of societal dialogue can help. This opens up a process of renegotiation of attitudes. To engage in this strategy, however, means that donors need to partner up with domestic actors, often stemming from the sphere of civil society. It is important that such an approach towards renegotiation is seen as a public discourse with open results, lest it appears as an attempt at foreign control. This will require a lengthy investment in time and must proceed in a step-by-step fashion.

*Help domestic actors to mobilise and coordinate*

Even if domestic attitudes are favourable, they may not translate directly into action. Instead, actors with these attitudes need to be mobilised. Donors can play an important role in this regard, as they have the resources that domestic actors lack. However, donors need to bring more to the table than just these resources: The case of Malawi shows very well that donors can have a pivotal role in coordinating domestic actor groups as well as in backing them up with moral support.

*Conditionality requires concurrence on general values and attitudes*

Concerning the differing logics of social action – the logic of consequences and the logic of appropriateness – the results of the analysis tend to underline the importance of the logic of appropriateness. The logic of appropriateness yields more sustained effectiveness, albeit only on a longer time horizon; on a short-time horizon, when critical junctures suddenly materialise, it is not very effective. In the latter cases, the logic of consequences is more applicable, but its sustained effectiveness is conditioned on whether there is already concurrence concerning values and attitudes between donor and partner country.



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## Appendix 1

<b>Table A1: Timeline of Muluzi's third-term attempt</b>	
<b>Date</b>	<b>Event</b>
1994	Muluzi wins Malawi's first democratic presidential election and enters his first term as president
1999 - mid-year	Presidential election: Muluzi gets re-elected as president; first rumours circulate that Muluzi plans to secure himself a third term
2001	Withdrawal of direct budgetary support by the EU, UK, and USA due to corruption allegations
2001 - 25 March	Catholic bishops publicise a pastoral letter that cautions against manipulations of Malawi's constitution
2001 - April	CCAP issues a pastoral letter emphasising Malawi's democratic culture
2002 - January	Denmark suspends all aid to Malawi
2002 - beginning	Failed attempt to change the constitutional provision for amendments to the Constitution from two-thirds to simple majority
2002 - April	Catholic church warns against amendments to the Constitution without public consultation in its Lentine Pastoral Letter
2002 - May	Muluzi's government issues a ban on demonstrations
2002 - early June	High Court rules the demonstrations ban unconstitutional; Muluzi counters this ruling publicly, and the High Court overturns it
2002 - 7 June	US issues a public statement that opposes the Open Term Bill
2002 - mid-June	EU publicly voices concern over how Muluzi's government handles the Open Term Bill debate
2002 - end-June	Germany and Italy cancel parts of Malawi's debt, but urge Muluzi's government to adhere to democratic practices
2002 - July	The Open Term Bill is tabled in parliament, but is narrowly defeated
2002 - July	Muluzi's party (UDF) meets and concludes to table the Third Term Bill later in the year
2002 - August	ELCM publicly condemns attempts to secure a third presidential term
2002 - 6 September	The Third Term Bill is gazetted
2002 - September	IMF and World Bank are discussing further aid programmes with the Muluzi government and allegedly demanded clarification of Muluzi's position on the Third Term Bill
2002 - early October	Muluzi government institutes another ban on rallies and demonstrations against the Third Term
2002 - 26 October	CCJP issues a statement that condemns the Third Term Bill
2002 - early November	Street fights between police and protesters against the Third Term Bill take place in Blantyre
2003 - beginning	Third Term Bill is sent to the parliamentary Legal Affairs Committee for revision (that is, de facto withdrawal)
2003 - February	PAC petitions Legal Affairs Committee to withdraw the Third Term Bill officially
2003 - March	Muluzi announces his nomination of Bingu wa Mutharika as UDF candidate in the upcoming presidential elections

<b>Table A2: Timeline of the Marriage, Divorce, and Family Relations Act</b>	
<b>Date</b>	<b>Event</b>
1994	Malawi's new democratic Constitution includes a provision on gender equality
1995	4th UN Conference on Women passes the Beijing Declaration and Platform for Action
1996	Within Malawi's parliament, female MPs officially found the cross-party Women's Caucus
1997	Malawi draws up the National Platform for Action to implement the Beijing Declaration
1998	Civil rights activists supported by UNDP found the Gender Coordination Network, an umbrella-NGO that cooperates extensively with the parliamentary Women's Caucus
2001 - September	Special Law Commission on Gender (Gender Commission) is instituted
2002	Gender Commission conducts workshops and consultations to lay down a programme for legal reform
2003 - June	UNFPA (United Nations Population Fund) issues its first report on the occurrence of fistula in Sub-Saharan Africa
2003	UNFPA launches the worldwide "End Fistula Week"
2006	Gender Commission publishes its report on a legal reform of marriage law, accompanying a draft for the Marriage, Divorce, and Family Relations Bill that harmonises existing law and criminalises child marriage and polygamy
2008	Malawi's Ministry of Gender launches the "Fistula Week", a week-long campaign to sensitise people on the health issue of fistula
2008 - September	Malawian NGO Girls Empowerment Network (GENET) founded
2009	Malawi's annual "Children's Parliament", an institutionalised national assembly of youth people demands that the legal age of marriage be raised to 18
2009	"Chidyamakanda Bill", which raises the legal age of the child from 15 to 16, is tabled in parliament, and passed; civil society groups successfully pressure the president not to assent to the bill
2010	Marriage, Divorce, and Family Relations Bill is introduced to parliament, but sent back to the Gender Commission for revision
2010	Child Care, Justice, and Protection Act on children rights and parental obligations is passed
2010	Amendment to the Constitution allow specified sections of the Constitution to be changed through a two-thirds parliamentary vote instead of through a referendum
2011	GENET, in cooperation with international partners, launches the "Stop Child Marriage Campaign"
2013 - February	The international movement "Girls Not Brides" opens a Malawi chapter
2013	UN Women opens office and becomes operative in Malawi
2013 - mid-year	Issue of reforming marriage age is discussed in media
2013 - June	Marriage, Divorce, and Family Relations Bill on media agenda
2014 - February	Traditional Authorities (chiefs) launch a campaign lobbying for setting the marriage age at 21

2014 - March	Human Rights Watch Report on child marriage in Malawi calls on government to raise the legal marriage age
2014 - October	Marriage, Divorce, and Family Relations Bill is presented to cabinet, and subsequently introduced to parliament; MPs express concern about polygamy provision
2014 - November	Ministry of Gender in cooperation with Malawian NGO launches the “End Child Marriage Campaign”
2015 - February	On an initiative of UN Women, the president and parliamentarians officially join the global “He For She” campaign
2015 - February	Marriage, Divorce, and Family Relations Bill is tabled in parliament, not containing the polygamy provision anymore, and is passed, but is still in conflict with constitutional provisions
2015 - April	President assents to the Marriage, Divorce, and Family Relations Act
2016	NGOs and CSOs lodge complaint with the AU because of Malawi’s failure not to implement international agreements to criminalise child marriage
2016 - November	Malawian government pledges to the AU that it will criminalise child marriage
2017 - February	Parliament passes the constitutional amendment to raise the age of the child to under 18 years
2017 - April	President assents to the constitutional amendment

## Appendix 2

<b>List of interviews</b>	
<i>Interview No.</i>	<i>Type of actor</i>
1	Malawian CSO
2	Malawian CSO
3	Government of Malawi
4	Malawian CSO
5	Malawian CSO
6	Parliament of Malawi
7	International organisation
8	Government of Malawi
9	Malawian CSO
10	Malawian CSO
11	Government of Malawi
12	International organisation
13	Malawian CSO
14	OECD donor
15	Government of Malawi
16	Parliament of Malawi
17	Government of Malawi
18	International organisation
19	Malawian CSO
20	Malawian private firm
21	OECD donor



### Appendix 3

The two empirical types of cases we identified were mapped onto two different dimensions of cultural/value orientations as found in the existing literature. Cases of type One, the third-term cases, were mapped onto the *individualism-collectivism* cultural dimension (Hofstede, 2003), while cases of type Two, cases on law reform, were mapped onto the *egalitarian-hierarchy* dimension (Schwartz, 2006).

#### Items: Third-term debate => individualism-collectivism

Since Hofstede's original conceptualisation, individualism-collectivism has been investigated from various vantage points. While the concept of individualism, and individualistic value orientations, emphasises loose ties between individuals, self-reliance, and the importance of the self above the collective (or group), collectivism puts more emphasis on the collective, in contrast to the self, and on the integration of individuals in strong, cohesive and united groups. Importantly in relation to our cases, while individualism favours competition, collectivism favours consensus and cooperation. Earlier studies established that collectivism is associated with better in-group coordination (for example, Wagner, 1995) as people seem to be more likely to act pro-socially out of inherent motivations without direct external incentives (Moorman & Blakely, 1995). However, the research literature has not found such coordination payoffs on a societal level at which it could be argued that collectivism would thus support a better coordinated opposition to presidents seeking an end to term limits (Marcus & Le, 2013). Hence, individualism – with its emphasis on competition – can be hypothesised to raise the stakes against a possible lifting of presidential term limits as such term limits hamper political competition substantially. The associations found by the research literature between individualism and greater social capital, and radiuses of interpersonal trust (Allik & Realo, 2004; Van Hoorn, 2014) support this hypothesis: a politically more engaged population may express opposition against lifting a presidential term limit more directly and strongly.

Unfortunately, it is difficult to re-construct the individualism-collectivism dimension using the Afrobarometer data. Hence, we identified only three out of eight possible items that could be used to construct a rough *individualism-collectivism* index (all items taken from Afrobarometer, Round 2):

1.) *“Which of the following statements is closest to your view? Choose Statement A or Statement B:*

*A: Since everyone is equal under the law, leaders should not favour their own family or group.*

*B: Once in office, leaders are obliged to help their own family or group.”*

2.) *“Let's talk for a moment about the kind of society we would like to have in this country. Which of the following statements is closest to your view? Choose Statement A or Statement B:*

*A: People should look after themselves and be responsible for their own success in life.*

*B: The government should bear the main responsibility for the well-being of people.”*

3.) *“Which of the following statements is closest to your view? Choose Statement A or Statement B:*

*A: In order to make decisions in our community, we should talk until everyone agrees.  
B: Since we will never agree on everything, we must learn to accept differences of opinion within our community.”*

Response categories to all items are semantic differentials of the following kind:

<i>Agree very strongly with A</i>
<i>Agree with A</i>
<i>Agree with B</i>
<i>Agree very strongly with B</i>
<i>Agree with neither</i>

### **Items: Law reform => egalitarian-hierarchy**

The law reform cases we identified all focus on political equality. We hence chose to link the law reform cases up to value orientations that more closely focus on the issue of equality than the individualism-collectivism dimension does. Following Schwartz (2006) we chose his egalitarianism-hierarchy dimension. According to Schwartz' own conceptualisation, the hierarchy dimension describes

hierarchical systems of ascribed roles to insure responsible, productive behaviour. It defines the unequal distribution of power, roles, and resources as legitimate. People are socialized to take the hierarchical distribution of roles for granted and to comply with the obligations and rules attached to their roles. Values like social power, authority, humility, and wealth are highly important in hierarchical cultures. (Schwartz, 2006, p. 141)

In contrast, egalitarian value-orientations

induce people to recognise one another as moral equals who share basic interests as human beings. People are socialized to internalize a commitment to cooperate and to feel concern for everyone's welfare. They are expected to act for the benefit of others as a matter of choice. Important values in such cultures include equality, social justice, responsibility, help, and honesty. (Schwartz, 2006, p. 140)

Again we identified three items of the Afrobarometer (Round 3) that can be used to construct a measure indicating Schwartz' egalitarianism-hierarchy dimension. We attempted to map them onto the sub-dimensions/concepts that make up Schwartz' egalitarianism-hierarchy (see Schwartz & Boehnke, 2004; Schwartz, 1992). In contrast to the World Values Survey, the Afrobarometer does not aim at producing a Schwartz Index, hence, only a very limited number of the 11 sub-dimensions making up the egalitarianism-hierarchy dimension up could be covered:

1.) *“Which of the following statements is closest to your view? Choose Statement A or Statement B.*

*A: In our country, women should have equal rights and receive the same treatment as men do.*

*B: Women have always been subject to traditional laws and customs, and should remain so.”*

(Mapped onto “equality” sub-dimension/concept)

2.) *“Let’s talk for a moment about the kind of society we would like to have in this country. Which of the following statements is closest to your view? Choose Statement A or Statement B.*

*A: As citizens, we should be more active in questioning the actions of our leaders.*

*B: In our country these days, we should show more respect for authority.”*

(Mapped onto “authority” sub-dimension/concept)

3.) *“Which of the following statements is closest to your view? Choose Statement A or Statement B.*

*A: It is better to have free schooling for our children, even if the quality of education is low.*

*B: It is better to raise educational standards, even if we have to pay school fees.”*

(Mapped onto “social justice” sub-dimension/concept)

Again, response categories to all three items were given as semantic differentials:

<i>Agree very strongly with A</i>
<i>Agree with A</i>
<i>Agree with B</i>
<i>Agree very strongly with B</i>
<i>Agree with neither</i>

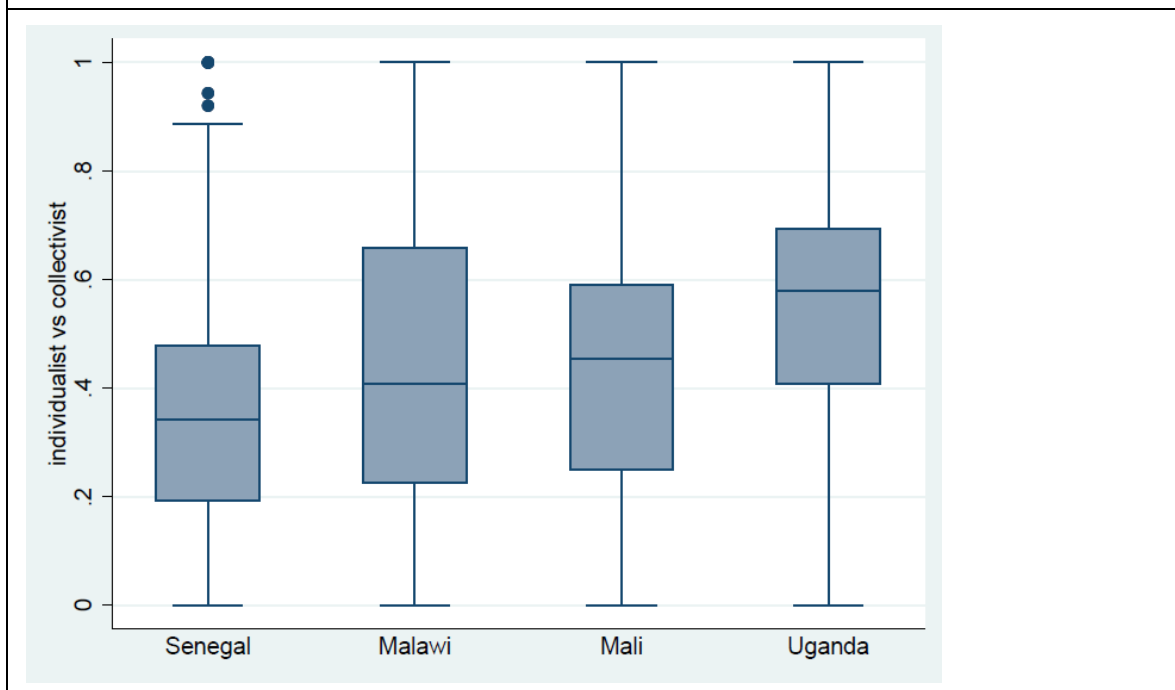
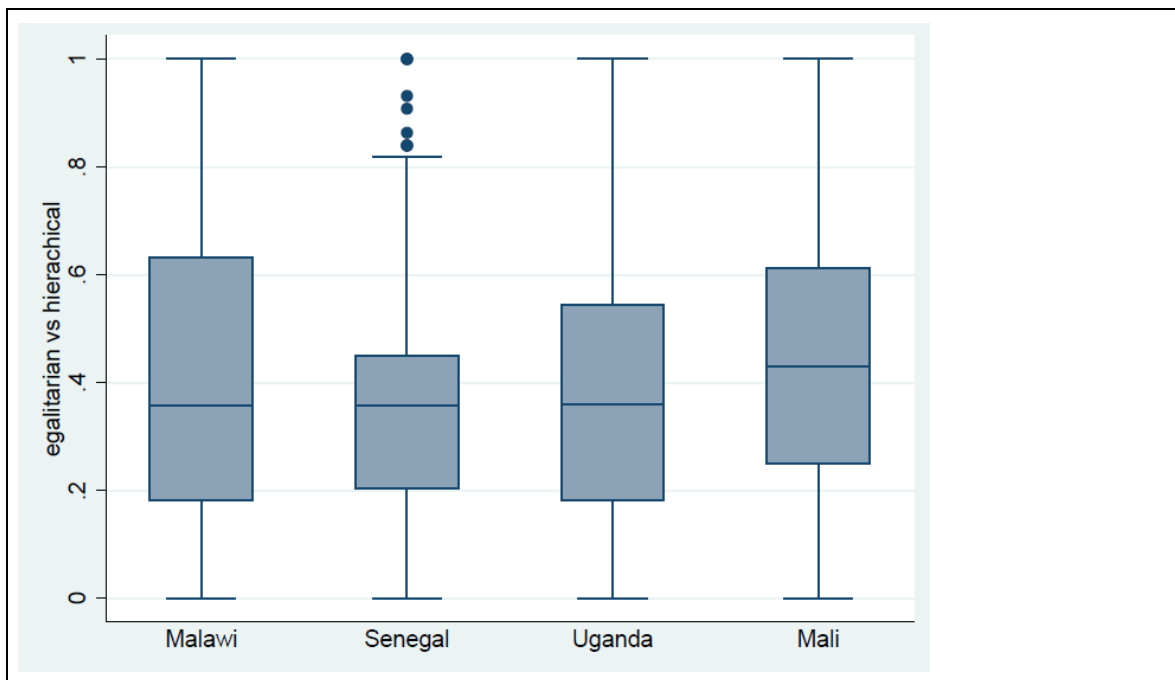
### **Methodology of index construction & results**

The indices were constructed using principal components analysis (PCA). All items were recoded, so that their response categories became aligned. The ultimate PCA was done on a polychoric correlation matrix to account for the ordinal scales of the items. In both cases, only one component was retrieved which explained only about 40 per cent of overall variation between the items, and scores for each respondent were calculated and normalised to range between 0 (*egalitarian/individualist*) and 1 (*hierarchical/collectivist*) (see also STATA-do file for more details).

Country means are shown in Table A3, and the boxplots below inform on the distribution:

Index	Malawi	Uganda	Mali	Senegal
Egalitarianism versus hierarchy	.395	.36	.418	.335
Individualism versus collectivism	.404	.542	.414	.353

Source: Own computation, based on Afrobarometer, 2018



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