

**SAFEGUARDING CONSTITUTIONALISM IN MALAWI:
THE ROLE OF MALAWI DEFENCE FORCE**

PhD THESIS IN TRANSFORMATIVE COMMUNITY AND DEVELOPMENT

VINCENT THOM NUNDWE

MZUZU UNIVERSITY

JANUARY, 2026

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THE ROLE OF MALAWI DEFENCE FORCE**

PhD THESIS IN TRANSFORMATIVE COMMUNITY DEVELOPMENT

**VINCENT THOM NUNDWE
(PhDTCD 1021)**

**A THESIS SUBMITTED TO THE FACULTY OF ENVIRONMENTAL SCIENCES,
DEPARTMENT OF AGRISCIENCES IN FULFILMENT OF THE REQUIREMENTS
FOR THE AWARD OF THE DEGREE OF DOCTOR OF PHILOSOPHY IN
TRANSFORMATIVE COMMUNITY DEVELOPMENT**

MZUZU UNIVERSITY

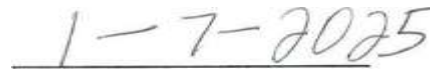
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DECLARATION

I hereby declare that this thesis titled, "*Safeguarding constitutionalism in Malawi: The role of the Malawi Defence Force*" has been written by me and is a record of my research work. All citations, references, and borrowed ideas have been duly acknowledged. It is being submitted in fulfilment of the requirements for the award of the degree of Doctoral of Philosophy of the Mzuzu University. None of the work presented here has been submitted previously for any degree or examination in any other University.



Student's name: Vincent Thom Nundwe



Date

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2024. University of Malawi – Zomba campus.

CERTIFICATE OF APPROVAL

I, the undersigned, certify that this thesis is a result of the author's own work, and that to the best of my knowledge, it has not been submitted for any other academic qualification within Mzuzu University or elsewhere. The thesis is acceptable in form and content, and that satisfactory knowledge of the field covered by the thesis was demonstrated by the candidate through an oral examination held on day month 2025.

Major Supervisor:

Date

Dr Mavuto Denis Tembo

Associate Professor of Development Geography

Co-Supervisor:

Date

Dr Chrispin Mphande

History of Governance and Development

Co-Supervisor:

Date

Dr Mtafu A.Z Manda

Associate Professor of Urban and Regional Planning

DEDICATION

I dedicate this work to my late father and mother who inspired the adventurous character in me. I would also like to recognise the encouragement from my wife Zithando, and my children Ngwambula and Zgangani, for their understanding throughout my studies. Your patience and understanding when I repeatedly went into isolation for studies and preparations, is well appreciated.

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With God all is possible.

ACRONYMS

ACB	-	Anti-Corruption Bureau
ACOTA	-	Africa Contingency Training Assistance
ACRI	-	African Crisis Response Initiative
BBC	-	British Broadcasting Corporation
BDF	-	Botswana Defence Force
BDP	-	Botswana Democratic Party
CCM	-	Chama Cha Mapinduzi
CDP	-	Convention People's Party
COMESA	-	Common Market for East and Southern Africa
CSO	-	Civil Society Organisation
DPP	-	Democratic Progressive Party
DRC	-	Democratic Republic of Congo
ECOWAS	-	Economic Community of West African States
EEO	-	Equal Employment Opportunity
FDGs	-	Focus Group Discussions
GDP	-	Gross Domestic Product
HRDC	-	Human Rights Defenders Coalition

KAR	-	Kings African Rifles
KIIs	-	Key Informant Interviews
MBC	-	Malawi Broadcasting Corporation
MDF	-	Malawi Defence Force
MEC	-	Malawi Electoral Commission
MoD	-	Ministry of Defence
MYP	-	Malawi Young Pioneers
NCO	-	Non-Commissioned Officer
NGO	-	Non – Governmental Organisation
NSC	-	National Security Council
NSS	-	National Security Strategy
NSP	-	National Security Policy
PAC	-	Public Accounts Committee
PME	-	Professional Military Education
SADC	-	Southern Africa Development Cooperation
SANDEF	-	South Africa Defence Force
SONA	-	State of the Nation Address
TANU	-	Tanganyika Africa Nation Union

UDF	-	United Democratic Party
UDHR	-	United Declaration of Human Rights
UN	-	United Nations
USA	-	United States of America
ZANU PF	-	Zimbabwe African National Union – Patriotic Front
ZIPRA	-	Zimbabwe People’s Revolutionary Army

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ABSTRACT

The principle of civil military control places ultimate military authority in the hands of civilian leadership, with civilian responsibility and control of the military being balanced between the Executive and the Legislative branches of government. For democracy to thrive, civilian authorities must maintain a delicate balance: controlling the military while ensuring its operational effectiveness to avoid a legacy of military interventionism. A key issue is how to cultivate a military force that remains subordinate to political control, without compromising its autonomy. Evidence from Malawi shows that some civilian leaders have overstepped boundaries, influencing military actions against constitutional guidelines, though the study has also shown that Malawi Defence Force (MDF) demonstrated resilience against political influence that sought MDF's intervention beyond constitutionally sanctioned mandates. The study highlights the challenges of applying Western civil-military control theories to developing democracies, where traditional models may falter. However, contemporary theories that encourage stakeholder partnerships within the nation-state are proving successful in harmonising political and military leadership dynamics. The primary objective of this research was to assess the evolving relationships between civil authorities and the military in Malawi, focusing on constitutional adherence and interaction with civilian oversight institutions. Using qualitative methods, data was collected through key informant interviews and document reviews, analysed via content analysis. The findings reveal several "critical junctures" between 1993 and 2020, where civilian leadership allegedly pressured the military to breach its constitutional role. Notable events include, "*Operation Bwezani*, the death of the Head of State in 2012, the contested 2014 general elections, and the 2020 fresh presidential elections, which followed widespread protests. The study concludes that MDF must operate strictly within legal boundaries for continued professionalism. Recommendations include implementing policies that strengthen civilian-military control mechanisms while respecting constitutional limits to prevent undue political influence over the military.

CHAPTER 1: INTRODUCTION

1.1 Introduction

This study examines the pivotal role played by the Malawi Defence Force (MDF) in maintaining constitutional governance in a young and evolving democracy. Since the transition to multiparty democracy in 1994, Malawi has experienced periods of political tension and constitutional uncertainty that have challenged the resilience of its institutions. Among the key players in these periods of transition and crisis has been the MDF, whose actions—or deliberate inactions—have often had profound implications for the country's democratic stability.

The military occupies a unique space in democratic societies: it is not only entrusted with the defence of national sovereignty but it also must submit to the authority of elected civilian leaders. This balance is delicate, particularly in emerging democracies where institutions are still taking root, and boundaries between military professionalism and political involvement are blur. In Malawi, the MDF has generally exhibited a degree of professionalism and restraint, but this has not precluded pressures from political elites to intervene in ways that stretch or even violate constitutional limits.

This chapter outlines the background of Malawi's democratic journey, the key constitutional provisions governing civil-military relations, and the pressing need to examine the interactions between military institutions and civilian authorities. It has introduced the main research problem: how can the MDF be an effective and disciplined force for national defence while remaining firmly under democratic control? It also presents the objectives of the study and outlines the research questions guiding this inquiry.

Understanding these dynamics is crucial—not only for Malawi, but also for other countries across Africa that are striving to build democratic resilience amidst the enduring risk of

military interference. This research is both timely and necessary, offering insights that may help strengthen constitutionalism, reinforce civilian oversight, and foster a professional military culture that is aligned with democratic values.

1.2 Background to the study

This study explores how the military in Malawi—specifically the Malawi Defence Force (MDF)—contributes to safeguarding constitutionalism within a democratic system. The core focus lies in understanding how the MDF balances its dual mandate: defending national sovereignty from both internal and external threats while remaining under the firm control of civilian authority. This balance is delicate and complex. On one hand, a strong military is vital for national defence; on the other, excessive autonomy can threaten the very democratic values it is meant to protect. The challenge lies in ensuring that the MDF is professional, responsive, and constitutionally grounded—without becoming a political actor in its own right.

The military in any democracy must tread carefully between strength and subordination. In Malawi's case, the MDF has largely been seen as a stabilising institution. It has intervened in times of crisis, but generally within the bounds of the law. However, this has not always been straightforward. Political leaders, especially during moments of constitutional or electoral uncertainty, have sometimes sought to use the military to resolve disputes or enforce authority—pushing the MDF toward the blurry edge of its constitutional role. This study probes those instances and asks: when the MDF acts—or chooses not to act—in a political crisis, what does that say about its autonomy and its commitment to democracy?

The study draws from theoretical perspectives advanced by scholars such as Barany (2012) and Welch (1976). These scholars state that the military's monopoly over organised force sets it apart from civilian institutions. While this makes the military a powerful ally in

defending state sovereignty, it also makes it a potential threat if civilian oversight is weak. Barany (2012) warns that a military left unchecked can become a destabilising force. However, Welch (1976) offers a more optimistic view, suggesting that cooperation and mutual respect between military and civilian leaders can foster a healthy balance—so long as the military remains professional and steers clear of politics.

Malawi's political history provides fertile ground for examining these dynamics. The shift to multiparty democracy in 1994 introduced a constitutional framework designed to institutionalise civilian control over the military. Before this, under the one-party regime, military functions were often entangled with party politics –epitomised by the infamous Malawi Young Pioneers (MYP). The establishment of MDF and constitutional reforms such as the Defence Force Act (DFA) were intended to redraw these blurred boundaries and build a military loyal to the Constitution, not to political figures.

Notable moments in Malawi's recent history provide critical insights. During “*Operation Bwezani*”, the military acted decisively to dismantle the Malawi Young Pioneers, a quasi-military political wing. The 2012 presidential transition following the sudden death of President Bingu wa Mutharika, and contested elections in 2014 and 2019, all tested the MDF's resolve and restraint. In these moments, civilian leaders often appealed to the MDF for support—sometimes in ways that challenged the military's constitutional mandate. These episodes raise important questions: how does the MDF decide when to act and when to abstain? what principles guide its decisions in moments of political tension? and, how do these decisions affect Malawi's democratic trajectory?

In addition, the MDF has actively participated in nation-building activities, supporting in disaster response efforts during State of Disasters such as Cyclone Freddy, and facilitating critical infrastructure projects. These roles have showcased the MDF's ability to address

internal challenges while adhering to its constitutional obligations, ensuring that its actions align with Malawi's democratic values.

This study seeks to answer those questions by unpacking the institutional, political, and historical factors that shape military conduct in Malawi. It investigates how the MDF's actions influence democratic consolidation, whether by reinforcing civilian oversight or risking politicisation. The study also considers how the military's conduct in these scenarios reflects broader civil-military trends across Africa.

Across the continent, military involvement in civil governance remains a pressing concern. While some militaries have played constructive roles, others have destabilised fledgling democracies. Between 1950 and 2023, Africa recorded more than 214 attempted or successful military interventions, with more than half of these proving effective (Al Jazeera, 2023; Cebotari et al., 2024). In recent years, several countries; including Sudan, Mali, Burkina Faso, and Guinea; have experienced renewed waves of coups, challenging the progress made from the early 1990s.

Cebotari et al (2024) note that the strongest predictors of coups are economic downturns and political crises, including cabinet reshuffles, government paralysis, and civil unrest. These conditions weaken state institutions and increase the likelihood that the military will be called upon or take it upon itself to intervene. Bruneau (2006) warns that in countries where the military is relied upon not just for defence but for basic internal stability, the line between assistance and dominance becomes dangerously thin. The stronger and more capable a military becomes, the greater the temptation or expectation for it to resolve political problems. Further, Finer (2017) similarly argues that militaries in under-institutionalised political systems often view themselves as custodians of the national interest, a mindset that can erode democratic norms.

In the context Malawi, its experience with the MDF is both encouraging and cautionary. The military has shown commendable professionalism and restraint in many instances. Yet, the political pressures it faces—and the constitutional ambiguities that sometimes accompany crises—suggest that democratic consolidation cannot be taken for granted. Clear rules, institutional resilience, and continuous civilian engagement are essential to maintain a military that protects, rather than threatens, constitutionalism.

Engels et al. (2022) observe that military interventions in democratic governments often occur when the armed forces become discontent with attempts to alter the country's legal or constitutional frameworks. A clear example is the 2015 coup in Burkina Faso. Initially, presidential elections were set for 11 October 2015. However, the transitional government amended the electoral law to prevent individuals who had supported the controversial constitutional amendment under former President Blaise Compaoré from contesting. This move was seen as a political manoeuvre aimed at sidelining several of Compaoré's allies. In response, General Gilbert Diendéré led a coup on 16 September 2015, briefly seizing power from the civilian administration. This incident highlights how attempts to manipulate constitutional rules, especially during political transitions, can provoke military backlash.

In contrast, Malawi presents a different picture. According to Dragonfly Intelligence (2022), Malawi is categorised in the “Low” tier of regime instability in Africa. This classification suggests that the country currently faces a relatively low risk of military coups or unconstitutional disruptions to democratic governance. Unlike nations such as Sudan, Mali, Burkina Faso, and Niger—which are grappling with extreme political instability and recent

coups—Malawi stands out for its comparatively stable civil-military relations (Figure 1). This relative stability points to effective civilian control of the military, a commitment to

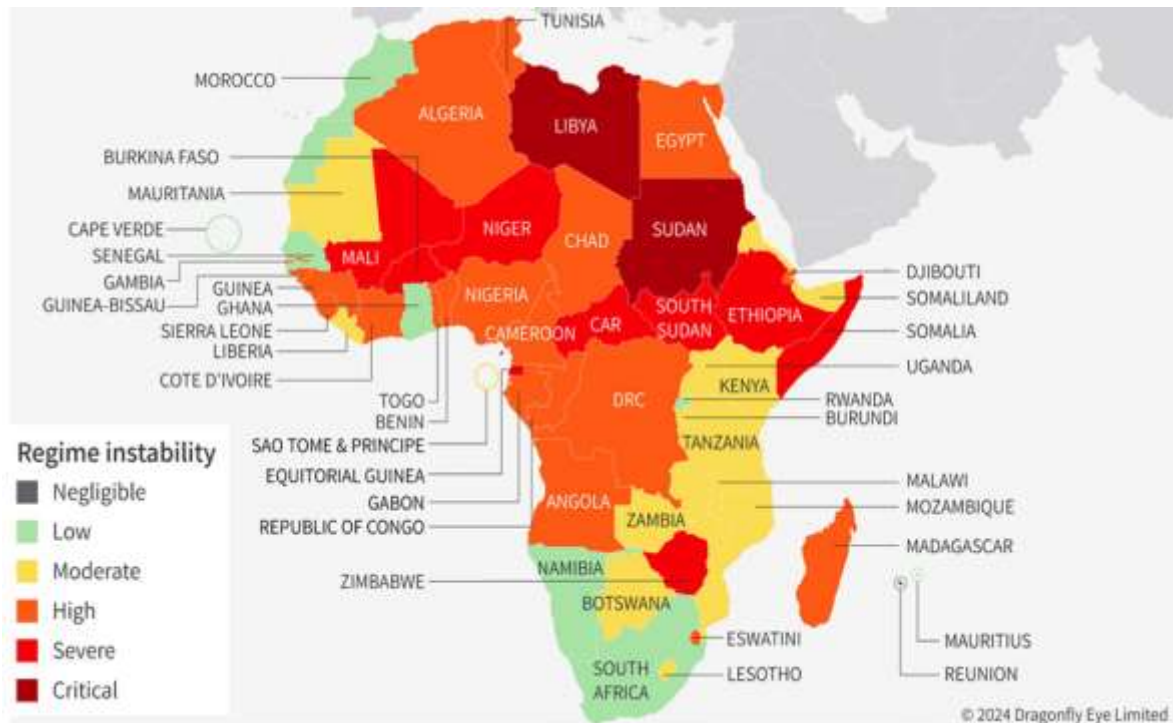


Figure 1: Regime Instability in Africa (Source: Dragonfly Intelligence, 2025)

Since gaining independence in 1964, the Malawi Defence Force (MDF) has maintained a reputation for professionalism and adherence to constitutional order. The MDF has consistently played a vital role in preserving peace and order without overstepping its mandate into the political realm. However, scholars like Mawere and Mwanaka (2015) and Newman (2005) caution that the strength of such constitutional commitments is only as solid as the political environment allows. When political actors fail to uphold constitutional norms, the resulting power vacuums, weak governance structures, and rising corruption can create openings for military involvement. Serra (2010) further argues that in environments where political culture is underdeveloped and abuse of power is common—whether by civilian leaders or military elites—the risk of military intervention grows.

Thus, while Malawi's military has so far upheld its constitutional duties, its continued restraint is not automatic or guaranteed. A breakdown in democratic norms or increased politicisation of the military could change this balance. The lesson from cases like Burkina Faso serves as a reminder of the importance of protecting the integrity of democratic institutions and ensuring that all actors—civilian and military alike—respect the boundaries set by the constitution.

1.3 Problem Statement

Malawi's transition to multiparty democracy in 1994 marked a turning point in the country's political development. With this change came a new constitutional order that placed the military under civilian oversight, reinforcing the principles of democratic governance. Within this framework, the Malawi Defence Force (MDF) was tasked not only with defending the nation's sovereignty but also with supporting the democratic system through adherence to constitutional norms. However, as Malawi's political landscape evolves, the MDF has often found itself navigating difficult terrain, particularly during moments of presidential succession, contested elections, and broader governance challenges.

In several critical moments, political leaders have exerted pressure on the military to act outside of its constitutionally defined role. Such episodes risk the politicisation of the MDF, thereby undermining its professional ethos, and weakening the principle of civilian supremacy. While Malawi has largely avoided military takeovers and regime instability such as those that continue to plague other countries in West, Central, and East of Africa, the country is not immune to the underlying tensions that often lead to military intervention elsewhere.

What makes Malawi's case notable is the relative restraint that the Malawi Defence Force has shown during political crises. This conduct has helped safeguard the democratic process,

positioning the MDF as a stabilising force. Yet this restraint is not guaranteed, and the balance between effective civilian oversight and military professionalism remains fragile. Despite its importance, this balance has not been the subject of sufficient academic scrutiny.

This study therefore sets out to explore the role of the MDF in protecting constitutional governance in Malawi. It investigates how the military has intervened or chosen not to intervene in moments of political and constitutional crisis, assesses how existing oversight mechanisms affect military accountability, and examines the strategies civilian authorities use to guide and influence military behaviour. By doing so, the study seeks to generate insights that can inform efforts to strengthen democratic governance not only in Malawi, but in other African countries facing similar pressures.

1.4 Objectives

1.4.1 Main Objective

To examine how the Malawi Defence Force (MDF) contributes to constitutional governance by navigating its professional role within the framework of civilian oversight in a democratic Malawi.

1.4.2 Specific Objectives

1. To assess the nature and extent of the MDF's interventions in political and constitutional crises since Malawi's transition to multiparty democracy.
2. To analyse the effectiveness of civilian oversight mechanisms in promoting accountability and professional conduct within the MDF.
3. To examine the strategies employed by civilian authorities to influence and maintain control over the MDF, and their implications for democratic consolidation.

To develop a framework for upholding constitutionalism in civil-military control in Malawi.

1.4.3 Research Questions

1. What has been the nature and extent of the Malawi Defence Force's (MDF) interventions in political and constitutional crises since the transition to multiparty democracy?
2. How effective are existing civilian oversight mechanisms in promoting accountability and professionalism within the MDF?
3. What strategies have civilian authorities used to influence and maintain control over the MDF, and how do these strategies affect democratic consolidation in Malawi?
4. How can constitutionalism in civil-military control in Malawi be upheld?

1.5 Justification

The scientific justification for addressing the proposed research questions stems from the need to critically analyse the dynamics of civil-military relations in Malawi and their broader implications for democratic consolidation in emerging democracies. Investigating the nature and extent of the Malawi Defence Force's (MDF) interventions in political and constitutional crises since the country's transition to multiparty democracy is essential for understanding the institutional behaviour of the military. This question provides a historical and empirical foundation to assessing whether the MDF has acted in defence of constitutional order or has been susceptible to political manipulation. Such an inquiry contributes to political institutionalism and security sector governance literature by offering context-specific insights into how military institutions function in democratising societies.

Evaluating the effectiveness of civilian oversight mechanisms in promoting accountability and professionalism within the MDF is another critical area of scientific importance. Civilian control of the military is a cornerstone of democratic governance, and assessing

how this control is exercised in practice reveals the strengths and weaknesses of existing institutional arrangements. This question supports empirical inquiry into the roles of oversight bodies such as Parliament, the judiciary, and defence committees. It aligns with theoretical frameworks in public administration, constitutional law, and democratic accountability, and it contributes evidence that can guide policy and institutional reforms in the governance of the security sector.

Lastly, examining the strategies employed by civilian authorities to influence and maintain control over the MDF offers valuable insight into the political mechanisms that underpin civil-military relations. This question explores the informal and formal methods used to assert civilian authority and how these methods impact the balance between military autonomy and political control. Analysing these strategies is crucial to understanding their implications for democratic norms, governance stability, and institutional integrity. The findings will enrich comparative civil-military relations studies and offer practical lessons for other emerging democracies grappling with similar challenges. Collectively, these research questions are not only grounded in scholarly relevance but also in their potential to inform sustainable governance reforms and democratic resilience in Malawi and the wider Sub-Saharan African region.

1.6 Conclusion

This chapter has laid the foundation for understanding the complex relationship between the Malawi Defence Force (MDF) and constitutional governance in the country's evolving democratic landscape. It began by situating the study within Malawi's transition to multiparty democracy and the subsequent efforts to institutionalise civilian oversight over the military. Despite this constitutional shift, the MDF has periodically been drawn into political and constitutional crises, raising important questions about the limits of its

autonomy and the pressures it faces from civilian authorities. The background and problem statement highlighted how these dynamics continue to shape Malawi's democracy.

The chapter also presented the main objective of the study—to examine how the MDF contributes to constitutional governance—alongside three specific objectives and corresponding research questions. Together, these aim to explore not only the military's historical and current roles but also the institutional mechanisms, legal frameworks, and political strategies that underpin civil-military relations in Malawi.

Justification for the research was grounded in both scholarly and practical relevance. Given the rising concerns about regime instabilities across Africa and the persistence of military interventions in politics, understanding why and how Malawi has largely avoided these trends becomes critically important. By focusing on the MDF, this study offers a case through which the effectiveness of constitutional safeguards and the resilience of democratic institutions in an emerging democracy is assessed.

Overall, this chapter sets the stage for the theoretical, empirical, and conceptual explorations that follow. The next chapter provides a broader intellectual framework for analysing the MDF's evolving role in contemporary Malawi by analysing academic literature on civil-military relations, democratic oversight, and constitutionalism.

CHAPTER 2: LITERATURE REVIEW

2.1 Introduction

This chapter sets out to explore literature that helps us understand how civil-military relations function within democratic settings, with a particular emphasis on Malawi's evolving experience. At its core, the chapter seeks to unpack how democratic societies can maintain a professional and accountable military that operates under firm civilian control, while still fulfilling its constitutional duty to safeguard national sovereignty and public order. In doing so, the chapter builds on key theoretical foundations—especially political institutionalism—to explain how laws, institutions, and historical experiences shape the conduct of the military in democratic transitions.

By starting with political institutionalism, the chapter provides a lens through which we can understand the structural factors and legacies that influence how militaries behave in democracies. This framework is especially useful for interpreting the dynamics in emerging democracies like Malawi, where formal rules and informal norms both play critical roles in defining the military's place in governance. The discussion then broadens to examine how civil-military relations have developed in Africa, in a general sense, and then particularly in moments of political and constitutional tension where the military has either acted as a stabilising force or become a disruptive one.

To deepen the analysis, the chapter engages with a range of prominent theories that have shaped the field of civil-military relations. These include Huntington's model of objective civilian control, Janowitz's notion of a constabulary force, Feaver's agency theory, Schiff's concordance theory, and Finer's institutional critique. Each framework adds a unique dimension to our understanding of how civilians can exercise effective oversight over the military, especially in political systems where democratic norms are still taking root. These

theories also point to the importance of building trust, clear communication, and institutional checks that can keep the military apolitical and professional.

The chapter further explores the practical tools that help civilian authorities keep the military in check. From legislative oversight and legal safeguards to merit-based promotions and inclusive defence planning, these strategies show that democratic control is not just about formal rules but about active engagement and accountability. In Malawi's case, special attention is given to the constitutional provisions and legal instruments—particularly the role of the Defence and Security Committee of Parliament—that have shaped the governance of the MDF.

Bringing together these global theories and local realities, the chapter culminates in a conceptual framework that maps out how constitutionalism operates within Malawi's civil-military landscape. This framework not only ties together the key ideas discussed but also provides a foundation for the empirical analysis in the following chapters. It is through this integrated approach that the study seeks to understand whether, and how, the MDF supports constitutional governance in Malawi's maturing democracy.

2.2 Theorising Political Institutionalism

Political institutionalism offers a compelling framework for understanding the dynamics of civil-military relations in emerging democracies such as Malawi. At its core, the theory emphasises the role of formal rules, legal frameworks, and institutional structures in shaping political behaviour. In the context of the MDF, political institutionalism helps explain how constitutional provisions, statutory regulations, and oversight institutions like Parliament and the Executive constrain or enable military behaviour. The theory also illuminates how military professionalism, as an institutional norm, evolves over time within the context of these formal arrangements (March & Olsen 1984; Hall & Taylor 1996). Through this lens,

the MDF's restraint or intervention during moments of political crisis, such as the 2012 presidential succession or the 2020 electoral stalemate is seen. These events can be seen not simply as ad hoc decisions but as institutionally shaped responses rooted in historical precedents and legal norms.

Moreover, political institutionalism explores how legacies from past regimes continue to inform current practices. Malawi's history of authoritarian rule under Dr. Hastings Kamuzu Banda left institutional imprints on civil-military relations that continue to shape expectations of military behaviour. While the 1994 democratic transition redefined the formal role of the MDF, the enduring influence of prior norms has required gradual transformation rather than abrupt institutional change. This aligns with the concept of "path dependency" within historical institutionalism, where previous institutional trajectories strongly influence future directions (Thelen 1999). At the same time, the theory's focus on institutional change, through mechanisms like layering, displacement, and drift enables researchers to trace how new democratic practices have been integrated into older military governance systems (Mahoney & Thelen 2010). The gradual emergence of civil oversight bodies and parliamentary defence committees reflects this ongoing process of institutional adaptation.

Despite its strengths, political institutionalism has limitations. Critics argue that it sometimes it places more emphasis on structural constraints while underplaying the role of political agency and leadership (Peters 2012). In Malawi, the agency of key individuals, such as military generals or presidents, has at times overridden institutional norms, particularly when political interests conflict with democratic principles. Additionally, sociological variants of institutionalism may struggle to specify causal relationships, making it difficult to predict institutional outcomes in rapidly evolving political contexts (Lowndes 2010).

Nevertheless, the theory remains useful for diagnosing the underlying institutional logics that shape behaviour, particularly in complex hybrid systems like that of Malawi.

Applied to the MDF, political institutionalism provides analytical tools for assessing formal oversight mechanisms, such as the Constitution, the Defence Act, and the roles of parliamentary committees. These are implemented or circumvented in practice. It also offers a framework to evaluate how the Executive may either strengthen or weaken these mechanisms through appointments, resourcing, or political directives. For example, the relative independence of the MDF in 2020 was not solely a product of individual integrity but also a result of institutional safeguards and historical conditioning that limited political interference. At the same time, the failure of oversight, such as the underperformance of parliamentary committees, can be understood as outcomes of weak institutional development or the erosion of normative compliance.

In this thesis, political institutionalism provides a robust theoretical foundation for understanding how the MDF operates within a framework of constitutional governance in Malawi. By focusing on the interplay between formal rules, historical legacies, and evolving institutional practices, the theory enables a deeper exploration of the balance between military autonomy and civilian oversight. This is especially important in transitional democracies, where the legitimacy of democratic institutions often hinges on the professional conduct of the military and its adherence to constitutional mandates.

2.3 Theoretical perspectives on civil-military relations

To understand how the military interacts with democratic governance, it is important to explore a range of theories that help unpack the complex relationship between armed forces and civilian authority. Scholars have long grappled with the question of how to balance the military's need for autonomy in defence matters with the imperative of keeping it

subordinate to democratic institutions. Theoretical perspectives—ranging from Huntington’s model of professional military autonomy to Schiff’s emphasis on concordance—offer valuable tools for examining these tensions, especially in the context of emerging democracies like Malawi.

One of the most influential voices in this debate is Samuel Huntington (1985), who argued that civilian control is best maintained when the military is kept institutionally separate from politics. He proposed a model known as Objective Civilian Control, where civilian authorities define national security goals, but grant the military operational freedom to achieve those goals professionally and apolitically. Huntington’s framework rests on the idea of a politically neutral military that does not interfere in governance, thus preserving both democratic integrity and military efficiency.

Challenging Huntington’s clear-cut division, Morris Janowitz (1988) offered a more integrated view of civil-military relations. In a world of limited wars, nuclear deterrence, and internal conflict, Janowitz believed that the traditional roles of the military were becoming increasingly blurred. He introduced the concept of the Constabulary Force—a military institution that not only defends the state but also participates in ongoing societal management, from peacekeeping to domestic crisis response. This approach acknowledges that military engagement in civilian matters is often unavoidable and must be guided by norms of cooperation and shared responsibility.

Building on a different theoretical tradition, Peter Feaver (2003) introduced Agency Theory to the study of civil-military relations. He frames the relationship between civilian leaders and the military as a strategic game between “principals” (civilians) and “agents” (military officials). According to Feaver, civilians must constantly monitor the military to ensure it follows directives—a process that requires just the right amount of oversight. Too little, and

the military might act independently; too much, and morale and professionalism may suffer. This theory is especially relevant in democratic settings where civilian expertise in military affairs is often limited, yet accountability is essential.

In contrast to the separation and monitoring approaches, Rebecca Schiff (2009) proposes a model based on concordance. Rather than enforcing control through hierarchy or distance, Schiff suggests that stable civil-military relations are best achieved when the military, political leaders, and society at large are in agreement on key issues such as military recruitment, style, and decision-making processes. Her Concordance Theory is particularly insightful for transitional democracies, where formal institutions may still be consolidating and legitimacy is more likely to be built through shared consensus than rigid legalism.

Adding a critical lens to these debates, Samuel Finer (2017) cautions against assuming that military subordination to civilian rule is automatic or self-sustaining. His work underscores the reality that the military, by the very nature of its organisation and resources, possesses a latent capacity for political intervention. This risk is heightened in contexts where civilian institutions are weak or fragmented, a reality that has often played out in African states. Finer's arguments serve as a reminder that democratic control must be actively maintained through robust institutions and political will.

Indeed, African scholars and observers have long questioned the applicability of Western civil-military theories to the continent's unique political landscape. Williams (2001), for instance, argues that models based on strict separation of the military from politics may not work in African contexts, where post-independence histories, liberation movements, and political instability have shaped more fluid relationships. In some cases, integrating former military figures into political structures, as seen in Tanzania or Mozambique, has contributed to stability rather than undermined democracy.

Taken together, these theoretical perspectives highlight that there is no one-size-fits-all solution to the civil-military dilemma. What matters most is context. In well-established democracies, a strict separation may work. But in countries like Malawi—where democratic institutions are still maturing, and the military has historically been a stabilising force—greater flexibility may be required. Concordance and negotiated integration could offer more sustainable models than rigid control.

This study adopts a composite framework that draws from these theories to better understand how the Malawi Defence Force (MDF) navigates its dual role of upholding the constitution and responding to civilian authority, while also maintaining operational effectiveness and professional integrity. By examining both historical patterns and current oversight mechanisms, the study aims to shed light on how Malawi can continue building a stable and democratic system of civil-military relations, one that respects the importance of the military, but never loses sight of civilian supremacy.

2.4 How the military contributes to constitutional governance by navigating its professional role within the framework of civilian oversight in a democracy

2.4.1 Armed forces interventions in political and constitutional crises

The role of the armed forces in political and constitutional crises across Africa has been multifaceted, ranging from upholding constitutionalism to undermining democratic transitions. In some instances, militaries have acted as stabilising forces, reinforcing democratic norms, while in others, they have been key actors in democratic backsliding. This duality illustrates the complexity of civil-military relations in emerging democracies.

Wiarda and Collins (2011) argue that military interventions in politics tend to occur when civilian institutions are weak, legitimacy is in question, or crises of governance erupt. They note that the military, perceiving itself as the “guardian of national interest,” often justifies

its intervention by claiming to restore order or protect the constitution. The authors discuss how, in countries with a history of colonial rule, weak institutional frameworks, or deep political polarisation, militaries may step in not only to mediate political disputes but sometimes to seize control outright under the guise of national unity or stability. They distinguish between “guardian” and “interventionist” roles. In the “guardian” role, the military limits its involvement to ensuring the survival of the state and the enforcement of constitutional provisions. However, in the “interventionist” role, the military goes beyond defence responsibilities to shape or determine political outcomes, often suspending civilian rule or constitutional processes. The risk, as Wiarda and Collins caution, is that repeated interventions, however well-intentioned, undermine the long-term development of democratic norms and institutional legitimacy.

Armed forces interventions in political and constitutional crises across Africa are not just abstract events, they reflect the lived struggles of governance in societies still grappling with their post-independence identities. These military actions are often presented as necessary steps to restore order or correct government failures. Yet, they regularly come at a cost: they weaken democratic progress, erode public trust, and expose how fragile civilian oversight remains in many countries. Take, for instance, the 2012 coup in Mali, which saw soldiers oust President Amadou Toumani Touré out of frustration with his handling of the Tuareg rebellion. Rather than bringing peace, the intervention triggered deeper instability and opened the door to violent extremist groups, demonstrating how military responses can backfire and entrench crisis (Whitehouse 2012; Wing 2013).

There are, however, moments when military action appears to support democracy. A powerful example is that of Gambia in 2017. After President Yahya Jammeh refused to accept election results, the threat of force from the Economic Community of West African

States (ECOWAS), backed by regional militaries, compelled him to step down. This move, widely applauded, demonstrated how coordinated, rule-based intervention could uphold democratic principles; so long as it's rooted in legitimacy and multilateral consensus (Akinrinade 2018; Adeoye 2017).

But recent years have seen a troubling uptick in coups, in Sudan (2019), Guinea (2021), and Burkina Faso (2022), each revealing the uneasy balance between military and civilian power. As scholars like Adebajo (2022) as well as Powell and Lasley (2021) note, these interventions often stem not just from poor leadership but from enduring political cultures where the military is still seen as the final arbiter of national direction. The GIGA Institute (2023) highlights how public frustration and weak state institutions create environments where the military stepping in is not just tolerated but, alarmingly, sometimes welcomed.

Beyond the battlefield, many African militaries also take on roles traditionally handled by civilian agencies. During the Ebola outbreak, armed forces in Liberia, Guinea, and Sierra Leone became key players in health care logistics and public safety, setting up treatment centres and enforcing quarantines (Kamradt-Scott et al. 2015). These contributions saved lives and built some public trust, but they also blurred the lines between military and civilian authority. When the military takes on such civic duties without clear boundaries, it risks overshadowing democratic institutions.

Ultimately, the question is not just about whether military interventions help or harm democracy, but about what drives them in the first place. When political systems falter, when civilian leaders lose credibility, and when institutions fail to deliver, the temptation to let the military step in becomes stronger. As Finer (2017) warned, in such moments of fragility, the armed forces often see themselves as guardians of national interest—sometimes with popular support, but not always with constitutional legitimacy. Africa's future stability, then,

depends not only on strengthening civilian control but on rebuilding the public's faith in the institutions that were meant to protect them in the first place.

Military involvement in political and constitutional matters is not just about power. It is also about trust, responsibility, and balance between protecting democracy and overstepping it. When it comes to elections, for instance, the U.S. Department of Defence (2020) highlights how the military can be called upon to assist civil authorities, but only under clear, limited, and well-regulated conditions. Their role is not to influence outcomes or interfere in political choices. Instead, it is about offering logistical support, setting up polling infrastructure, providing transport, or maintaining security during tense moments. The goal is to protect the process, not shape it. This approach hinges on three vital principles: non-partisanship, strict adherence to legal limits, and deep respect for democratic institutions. As McConville (2006) notes, when political tensions threaten to derail elections, the military may be asked to safeguard the process—but it must do so without compromising civilian supremacy or becoming an actor in the political drama.

Beyond the ballot box, modern militaries are increasingly drawn into other spheres of civilian life. From helping manage drug trafficking and terrorism to handling labour strikes and pandemics, their responsibilities now stretch well beyond traditional combat. Bruneau (2006) observes that when strikes endanger national stability, by shutting down airports, ports, or hospitals, for instance, militaries may be deployed to restore services. Their efficiency and discipline can be critical assets in times of breakdown. But such interventions carry risks. Unless carefully overseen, they can undermine civil liberties, especially if they are used to silence dissent or bypass negotiation processes.

The role of the military in health emergencies offers another window into this complex picture. During the Ebola crisis in West Africa, armed forces were crucial in maintaining

order, building treatment centres, and delivering life-saving medical supplies (Kamradt-Scott et al. 2015; Biddinger et al. 2014). These actions helped overstretched civilian systems and saved countless lives. Yet scholars like McInnes and Rushton (2013) caution that such efforts must be guided by firm ethical standards. Otherwise, there is a risk that trust in both civil and military institutions could erode, especially if the military becomes too dominant in public health or emergency response.

Militaries also contribute to national development in more unconventional ways. As Serra (2010) notes, in many countries, armed forces operate farms, manage forests, or run manufacturing units, especially in areas where civilian infrastructure is lacking. These projects are not just about economic output; they can also provide stability and self-sufficiency. However, as Desch (1996) points out, this kind of involvement must be viewed in light of the military's core mission. There is always a tension between supporting national development and becoming too embedded in economic life, which can blur the lines between civil and military domains.

The challenge for scholars and policymakers alike is that there is no single theory that fully explains how civil-military relations should work in every context. As Bland (1999) reflects, the field resembles the story of the blind men and the elephant; each theory captures part of the picture, but none captures the whole picture. Whether it is managing elections, responding to crises, or filling gaps in state capacity, military interventions are shaped by local history, institutions, and cultures. This complexity demands flexible, context-sensitive approaches rather than one-size-fits-all frameworks. In the end, what matters most is ensuring that the military remains firmly rooted in constitutional principles; ready to serve, not to rule.

2.4.2 Democratic control of the military by elected authorities

Democratic control of the military remains one of the central tenets of constitutional governance, particularly in fragile or transitioning democracies. While most African countries possess constitutional frameworks that theoretically constrain executive authority and establish civilian oversight of the armed forces, the reality often reflects a much more complex relationship. Historically, the continent has been characterised by the “personal rule” paradigm, where powerful individuals—often referred to as “big men”—wield disproportionate influence over state institutions, including the military (Posner 2007). In such contexts, even well-crafted laws and constitutions frequently fail to limit executive overreach or prevent military involvement in political affairs.

Taylor (2006) provides a useful framework for understanding this dilemma. He advocates for a civil-military model that empowers the military in its core function of national defence but constrains it politically to uphold democratic consolidation. Taylor argues that military professionalism, loyalty to civilian governance, and institutional culture are key determinants of whether the armed forces support or subvert democracy. The same view is echoed by Barany (2012), who stresses that a truly democratic army must remain apolitical, focusing on national defence without encroaching into the realm of governance. Huntington’s (1985) Objective Control Theory complements these perspectives, proposing that the military should enjoy professional autonomy in military affairs but remain strictly subordinate to elected civilian leadership.

Williams (2019) adds nuance to this discussion by defining civil-military control as a negotiated equilibrium involving citizens, the government, and the military. He stresses that the absence of military coups should not be interpreted as the sole indicator of healthy civil-military relations. Rather, effective democratic control requires active engagement,

transparency, and accountability mechanisms that go beyond the mere avoidance of overt intervention.

Welch (1976) underscores the inherent tension in civil-military relations. While civilians seek to assert oversight, the military often resents interference in its operational domain. Welch argues that a delicate balance must be maintained—civilian authorities need military expertise, and the military depends on civilian resources and legitimacy. This mutual dependence means that a purely authoritarian approach to civilian control may be counterproductive. Instead, Welch promotes a constructive relationship built on trust, strategic communication, and institutional resilience.

In the Malawian context, this tension between civilian oversight and military autonomy is shaped by specific constitutional and legislative mechanisms. Section 38 of the MDF Act empowers the Defence and Security Committee of Parliament to exercise oversight over the MDF. This legal provision ensures that the military's actions, budgetary allocations, and operational conduct are subject to scrutiny by elected representatives. The Committee has the authority to demand reports from military officials, question them on operational decisions, and monitor the implementation of defence-related policies and laws. These mechanisms function as important checks and balances that reinforce democratic accountability.

However, oversight is only effective if it is implemented in both spirit and practice. Giraldo (2001) notes that oversight entails not only monitoring military budgets and policy decisions but also ensuring that these mechanisms serve their intended purpose. When military institutions are treated as “sacrosanct” or beyond civilian questioning, as Williams (2019) warns, they may develop the autonomy to selectively adhere to directives, undermining democratic control.

In Malawi, the Defence and Security Committee plays a critical role in holding the MDF accountable. But challenges persist. Parliamentary capacity is often limited by resource constraints, inadequate technical expertise, and political polarisation, which can compromise the Committee's ability to exercise robust oversight. McConville (2006) adds that in many democracies, ambiguity over the division of power between the executive and legislature can weaken oversight, giving undue leverage to the executive branch in military matters.

Civilian participation in defence policymaking is also crucial. As Taylor (2006) observes, civilians—particularly legislators and policymakers—must provide strategic guidance and monitor military alignment with international norms, such as arms control treaties. Without such engagement, militaries may operate in silos, unresponsive to broader national and democratic goals.

Avant (2007) highlights the complications that arise when two civilian principals—the executive and legislature—send conflicting signals to the military. In such cases, the military may exploit these divisions to act autonomously. Cohen (2002) goes further to question the rigid boundaries set by Huntington's theory. He cites historical examples, such as Churchill and Lincoln, where civilian leaders made military decisions with positive outcomes, suggesting that some level of civilian involvement in military strategy may be beneficial under certain circumstances.

Despite these broader theoretical debates, Malawi presents an example of a military institution that has largely remained professional and respectful of constitutional boundaries since the democratic transition of 1994. However, instances of political tension, such as during the 2012 constitutional crisis and the 2020 electoral transition, have tested the effectiveness of Malawi's civil-military oversight structures. These moments underscore the

importance of reinforcing civilian control mechanisms to prevent potential overreach and to safeguard the integrity of democratic governance.

Ultimately, as this review shows, democratic control of the military is not a static achievement but a continuous process of negotiation, institutional refinement, and civic engagement. For Malawi and other emerging democracies in Africa, fostering resilient, professional, and accountable armed forces requires both strong legal frameworks and a political culture that respects democratic norms and civilian supremacy.

2.4.3 Strategies used by civilian authorities to control the military

In any functioning democracy, keeping the military under civilian control is not just a constitutional formality—it is a delicate balancing act that involves trust, professionalism, legal safeguards, and ongoing dialogue. Across the world—and especially in developing democracies—leaders, legislatures, and citizens alike have experimented with different ways of ensuring that the armed forces serve the people without overstepping their mandate. Drawing from a range of scholars, this section brings these strategies to life and explains how they contribute to effective, democratic civil-military relations (Table 1).

One of the most important tools in this effort is a solid legal and constitutional framework. McInnis (2020) reminds us that rules and laws must not only exist but also evolve to prevent politicisation of the military. Clear constitutional provisions that define the chain of command, the role of the military, and the boundaries of military power help to reinforce democratic norms. Bruneau (2006) also stresses the importance of institutions like ministries of defence being led by civilians. These institutions play a crucial role in translating political decisions into military strategy and ensure the military stays in its lane.

Another powerful method is legislative oversight, especially when it comes to the military's budget and operational plans. According to Campbell and Auerswald (2015), parliaments

can ask tough questions, summon military leaders to explain themselves, and use budget approvals as leverage. Lam (2024) adds that defence and security committees within legislatures give civilian authorities a clear space to scrutinise how military decisions align with national and democratic interests. When parliaments are active and informed, they provide an effective check against military overreach.

Yet even strong laws and vigilant parliaments are not enough on their own. Civilian control also depends on the character and culture of the military itself. Scholars like Barany (2012) as well as Krebs and Ralston (2020) warn that militaries that are seen as being ‘above politics’ must actually behave that way. This means training soldiers and officers to remain politically neutral and loyal to the constitution, not to individual politicians. When military institutions focus on professionalism, and avoid endorsing political parties or candidates, they build public trust and remain aligned with democratic ideals.

Closely related to this is the need for fair and inclusive recruitment practices. Blair (2013) argues that promotions and leadership roles in the military must be earned on merit—not handed out through political favour or ethnic ties. A military that reflects the country’s diversity is less likely to become a tool for one group or faction. Instead, it stands as a national institution that all citizens can respect.

Open and respectful communication between civilian leaders and the military is also critical. Theories by Huntington and later expanded by Cohen (2004) suggest that while civilians should always have the final say, they also need to listen to military advice and involve commanders in strategic discussions. Welch (1976) warns that if civilians and soldiers stop talking, mutual distrust can grow. Both sides want to keep the country safe—so they must work together, but always under civilian direction.

Beyond government, civil society and the media have a crucial watchdog role. Lam (2024) emphasises that informed citizens and a vibrant press help keep the military accountable. When people understand the role of the military—and are not afraid to speak out if something goes wrong—democracy becomes stronger. Williams (2019) calls this a “negotiated relationship”: civilians may not control the military directly, but their support or resistance helps shape its behaviour.

A more subtle issue arises when retired military officers enter politics. In many African countries, this has led to confusion about where the military ends and civilian politics begins. Campbell and Auerswald (2015) suggest in order to avoid blurring the lines of democratic control, there should be time restrictions put in place or “cooling-off periods” before former military leaders can run for office.

Finally, civilian involvement in defence planning itself is often overlooked but deeply important. Cohen (2004) points out that civilian leaders have, in history, sometimes made military decisions that turned out well—precisely because they understood the political stakes. Civilian leaders should not blindly defer to generals. They must engage with questions about strategy, doctrine, and the future of the armed forces. Only then can we ensure that the military’s actions support, not undermine, the democratic project.

Table 1 : Key strategies used by civilian authorities to control the military

Strategy	Authors
• Constitutionalism & Legal Oversight	McInnis (2020), Bruneau (2006), Campbell and Auerswald (2015)
• Merit-Based Recruitment & Promotion	Blair (2013), Lam (2024)
• Depoliticisation of Military	Krebs and Ralston (2020), Lam (2024), McInnis (2020)
• Legislative Oversight	Campbell and Auerswald (2015), Lam
• Transparent Civil-Military Communication	(2024), Barany (2012)
• Professionalisation of Armed Forces	Lam (2024), Blair (2013), Barany (2012)
• Strategic Civilian Control (Right to Be Wrong)	Cohen (2004)
• Representational Diversity in Recruitment	Blair (2013)
• Civilian-led Defence Institutions (e.g. MoD)	Bruneau (2006), McInnis (2020)

2.4.4 The framework for upholding constitutionalism in civil-military control

The armed forces are the most important institution of a country for the survival of a state (Barany 2012). For centuries, countries relied on the military for various existential determining tasks such as protection, conquest, and other less phenomenal reasons like

conveying their strength and commitment to defend and advance their interest. In all these centuries the question, who will guard the guardians? was and is still at the centre of the public and academic debate. This question makes the focal point of the civil-military relations.

The civil-military relationship is one aspect of national security policy; a policy that is concerned with enhancing the safety of a country's political, economic and social institutions against threats arising from other independent states (Huntington 1985). Broadly speaking, the civil-military relations threat is the issue of how the armed forces operate in a constitutional civil authority and interact with other institutions, such as state institutions, civil society, the media, as well as ethnic and religious groups. Hence, the concept of civil-military relationship requires the deconstruction of the ideological and institutional structures of a given country's basic state makeup and the reassertion of civil control and democratic culture of the organs of the government, economy and civil society.

Fever (2003) refers to the sole question of the civil-military relationship (who will guard the guardians?) as the civil-military relations problematic. According to Fever, the main challenge of civil-military relationship theory is how to build a military that is strong enough to do anything the civilians ask, but at the same time be subordinate enough to do only what the civilians authorise. Basically, the need to have a strong military institution comes from two main reasons. The first is to have a military that can win a war. The army should be strong enough to guard the nation against real or perceived outside threats. It should be strong enough to prevail in war but, at the same time, conduct its own affairs so as not to destroy the society it is intended to protect. The second reason is an institutional justification. The military should be granted the power to coerce others and impose its will because this is how wars are won. The centre of the theory of civil-military relationship, therefore, is

making sure that the military will abide by the rules of the civilians and at the same time being allowed to enjoy autonomy for the purpose of effective execution of its missions. Eventually, addressing this problematique entails finding a solution to these two paradoxical concerns.

However, what happens when there is no balance between the power of the military and the civilians on the other hand? There are dangers the armed forces pose towards constitutional democracy. The classic danger coming from the military is direct seizure of political power which usually involves a coup d'etat. However, the problem of lack of effective civil-military relationship is not only a concern of the military going out of control of the civilian in a full scale; it is also about a scenario where the military poses a negative influence in the whole set up of the civil-military relationship without becoming the sole political power holder in the country.

In addition to the coup d'etat, the most dramatic and traditional intervention of the military in the constitutional setup, there are other forms of intervention in domestic politics including; concern from the civilian leaders whether the military will obey their direction or will be involved in securing its own interest (Fever 2003). The military might put a negative impact on the politics of a country by influencing the legislations and policies that protect the military establishment. It might also refuse to follow policies drawn by civilian rule. The military might also exploit the country's resources as an excuse for strengthening its own capacity against the threat of enemy states. It might also drag a nation into a war in opposition to what the society needs. In general, nations which fail to build up a balanced pattern of civil-military relationships squander their resources and run uncalculated risks (Huntington 1985).

Different contextual situations determine the successful application of the civil-military theory and building effective relationship. Building democratic armies is more difficult to accomplish in some contexts than others. These contextual circumstances usually stem from a country's messy history. The political and socioeconomic settings in which democratic armies must be built are different and thus pose dissimilar challenges to those crafting democratic armies and civil-military relations (Barany 2012).

In this study, the author focuses on two principal challenges that countries under transition to effective civil-military relationship face. These are; political neutrality of the military and civilian supremacy over the military. First, political neutrality of the military; the commitment to political neutrality is one of the overriding principles in the theory of civil-military relationship. In countries where the military played a huge role in old regimes and in the transition to new regimes, numerous obstacles must be overcome to achieve effective civil-military relationship. One challenge is a politically sterile military and one that favours the wishes of a segment of political power. Most importantly, if a military sides with only one party and protects the interest of that party, it makes the practice of democracy unachievable.

However, political neutrality does not mean that professional military corps is not allowed to participate in any manner in the politics of the country, rather it means that the military is not allowed to take part in partisan politics. The man in uniform is allowed to vote but not to be involved in political campaign or endorse political parties or candidates (Barany 2012). However, minimising the political intervention of the military is only one goal of the civil-military relationship (Plattner and Diamond 1996).

Second, civil supremacy over the military; civilian supremacy means the role of the military is restricted to the implementation of the national defence policy which is formulated by the

civilians. Civilian control of the military is a doctrine that places ultimate responsibility of a country's strategic decision making in the hands of the civilian political leadership rather than the military officer (Plattner and Diamond 1996). Civilian control as a concept implies the right of civilian leaders to initiate policy and define strategic goals, determine the deployment of the military forces, decide the budget, and resource levels, and undertake monitoring (audit), evaluation, and review of defence policy, structures, and performance. A civilian supremacy over the military is characterised by the capacity of the civilians to; conduct general policy without interference from the military, define the goals and organisation of defence and formulate and conduct defence policy, determine the best personnel to be in charge of said functions, and, monitor and review the implementation of policy.

In a system where there is effective constitutionalism running the civilian control, the military because there is a well-founded understanding that it is only democratically elected leaders that have the mandate and the moral and political competence to make decisions for the nation, even when they lack the technical competence. Hence civilian control is no guarantee of defence policy.

To conclude, the notion of civil-military relationship deals with the issue of how the armed forces operate in a country where there is constitutionalism and how it interacts with other institutions, such as state institutions, civil society, the media, as well as ethnic and religious groups.

2.5 Conclusion

This chapter has delved into the rich body of literature that helps us make sense of how democratic societies—especially emerging ones like Malawi—can effectively manage the delicate relationship between civilian authorities and the military. At the heart of this

conversation is the idea that integrating the military into a democratic system does not just mean keeping it out of politics; but building strong, resilient institutions that foster professionalism, accountability, and constitutional loyalty within the armed forces.

Drawing on political institutionalism and a range of civil-military theories, the chapter has shown how rules, historical experiences, and institutional cultures matter deeply in shaping military conduct. The works of Huntington, Janowitz, Schiff, Feaver, and Finer, among others, give us useful tools to think about what democratic control really entails—not as a one-size-fits-all model, but as a flexible approach grounded in each country's context. In Africa, where histories of military involvement in politics vary widely, these insights are particularly vital.

What emerges clearly is that avoiding coups is only the starting point. Genuine democratic control requires more active engagement: elected leaders must lead with clarity and purpose, oversight bodies must be empowered and functional, and the public must see the military as a servant of the constitution—not of any individual or regime. Malawi's experience with the MDF offers cautious optimism. Despite facing pressure during politically tense moments, the MDF has largely upheld its constitutional mandate. But the work is far from over.

As Malawi's democracy matures, its civil-military relations must continue to evolve. Strengthening parliamentary oversight, investing in leadership training within the military, and cultivating a shared understanding of constitutional roles between civilian and military actors will be key. The conceptual framework presented in this chapter brings these elements together. It provides a roadmap for the chapters ahead to explore, assess, and better understand how the MDF can contribute to constitutional governance in a way that not only prevents backsliding but actively supports democratic deepening. The next chapter presents the methodology that guided the study.

CHAPTER 3: METHODOLOGY

3.1 Introduction

This chapter walks the reader through the methods that guided this study's exploration of how the Malawi Defence Force (MDF) contributes to upholding constitutionalism in a democratic context. Given the sensitive and often complex nature of civil-military relations—particularly in emerging democracies like Malawi—a qualitative research approach was the most suitable choice. It allowed for a deeper, more nuanced understanding of the interactions between military institutions, political leaders, and oversight bodies.

The chapter starts by providing a rationale for the qualitative design which the study has adopted, drawing on established scholarly work to support this decision. It then outlines why Malawi was chosen as the study area, highlighting its unique political history and the critical role of the MDF in recent constitutional moments. The data collection process involved three main methods: Key Informant Interviews (KIIs), Document Review, and Case Studies. Each method offered a different lens through which exercise and maintenance of the democratic control of the military is examined.

Data analysis was carried out using Braun and Clarke's (2006) thematic analysis approach, which helped organise and interpret the information collected in a way that stayed true to participants' voices and the realities documented. Ethical considerations were carefully addressed throughout the research process to protect participants and maintain integrity. Lastly, the chapter acknowledges a few limitations encountered during the study—such as logistical constraints and limited access to some key informants—but explains how these were managed without compromising the quality of the findings.

By outlining these steps, the chapter sets the stage for the next part of the thesis, where the actual findings are presented and analysed in relation to the key questions about civil-military relations and constitutional governance in Malawi.

3.2 Study Area

Malawi presents a particularly compelling case for studying civil-military relations within a democratic context, especially in a region where military intervention in politics remains alarmingly common. While countries such as Mali, Sudan, Burkina Faso, and Guinea have experienced frequent coups and unconstitutional changes of government, Malawi has largely stood out as a stable exception. The MDF has consistently demonstrated a level of restraint and professionalism that contrasts with the regional trend, particularly during times of political upheaval. This makes Malawi a positive example—what researchers might call a “positive deviant”—and therefore an important case for exploring how military institutions can support rather than undermine democratic governance.

What further strengthens Malawi’s suitability for this study is the country’s constitutional and legal framework established after its transition to multiparty democracy in 1994. Malawi’s Constitution clearly outlines the principles of civilian supremacy, transparency, and accountability, and provides for oversight institutions such as the Defence and Security Committee of Parliament. These formal structures give the study a solid foundation for examining how democratic control of the military is meant to function in theory—and how it actually operates in practice. In a context where many African countries struggle to enforce similar provisions, Malawi provides a unique opportunity to study how legal norms and democratic values are applied to military governance.

Malawi’s democratic journey has also been punctuated by several pivotal moments where the military’s conduct has been particularly significant. Events such as *Operation Bwezani*

in the early 1990s, the constitutional succession crisis following the death of President Bingu wa Mutharika in 2012, the contested general elections of 2019, and MDF intervention in natural disasters (State of Disasters) all presented opportunities for military involvement in politics. In each of these moments, the MDF was placed in situations where its decisions—whether to act or abstain—had far-reaching implications for Malawi’s democratic stability. These episodes offer rich empirical material for analysing how the military balances its constitutional duties with the pressures of political leadership, especially when civilian institutions are under strain.

In addition, Malawi remains relatively underexplored in the academic literature on civil-military relations in Africa. Most research tends to focus on countries with more overt histories of military interference or authoritarian control. As such, this study helps to fill a critical gap by shining a light on how a small but strategically important country like Malawi manages the delicate relationship between civilian oversight and military professionalism. The findings from such a study are not only relevant for Malawi itself but could also inform policy discussions in other emerging democracies grappling with similar issues.

From a methodological perspective, Malawi was also a practical and suitable location for qualitative research. The country offers access to valuable sources of data, including official documents, policy records, and parliamentary proceedings. It also provides a conducive environment for conducting in-depth interviews with key informants such as retired military officers, politicians, and experts on governance and security. This aligns well with the qualitative research approach adopted for the study, which relies on deep, context-rich insights rather than broad generalisations.

In sum, Malawi offers a scientifically robust and contextually rich environment for exploring the role of the military in upholding constitutionalism within a democracy. Its combination

of constitutional structures, professional military culture, historical case examples, and political relevance in the African context makes it an ideal study area. The country's unique experience provides not only theoretical insights but also practical lessons on how democratic consolidation can be supported through civil-military cooperation—something that remains a pressing concern across much of the continent.

3.3 Study Design

This study embraced qualitative research approach because the subject—the Malawi Defence Force's (MDF) contribution to constitutional governance—called for a deep, nuanced understanding of relationships, decisions, and institutional dynamics that numbers alone could not explain. Qualitative research was especially suitable here, as it allowed the researcher to explore the meanings, perceptions, and experiences of people involved in or closely observing civil-military interactions in Malawi's democratic setting.

As Dawson (2007) suggests, qualitative research is ideal when we are interested in how people make sense of their worlds, especially in complex social and political environments. The nature of this study—examining the role of the military during political transitions, election disputes, and periods of constitutional uncertainty—required the ability to listen to people's stories, understand context, and interpret actions and decisions within broader institutional and historical frameworks. These are areas where qualitative research is best placed.

The study design was also informed by the view of Mays and Pope (2000), who argue that qualitative research is particularly valuable in contexts where existing knowledge is limited and where the goal is to generate insights rather than test hypotheses. In Malawi, civil-military relations have often been praised for their restraint compared to other African countries, yet there has been relatively little research on how this professionalism has been

maintained or challenged over time. A qualitative approach provided the space to examine these dynamics in depth and to learn directly from those involved.

To do this, the study employed a case study design, focusing closely on Malawi as a single, bounded case. This allowed the researcher to trace the evolution of civil-military relations since the advent of multiparty democracy in 1994, examining events like *Operation Bwezani*, the 2012 constitutional succession crisis, controversial elections in 2014 and 2019, and military involvement in State of Disaster crises. According to Dawson (2007), case studies are powerful tools when we want to understand how something unfolds over time within a real-life context—exactly what this research required.

The heart of the study was a series of semi-structured interviews with key informants, including former and current military officers, policymakers, parliamentarians, and civil society leaders. These conversations were invaluable. They offered insight not just into what happened during moments of political tension, but into how people understood their roles, responsibilities, and the pressures they faced. Mays and Pope (2000) note that qualitative interviews are particularly effective when exploring sensitive topics—such as the military’s involvement in governance—because they allow trust and rapport to develop, encouraging more honest and thoughtful responses.

In addition to interviews, the study included document analysis, drawing on government reports, legislative records, media archives, and constitutional provisions. This step helped validate and enrich the interview data. As Pope and Mays (1996) point out, analysing documents allows researchers to see how official narratives and legal frameworks align (misalign) with people’s lived experiences. In this case, documents offered important context for understanding the legal and institutional frameworks which are meant to guide the MDF’s role, and how these were interpreted over time.

Once all the data had been collected, it was analysed using thematic analysis. This meant carefully reading interview transcripts and documents, coding the data, and identifying recurring themes—such as military professionalism, political neutrality, constitutional responsibility, and civilian oversight. As Dawson (2007) explains, thematic analysis helps researchers move from raw data to deeper insights by looking for patterns and connections. Importantly, the researcher maintained a reflective stance throughout, being mindful of their own assumptions and how these might shape interpretation.

Overall, the qualitative approach helped bring the research questions to life. It made it possible to understand how different actors view the role of the military in upholding constitutionalism—and where tensions or risks to democratic governance may lie. Drawing on guidance from Dawson (2007), Mays and Pope (2000), and Pope and Mays (1996), the study was grounded in a research approach that prioritised depth, context, and human experience. This was crucial for a topic like civil-military relations, where decisions are shaped by institutional history, personal values, and often difficult political choices. The result was a rich, grounded understanding of how Malawi navigates the delicate balance between military professionalism and democratic oversight—an understanding that would have been difficult to reach through using any other methodological lens.

3.4 Data collection methods

To explore how the MDF contributes to upholding constitutional governance in a democratic setting, this study drew on qualitative methods of data collection. The issues under investigation—such as military involvement in political crises, the effectiveness of civilian oversight, and the strategies used to maintain democratic control—are deeply rooted in institutional practices, lived experiences, and complex power relations. Because of this complexity, qualitative methods were best suited to gather rich, detailed insights that could

not be captured through numbers alone. They provided the option of hearing from people directly involved or affected, and to better understand the deeper narratives that shape civil-military relations in Malawi.

Two main methods were used to collect data: Key Informant Interviews (KIIs) and Document Review. The interviews allowed the researcher to be in direct conversation with individuals who have unique and informed perspectives. These included senior and retired officers from the MDF, Members of Parliament—particularly those serving on the Defence and Security Committee—former and current Ministers of Defence, presidential security advisors, civil society representatives, and academics who specialise in security, constitutional law, or African politics. These conversations helped uncover not just official views, but personal reflections and practical experiences. Interviewees shared how decisions are made during crises, how oversight is experienced in real terms, and how civilian authorities manage (or sometimes struggle to manage) their relationship with the military.

Alongside the interviews, case study and document review provided an essential layer of context. It allowed for tracing of how laws, policies, and official decisions have evolved over time. The Malawi Constitution, the Malawi Defence Force Act, parliamentary reports—especially those from the Defence and Security Committee—and key policy papers and government white papers were also examined. Newspaper archives and reports from respected institutions like Afrobarometer, Human Rights Watch, and the Institute for Security Studies (ISS) added valuable perspectives on past political crises, including the 2012 presidential transition and the disputed elections of 2014 and 2019–2020. These documents helped ground the study in historical and institutional evidence.

By combining interviews and case study with documentary analysis, this study was able to build a fuller picture of how constitutionalism operates in practice within Malawi's civil-

military landscape. This dual approach also allowed for cross-checking of findings, strengthening the credibility of the conclusions drawn. Most importantly, these methods helped give voice to those who play a role—whether directly or indirectly—in shaping how democratic oversight of the military is realised in Malawi.

What follows is the detailed discussion of the data collection methods.

3.4.1 Key Informant Interviews

Key Informant Interviews (KIIs) were chosen as a primary method of data collection due to their ability to provide rich, context-specific insights directly from individuals with deep experience and institutional knowledge relevant to the study. As Dawson (2007) explains, KIIs are particularly effective in qualitative research because they allow the researcher to delve deeply into the perceptions, experiences, and interpretations of knowledgeable stakeholders. Given the political sensitivity and complexity of civil-military relations, this method enabled the exploration of nuanced perspectives that would have been difficult to obtain through surveys or structured questionnaires.

The interviews were semi-structured in nature, allowing for flexibility in probing key themes while maintaining consistency across interviews. As Mays and Pope (2000) and Pope and Mays (1996) argue, this approach is appropriate when the goal is to understand processes, meanings, and the contextual factors that shape human behaviour in governance and institutional settings.

Purposive sampling strategy was employed to identify individuals who were directly involved in, or had expert knowledge of, military conduct, constitutional governance, and oversight processes in Malawi. A total of 32 interviews were conducted. These included:

Eight senior officials from the Malawi Defence Force (including both serving and retired officers) who offered insights into the military's institutional ethos, decision-making processes during national crises, and perceptions of civilian oversight.

Six Members of Parliament, specifically those serving on the Defence and Security Committee who provided perspectives on legislative oversight, institutional challenges, and the effectiveness of Parliament's constitutional mandate to supervise the MDF.

Four former or the then Ministers of Defence and Presidential advisors on national security, who shared experiences from the executive branch and reflected on the political dynamics surrounding civil-military relations.

Seven civil society experts and governance practitioners, drawn from local Non-Governmental Organisations (NGOs) and regional think tanks who offered an external lens on the military's role in democratic consolidation and the gaps in accountability mechanisms.

Seven academics and researchers, with backgrounds in constitutional law, political science, and African security studies who contributed critical analysis based on empirical evidence and comparative studies.

Each interview lasted between 45 and 90 minutes and was conducted either in person or virtually, depending on the availability and location of the participant. Consent was obtained prior to each interview, and participants were assured of confidentiality to encourage candid responses. The interviews were audio-recorded (with permission) and later transcribed for analysis.

The open-ended questions were designed to elicit reflections on specific events such as the 2012 presidential transition, the 2019–2020 electoral disputes, and past parliamentary engagements with the MDF. Follow-up probes were used to uncover deeper insights into the

informal norms and power dynamics that influence the military's conduct in political and constitutional contexts.

The richness of data obtained through the KIIs was instrumental in addressing the first three research objectives, namely understanding the MDF's interventions, evaluating the effectiveness of civilian oversight, and examining control strategies used by civilian authorities. These insights fed directly into the development of the conceptual framework on constitutionalism in civil-military relations.

3.4.2 Document Review

To deepen and complement the rich insights drawn from the KIIs, the study also employed a detailed document review. This method was not only essential for building stronger evidence base but also critical in helping to make sense of how institutions, laws, and political events have shaped the relationship between civilian authorities and the military over time (Bowen, 2009). As Mays and Pope (2000) emphasise, documents in qualitative research serve as a vital resource for contextualising individual narratives and uncovering the underlying frameworks that govern institutional behaviour.

The process of reviewing documents was carefully structured to ensure that all materials selected were directly relevant to the research questions. The aim was to trace how the MDF has functioned within the country's legal and political systems, and how various actors—government, civil society, and media—have interpreted or influenced that role. The documents reviewed spanned legal texts, policy papers, legislative proceedings, media reports, and independent research from civil society and international organisations.

At the core of this review were foundational legal documents: the Constitution of the Republic of Malawi and the Malawi Defence Force Act. These texts provided the legal benchmarks for what the MDF is mandated to do and what it must avoid under democratic

governance. They offered insight into the formal limits placed on the military and helped clarify the principles behind civilian supremacy.

Parliamentary records, particularly from the Defence and Security Committee, were another crucial source. These records offered a behind-the-scenes view of how oversight functions are carried out, including how parliamentary committees engage with military leadership, allocate budgets, and scrutinise defence policies. They revealed both the strengths and the limitations of Malawi's current oversight mechanisms.

To understand broader policy trends and national security priorities, the study also examined government white papers and defence policy briefs such as the Malawi National Security Strategy. These documents helped trace how the government has framed security needs over time, and how the MDF's role has evolved in response to changing political and social conditions.

Where available, internal strategic documents from the MDF, such as strategic plans and training protocols were analysed, for insights into the institution's efforts to promote professionalism, discipline, and constitutional loyalty within its ranks. Although access to some military documents was understandably limited, those that were available provided insight into the military's own self-understanding and its evolving ethos.

A large portion of the document review involved analysing media reports and newspaper archives. These were particularly useful in reconstructing key events, such as the 2012 constitutional crisis following President Bingu wa Mutharika's death, and the contentious 2019 and 2020 electoral periods. Over 100 news articles from outlets like The Nation, Nyasa Times, and The Daily Times were reviewed. These accounts helped reveal how the public and political actors interpreted the MDF's actions and responses during moments of national tension.

Finally, the study included assessments from independent organisations such as Afrobarometer, Human Rights Watch, and the Institute for Security Studies (ISS Africa). These external perspectives offered valuable data on public trust in the military, perceptions of civil liberties, and international observations on the conduct of the military in Malawi.

In total, more than 45 primary and secondary documents were carefully reviewed. Each document was coded thematically using qualitative content analysis, allowing the study to identify recurring themes such as legitimacy, military professionalism, civilian oversight, and institutional autonomy. These themes were then cross-referenced with the findings from the interviews to validate emerging insights and identify areas of convergence or tension between institutional narratives and individual perspectives.

This thorough document review was vital in constructing a holistic understanding of civil-military relations in Malawi. It grounded the research in both law and lived experience, offering a balanced and empirically informed view of how constitutional governance and military professionalism intersect—and sometimes collide—in a young and evolving democracy.

3.4.3 Case Studies Design

To complement the insights gathered from interviews and document analysis, this study also employed a case study design, which helped bring the abstract concepts of civil-military oversight to life. In total, two case studies were carefully selected and analysed. These were chosen not only for their relevance to the research objectives, but also for their potential to illustrate how civilian oversight mechanisms actually function in real-world scenarios involving the MDF.

The use of case studies allowed the research to move beyond theoretical discussions and examine how institutions in Malawi apply oversight and accountability frameworks in

practice. As Stake (1995) notes, case studies are a powerful tool when the aim is to understand complex, context-specific issues. They enable the researcher to explore institutional behaviour and decision-making in a way that is grounded in real events, policies, and interactions.

The first case study focused on a parliamentary review of the MDF's budget allocations. This case was selected to explore how the National Assembly—particularly the Defence and Security Committee—engages with and scrutinises military budgets. Through reviewing parliamentary reports, committee proceedings, and relevant public records, the study traced how financial accountability is promoted (or not) within the broader defence governance system. This case provided a window into the formal processes of oversight and allowed the researcher to assess how civilian institutions interact with the military on fiscal matters.

The second case study examined an audit of a national operation led by the MDF, which was focused on domestic security and public order. This case was instrumental in understanding how the military's operational decisions are reviewed and evaluated, and what role civilian institutions play in holding the military accountable for its actions. Official audit reports, media coverage, and accompanying documentation were analysed to determine the extent of transparency and whether the operation aligned with democratic principles and the rule of law.

Both case studies were purposefully chosen to reflect different dimensions of oversight: one focused on financial scrutiny and legislative authority, and the other on operational conduct and performance evaluation. They helped the study probe beneath the surface of policy documents and legal texts to understand how oversight mechanism's function when put into practice.

As with all qualitative research, case studies have their limitations. They are deeply rooted in specific contexts and cannot be generalised to other settings. Nonetheless, their value lies in the richness of detail they provide. As Stake (1995) and Mays and Pope (2000) argue, case studies are especially useful for understanding dynamic institutional relationships, which often unfold in ways that are not easily captured by surveys or numerical data alone.

Throughout the analysis, care was taken to triangulate findings from these case studies with evidence from key informant interviews and documentary sources. This not only improved the validity of the research but also ensured a more rounded and grounded interpretation of civil-military relations in Malawi.

Ultimately, these two case studies brought greater depth and context to the thesis. They illustrated the challenges and successes in maintaining democratic oversight over the military, and offered concrete examples of how Malawi's civilian authorities engage with the MDF—sometimes effectively, and sometimes with evident gaps. By including these detailed, real-world illustrations, the study was able to better understand the balance between constitutional authority and military professionalism within Malawi's democratic system.

3.5 Data Analysis Methods

To make sense of the information gathered for this study, I adopted a qualitative approach to data analysis. This allowed me to dig deep into the stories, perspectives, and institutional contexts surrounding civil-military relations in Malawi. The analysis brought together insights from Key Informant Interviews, Document Review, and Case Studies, each contributing in unique ways to building a clearer picture of how the MDF operates within a democratic framework.

3.5.1 Key Informant Interview Analysis

The interviews were a vital part of this research. They gave me access to the lived experiences and reflections of those directly involved in defence governance—whether from the military itself, parliament, government ministries, civil society, and academia. Once each interview was completed, I carefully transcribed and reviewed the conversations to ensure that nothing important was lost in translation.

Using thematic analysis, I began grouping ideas and patterns that kept recurring. Some themes I had anticipated—like oversight, professionalism, and civilian control—while others, such as political pressure or informal networks within the military, emerged unexpectedly through the voices of the participants. I was especially attentive to how different categories of informants described the same events from different vantage points. For example, military officers and parliamentarians often had contrasting interpretations of whether oversight mechanisms were truly effective.

Rather than treating the interviews as isolated accounts, I tried to understand the broader narratives and the contradictions they revealed—how personal experiences, institutional roles, and political context all shaped the way people understood the role of the military in upholding constitutionalism.

3.5.2 Document Review

Alongside the interviews, I conducted a thorough review of relevant documents to ground my analysis in official records, legal texts, and public reports. These documents offered important context and allowed me to validate and expand upon what I heard in the interviews. I reviewed more than 45 documents, ranging from Malawi's Constitution, and the Defence Force Act, to parliamentary committee reports, policy briefs, media articles, and studies from organisations like Afrobarometer and the Institute for Security Studies.

The goal was not just to gather facts, but to interpret the meanings behind how military oversight and accountability are framed in official discourse. I paid close attention to how the language around national security, military professionalism, and civilian control has shifted over time—particularly during moments of political crisis, such as the 2012 leadership transition or the 2019–2020 election disputes.

I also used the documents to trace patterns—how oversight was enacted in practice, what gaps existed between policy and implementation, and how external observers assessed the role of the military in Malawi’s democracy. This critical lens helped me see not only what was written down, but also what was missing or inconsistently applied.

3.5.3 Case Studies

To give the study more depth, I selected two case studies: one focused on a parliamentary review of MDF budget allocations, and the other on an audit of a military-led programme. These real-world examples helped bring theory into practice and allowed me to see how civilian oversight mechanisms worked (or did not) when tested under pressure.

I reconstructed each case using a mix of public records, official reports, and media narratives. Rather than simply summarising events, I paid attention to the process—how decisions were made, who was involved, and what lessons were learned. These stories offered tangible examples of the tensions and trade-offs involved in maintaining both democratic control and a capable defence force.

The case studies were particularly useful in highlighting institutional behaviour and accountability in action. They reminded me that laws and policies alone are not enough—what matters is how they are applied, interpreted, and enforced.

3.5.4 Triangulating the findings across interviews, documents, and case studies

Once all the data had been gathered and coded, I brought the different strands together to form a comprehensive picture. Triangulating the findings across interviews, documents, and case studies helped ensure that no single source dominated the story. Where findings aligned, they gave confidence to key conclusions. Where they diverged, they revealed tensions and complexities that deserved closer examination.

Throughout the analysis, I was mindful of the broader political and historical context in Malawi. Civil-military relations are not static—they are shaped by past events, current leadership, and the institutional culture within both civilian and military spheres. The analysis process was as much about listening and interpreting as it was about organising and coding. It was about capturing the real-life experiences of people navigating the challenges of democratic governance in a fragile, but hopeful, political system.

By weaving together these diverse sources, the study provides a grounded understanding of how the Malawi Defence Force fits into the country's constitutional order—and what more can be done to ensure that this relationship continues to support democratic stability.

To make sense of the rich and complex data collected during the study, I relied on thematic analysis, a method for identifying and interpreting recurring patterns within qualitative data. Braun and Clarke (2006) describe thematic analysis as a flexible yet rigorous approach that allows researchers to systematically uncover themes that speak to the heart of a research question. Their six-step process provided a clear roadmap for how I approached the analysis.

It all began with immersing myself in the data. I spent considerable time reading through transcripts, listening back to interviews, and jotting down reflections and initial ideas. This first step—familiarisation—was crucial for getting a feel of the narratives that were

emerging and offered a beginning of seeing where certain perspectives converged or diverged.

Once familiar with the content, I moved on to generation of initial codes. Here, I worked line by line through the transcripts, highlighting key phrases, insights, or points that seemed particularly significant. These codes served as the building blocks for identifying broader patterns in the data.

The third phase was about searching for themes which involved looking through the coded data to find common threads. I asked myself: what ideas keep showing up? What are participants consistently concerned about or emphasising? From here, potential themes began to take shape, capturing the essence of what the data was revealing about civil-military relations in Malawi.

In the fourth step, I reviewed the themes more carefully, going back and forth between the themes and the raw data to ensure they held up and genuinely reflected the participants' views. It was a process of refining, adjusting, and sometimes even merging or discarding themes to ensure the story being told was both coherent and accurate.

Once the themes were solid, I moved on to clearly define and name them. Each theme was given a distinct label and unpacked in terms of what it meant, how it connected to the research objectives, and why it mattered in the broader discussion of constitutionalism and military professionalism in Malawi.

Finally, I began writing up the analysis. I presented each theme in turn, supported by illustrative quotes from the interviews, documents, or case studies. These quotes helped bring the participants' voices into the findings and gave depth to the narrative. The report

was not just a technical summary—it aimed to tell a story that reflected real experiences and grounded insights.

Alongside Braun and Clarke’s approach, I also used elements of content analysis. This helped me quantify how often certain issues appeared across different data sources, adding another layer of depth to the interpretation.

Before all this could happen, however, the raw data had to be transcribed and organised. This process of reducing large volumes of material into manageable and meaningful categories laid the groundwork for the thematic analysis. From this, I was able to identify key patterns and build a logical chain of evidence.

The main themes that emerged included: the role of the MDF in upholding constitutionalism, the effectiveness of democratic control by elected authorities, the strategies used to maintain military accountability in a democratic context, and the frameworks for upholding constitutionalism in civil-military control. Together, these themes helped illuminate how civil-military relations in Malawi are shaped, challenged, and managed in practice.

By following this structured but flexible method, I was able to make sense of diverse perspectives and provide a grounded, thoughtful interpretation of how constitutionalism is upheld or strained within Malawi’s evolving democratic landscape. Thematic analysis allowed me to go beyond surface-level descriptions and really dig into what participants were saying, and why it mattered.

3.6 Ethical considerations

Ethical integrity was at the heart of this study. Given the sensitivity of the topic—civil-military relations and constitutional governance—it was crucial to ensure that all research activities were conducted responsibly and respectfully. Before any fieldwork began, the

study was submitted to an institutional ethics committee for review. Following a careful examination of the research design, data collection procedures, and participant safeguards, ethical clearance was granted. This approval confirmed that the study met the accepted standards for protecting the rights and welfare of all involved parties in research.

Each step of the research process was guided by a strong commitment to informed consent, confidentiality, and voluntary participation. Before interviews were conducted, participants were fully informed about the study's objectives, the kind of information being sought, how the data would be used, and their right to withdraw at any point. Consent was obtained both verbally and in writing, ensuring that participation was entirely voluntary and based on a clear understanding of the research.

To protect participants' privacy, all responses were treated with strict confidentiality. Names and identifying details were not included in the final analysis or the report. Where necessary, general descriptors such as "retired military officer" or "member of parliament" were used to maintain anonymity without losing the context of the responses. This approach ensured that the insights shared were respected and securely handled.

All data—including audio recordings, interview notes, and transcripts—were stored securely and only accessed by the researcher. At every stage, care was taken to ensure that data handling followed ethical and professional standards. Once the research is complete, all data will be responsibly disposed of in line with the data protection guidelines approved during ethical review.

Beyond meeting institutional requirements, the ethical approach taken in this study reflected a genuine respect for those who contributed their time and experiences. Their voices were central to understanding how democratic governance can be strengthened in Malawi, and the researcher remained deeply aware of the trust placed in this process. Ethical research is

not just about rules and approvals—it's about building relationships based on trust, honesty, and mutual respect.

3.7 Study limitations

Like many studies that explore complex and sensitive areas such as national security and civil-military relations, this research encountered several practical and contextual challenges along the way.

One of the key limitations arose from the sensitivity of the topic itself. Many of the individuals interviewed—particularly senior officials within government security agencies and the Malawi Defence Force (MDF)—were understandably cautious about sharing detailed information. Some viewed the issues under discussion as potentially sensitive or politically delicate, raising concerns that speaking openly might jeopardise their professional standing or breach institutional confidentiality. While the study took care to ensure anonymity and offer clarity of the academic purpose of the interviews, these concerns inevitably limited the depth of responses in a few cases.

Access to participants also proved more difficult than initially anticipated. Although the research design targeted a wide range of key informants, not all were available within the timeframe of the fieldwork. Busy schedules, last-minute changes, or lack of formal authorisation to speak on record meant that a few planned interviews could not go proceed as planned. In some cases, individuals who were identified as ideal respondents were either out of the country or engaged in high-level duties that made it impossible to participate.

Financial constraints presented another hurdle. The volatility of the local currency and rising costs of transport and accommodation during the fieldwork period placed some strain on the research budget. This limited the researcher's ability to travel to all planned locations,

particularly those outside major urban centres, and this meant that a few face-to-face interviews had to be cancelled or adapted.

Despite these challenges, the research team worked to find flexible and creative solutions. Where travel was not possible, phone and virtual interviews were conducted to ensure the voices of key stakeholders were still captured. When primary respondents were unavailable, the study turned to equally knowledgeable individuals in similar roles to fill those gaps. The use of document review and case studies also helped strengthen the overall findings, ensuring that the study remained robust even in the face of logistical setbacks.

Ultimately, while the research did not proceed exactly as planned in every respect, it was still able to collect a rich body of evidence. These limitations are a reminder of the realities of fieldwork in politically sensitive environments, but they do not detract from the overall contributions of the study. Rather, they point to areas where future researchers might build upon this work, perhaps with longer timeframes, broader institutional support, or expanded resources.

3.8 Conclusion

To sum up, this chapter has laid out the research journey—how the study was designed, where it was carried out, who was involved, and how the data was collected and analysed. The use of a qualitative research approach made it possible to gain detailed insights into the inner workings of civil-military relations in Malawi, something that would have been difficult to achieve through a purely quantitative approach.

Through in-depth interviews, policy document reviews, and real-world case studies, the research collected a rich body of evidence that helped uncover both the formal mechanisms and the informal practices shaping the MDF's relationship with elected authorities. Thematic

analysis helped make sense of this data, revealing key patterns and recurring ideas across all sources.

Despite some challenges such as scheduling conflicts with busy officials or budgetary limitations affecting travel, the study remained grounded and methodologically robust. Adaptations were made where necessary, and triangulation across the three data sources strengthened the credibility of the findings.

In the end, this chapter provides a solid foundation for understanding the processes behind the data. It prepares the reader for the next chapters, where the focus shifts to what was actually discovered through this research. These findings will not only shed light on the role of the MDF in safeguarding constitutional governance, but will also speak to broader issues of military professionalism, democratic accountability, and institutional resilience in Malawi and beyond.

CHAPTER 4: RESULTS

4.1 Introduction

This chapter presents and discusses the key findings of the study based on the four specific research objectives that guided the inquiry. The overarching aim was to examine how the MDF has contributed to safeguarding constitutionalism during times of political and constitutional uncertainty, especially in the multiparty democratic era. The first section of the chapter explores the nature and extent of the MDF's interventions in political and constitutional crises since the transition to multiparty democracy. Drawing on narratives from key informant interviews and document analysis, it highlights landmark interventions, including *Operation Bwezani*. It illustrates the role played by the military in either stabilising or contesting political authority. The second section examines the assessment of civilian oversight mechanisms aimed at ensuring accountability and professionalism within the MDF. The findings describe how institutional arrangements—such as parliamentary oversight, legal provisions, and internal disciplinary frameworks—function in practice and assess their effectiveness in upholding democratic norms. The third section examines the strategies employed by civilian authorities to maintain their influence over the MDF. It explores how political leaders, particularly through appointments, legislation, and defence policy, attempt to guide military conduct and the implications of these actions for democratic consolidation. Finally, the chapter addresses the fourth research objective by drawing together empirical insights to propose a framework for upholding constitutionalism in civil-military relations in Malawi. This framework is informed by the interplay between historical events, institutional structures, and stakeholder experiences, providing a basis for rethinking the balance between military professionalism and democratic civilian control.

4.2 The Nature and Extent of MDF's Interventions in Political and Constitutional Crises Since 1994

In 1963, President Dr. Hastings Kamuzu Banda established the Malawi Young Pioneers (MYP) with the initial mandate of providing vocational training to young men and women. However, over time, the MYP evolved into a paramilitary wing of the ruling Malawi Congress Party (MCP), which brought it into conflict with the MDF. The MYP's encroachment into the constitutionally demarcated roles of the MDF created significant tension. This tension escalated after MYP members deliberately shot and killed two soldiers during a bar brawl in Mzuzu. The incident ultimately led to the disarming and eventual disbanding of the MYP.

It was found that the MDF actions were guided by the provisions of the Constitution. Specifically, the Defence Force of Malawi is established by the Constitution of Malawi, Section 159: There shall be the Defence Force of Malawi which shall be the only military force constituted in Malawi and which shall be regulated in accordance with this Constitution and any other written law.

Furthermore, Section 160 (1): The Defence Forces of Malawi shall operate at all times under the direction of those civil authorities in whom this Constitution vests such power, and shall – **a.** uphold the sovereignty and territorial integrity of the Republic and guard against threats to the safety of its citizens by force of arms; **b.** uphold and protect the constitutional order in the Republic and assist the civil authorities in the proper exercise of their functions under this Constitution; and **c.** provide technical expertise and resources to assist the civilian authorities in the maintenance of essential services in times of emergency. Section 160 (2): No person or authority may direct or deploy the Defence Forces of Malawi to act in contravention of this Constitution.

4.2.1 The Malawi Defence Force's Response to Constitutional Crisis During Operation Bwezani

The arming of the MYP was a constitutional matter. Still, it was monitored for some years without action by those civil authorities to whom the Malawi Constitution vests such power. In 1993, Malawi experienced a constitutional crisis as the country transitioned from one-party rule to multiparty democracy. At the same time, there was a sour relationship between the MDF and MYP.

The MYP was established as a national service organisation to train young people in agriculture and contribute to the country's development (see Figure 2, MYP in uniform). One of the respondents had this to say about the MYP original philosophy:

“The MYP's idea was to promote agricultural and youth development. It succeeded in its original aim. However, later it became a wing of the MCP and was gradually armed by the party. Kamuzu Banda began using the MYP to enforce his ideologies; because of this association, it became notorious and tortured Malawians” (EXO RTG2022)

The interviews with Generals (Retired) indicated that they were aware of the arming of the MYP by their Commander-in-Chief, Dr Hastings Kamuzu Banda, and that this was unconstitutional. However, little was done to advise Kamuzu about the breach of the Constitution by creating another armed group besides the MDF. The Malawi Congress Party (MCP) continued to receive support from the MYP, which was then its paramilitary wing. By 1993, the MYP had become militant and politically partisan, operating above the law. It was violent and forceful to Malawians in all its approaches. It was used to oppress and punish any opposing voices. At the time, Malawians had voted for multiparty democracy following

the 1992 referendum. Hence, the MYP was seen as an obstacle to multiparty democracy as the country prepared for its first-ever multiparty elections in 1994.



Figure 2: Malawi Young Pioneer at one of the training bases (Source: Malawi Archive)

During General Isaac Yohane's command, the MDF reached its limits in containing the actions and armed activities of the MYP. However, the Generals outwardly remained subordinate to the commander-in-chief, who was also the political authority, Dr. Hastings Kamuzu Banda. Yohane's leadership was aware of the abuses committed by the MYP but remained passive until an incident occurred on 1st December 1993 in Mzuzu, when the MYP killed two MDF soldiers. It was determined that the junior MDF officers and soldiers who witnessed the deaths of their two colleagues considered it a provocation that warranted a swift response. During General Isaac Yohane's command, it was revealed that the MDF had observed a breach of the Constitution due to the arming of the MYP and its freedom to operate above the law with the endorsement of the MCP and Dr. Hastings Kamuzu Banda. Despite these issues, the MDF maintained passivity and professionalism in the face of circumstances that the junior officers and soldiers found intolerable. Yohane's leadership

was aware of the MYP's abuses but remained passive until the incident on 1st December 1993 in Mzuzu.

It was the death of the two soldiers that triggered *Operation Bwezani* on 3rd December 1993 by junior officers to disarm the MYP and revenge. *Operation Bwezani* gave the MDF an opportunity to dismantle the MYP across the country and was well supported by the Malawians who had suffered from oppression of the brutal MYP. During interviews one had this to say about *Operation Bwezani* and MYP:

“The MYP posed a genuine threat to democratic governance, as the MCP's harsh measures suppressed the freedoms of the Malawian people and propagated the ideologies of Dr Kamuzu Banda. The MYP was indeed a significant threat to peace and democratic governance in the new Malawi” (RTD2023).

The MYP was now found as an unconstitutional military used by the MCP which the MDF had to remove to install constitutional order. Therefore, by forceful removal of the MYP all opposition parties found it easy to campaign in Malawi ahead of the 1994 democratic elections. *Operation Bwezani* further restored Malawian citizens' trust in the MDF as national institution with national interests, which is enjoyed up to now. One respondent argued that:

“Operation Bwezani, was like a rebirth of Malawi. I saw democracy come true because the years of dictatorship of Kamuzu came to an end and democracy was born. We saw freedom of association and speech. Our choice of multiparty democracy through referendum became institutionalised after Operation Bwezani” (CITZ2023).

Another respondent argued that the MDF executed their constitutional mandate to disarm the MYP because it threatened constitutionalism. Therefore, the agenda of *Operation*

Bwezani was clear and executed in a professional manner. However, routing and abuse of orders was observed through destruction of private businesses which had nothing to do with the operational orders by both the soldiers and citizens across the country. One retired General recalled this:

“During Operation Bwezani, the MDF was given orders to act in all ways professionally, and the majority did execute the order as given. We saw peace and stability after Operation Bwezani, and constitutional order was restored” (OFFI2022).

The MDF image in the public was seen beyond the hope of Malawi's democracy because the operation was not politically initiated. Although those in opposition rallied behind the MDF with their political interests, a behaviour that continue to trend among politicians. One would argue 'the military serves all' as was narrated by one respondent:

“The MDF was acting within its mandate under the Constitution to protect national sovereignty and ensure internal security... it filled a vacuum left by civilian institutions that had been weakened under one-party rule” (RT00123).

The scale of the operation, as the commentator YLK2023 remarked,

“The operation cemented the MDF’s reputation as a professional and apolitical force dedicated to uphold national stability and democratic principles, therefore, this sent a clear message that the military was now a servant of the people, not a tool of any political party.”

The aftermath of *Operation Bwezani* became a platform for political leadership to introduce reforms in the Constitution of Malawi. These reforms notably included the establishment of the Ministry of Defence, which involved the appointment of the Minister of Defence, replacing Kamuzu. The changes responded to observed structural shortcomings in the

MDF's chain of governance and command. The reforms also led to the retirement of General Yohane, with new leadership appointed for the MDF.

The *Operation Bwezani* experience was a powerful demonstration of the MDF's commitment to defending constitutionalism, as guided by the country's legal provisions. The professionalism exhibited by the army in fulfilling its mandate was evident in its decision not to overthrow the government of Dr. Hastings Kamuzu Banda, despite encouragement from opposition politicians. This act of restraint, in the face of such pressure, serves as a testament to their respect for the rule of law.

The memoir of the researcher, Captain Vincent Nundwe, in Box 1 was a lived experience during *Operation Bwezani* and the aftermath.

Box 1 Memoir of Captain Vincent Nundwe

The relationship between the Malawi Defence Force (MDF) and the Malawi Young Pioneers (MYP) was more symbolic than functional, persisting largely due to the prevailing authoritarian political environment. From independence in 1964, Malawi was under the firm grip of a one-party dictatorship led by Dr. Hastings Kamuzu Banda, where no institution, including the military, could openly challenge his authority. This state of affairs continued until 1993, when Malawians voted overwhelmingly for multiparty democracy in a national referendum.

As political liberalisation gained momentum following the referendum, Malawians began to enjoy increased freedom of expression. During this time, unspoken frustrations with the MYP began to surface within the MDF ranks. The MDF's intelligence unit closely monitored MYP activities, intercepting communications and tracking movements across the country. As the 1994 elections approached, the

MYP, which had long been used by the Malawi Congress Party (MCP) to suppress opposition, escalated its intimidation tactics against the general population.

At the height of public and military concern, senior MDF officers convened a meeting at headquarters to deliberate on the MYP's conduct. Officers voiced strong disapproval of the MYP's violent and repressive actions, urging the MDF Commander, General Yohane, to raise their concerns with President Banda and Mr. Chimutu, who headed the MYP. However, General Yohane, wanting to secure his job, did not see the necessity to advise the President about the constitutional violation of having the paramilitary MYP. As the General, he was supposed to advise Dr. Kamuzu Banda accordingly but chose not to comply with the complaints from his officers.

While General Yohane remained silent on the matter of the constitution, conflict within the MDF grew as the MYP's military ranks expanded and institutionalised without any formal approval from the MDF. The General's inaction did not sit well with junior MDF personnel, who felt the impact in their townships, where they lived alongside MYP members with similar military ranks. However, the Commander-in-Chief expressed ignorance of the existence of military ranks among MYP officers.



Figure 3: C - Company of the First Battalion of Malawi Rifles advancing towards Mountain View in Thyolo to disarm the Malawi Young Pioneers under the command of Captain Vincent Nundwe (Malawi Archive)



Figure 4: C - Company of the 1st Battalion of the Malawi Rifles displaying some of the weapons recovered from the Malawi Young Pioneers (Malawi Archives).

During the display, two politicians, namely, Mr. Nseula, Chair of the Public Affairs Committee, and Mr. Aleke Banda of the United Democratic Front, approached me privately. They urged me to extend the operation and raid Sanjika Palace to remove President Banda. I told them plainly: our mission was solely to

disarm the MYP, not to overthrow the head of state. Their request revealed deep-seated fears that the MCP would cling to power, even if defeated at the ballot box.

On 7th December 1993, President Banda addressed the nation. He called for calm and, for the first time since independence, appointed a Minister of Defence—Major General Wilfred Mponela. Previously, Banda had retained the Defence portfolio himself. This marked a vital shift towards civilian oversight of the military. Meanwhile, Generals Yohane, Manyozo, and Liabunya were forced into retirement, replaced by Generals D. Maulana and M. Chigawa as Commander and Deputy Commander of the MDF, respectively.

4.2.2 Constitutional Crisis – Death of President Bingu wa Mutharika on 5 April 2012

The MDF applied these provisions to manage the constitutional crisis when Mutharika died on 5 April 2012:

According to Section 161 (1) The ultimate responsibility for the Defence Forces of Malawi shall vest in the President as Commander-in-Chief. On 5 April 2012 Commander-in-Chief died and the new Commander-in-Chief was needed in the office; the President.

The same Constitution in Section 83 (4) Whenever there is a vacancy in the office of President, the First Vice-President shall assume that office for the remainder of the term and shall appoint another person to serve as First Vice-President for the remainder of the term.

The DPP cabinet was in crisis because President Bingu wa Mutharika had groomed his brother, Peter Mutharika, a lawyer, as his successor. At this time, the sitting vice president,

Joyce Banda, and Khumbo Kachali were fired from their positions in the government and the party in 2010. According to the constitution of Malawi, however, a vice president must be removed through an impeachment process requiring a majority vote of the national assembly. Therefore, the Malawi court declared this unconstitutional. The court stated that Bingu wa Mutharika, could remove Banda from his party but not from the government because the processes for removal from these positions were different. A party vice president can be removed according to that party's internal process. However, a vice president who is elected alongside the president can only be removed through a legally sanctioned impeachment process. As such, Joyce Banda was recognised as the legal vice president even though she was not the vice president of the Democratic Progressive Party (DPP) party. Mutharika knew he would not secure the majority in parliament due to factions within the party over the succession of the presidency; therefore, he proceeded to frustrate Banda in order to force her to resign as vice president. She refused to resign and continued in her capacity as vice president of the country, although under constant duress and harassment. Her security detail was changed, and several of her privileges were redirected to Mutharika's brother, Peter. Joyce Banda then formed a new political party, the People's Party (PP), in 2011.

On Thursday, April 5, 2012, President Bingu wa Mutharika held private meetings with members of parliament, Patricia Kaliati and Lilongwe legislator Agness Penimulungu. He died of a heart attack during the meeting with Penimulungu and was declared dead on arrival at the local hospital. Senior members of the DPP-led cabinet did not notify the public of the president's death from a heart attack. However, news confirming his death spread quickly across the country (and to the Malawi diaspora) through word of mouth, cell phone text messages, Malawian bloggers, Twitter, Facebook, and listeners throughout the day. The Malawian Democrat, an online newspaper, was the first to break the news to the public. An

online journalist, Andrew Evans from National Geographic, used Twitter to confirm reports and break the news to the international press. Rumours of a possible cover-up began to spread throughout the country and abroad. The Malawi Army changed its security detail and went to the home of Vice President Joyce Banda to protect her, as mandated by the Malawi Constitution. Extra police were deployed to the streets as a precautionary measure. Initial emergency meetings took place at the residence of the vice president of the party, Goodall Gondwe. The ministers present included Ken Lipenga, Catherine Gotani Hara, and Peter Mutharika; however, it was largely unclear who supported these events and who opposed them, as this was not a unanimous decision. It is known that Peter Mutharika accepted his nomination as DPP president. Henry Mussa noted that many other ministers were involved in the plot besides the six who appeared on television. One respondent had this to say:

“On 5th April, 2012, as we were doing our normal work in the office, news through social media started filtering about the death of the President. At that time, Malawi was in a severe fuel crisis, and the economy was not performing well either. I took it that the people of Malawi want the President to be out of sight so that someone else can take over the running of the Malawi Government, allowing the economy to improve.”

“However, as social media intensified the flow of messages, people started openly talking about the President’s death. Eventually, someone called me in the afternoon on the same 5th April, 2012, to go to Kamuzu Central Hospital to see the President, who had been taken ill and referred there. When I arrived at the hospital, I found the Inspector General of the Malawi Police Service waiting outside the emergency room as well. We sat on a bench outside the emergency room, expecting to be invited inside the room to see the President. However, no one approached us, and thereafter, we

asked some of the hospital staff whether we would be given a chance to see the President. We were told that the doctors were busy working on the President's condition and no one would be allowed to see him. The medical staff said that the President was in a critical condition. We stayed at the Central Hospital until evening, just watching the frantic movements of the medical staff going in and out of the emergency room where the President was being treated, and no one came to update us on the condition of the President, after our initial request. As darkness approached, we realised that we were not going to be let into the emergency room to see the President. Therefore, we decided to return to our homes and wait for any further information. Information from the social media circulated that the President was being referred to South Africa for medical attention. However, I was puzzled as the news circulating was that the President had passed on, and referring a dead person to a foreign hospital was abnormal. I thought this was embarrassing for the country, but because it was beyond my powers, I just observed."

"As time passed till the following day on 6th April, 2012, I was "war gaming" the whole situation that in the event that the information circulating is right, what were the steps I was supposed to take. That is, in the event that the Commander-in-Chief is incapacitated, what should a commander of the MDF do? However, this was in the absence of any official communication from the government spokespersons, who had not yet released the official version of the situation unfolding. As no one was coming up with any tangible information on the situation of the President, I started probing certain individuals, both in the DPP and government officials, to give me a clear picture of what was happening. On the other hand, I had information that the President had been referred to South Africa for medical attention despite clear information from some medical staff that he had passed on already."

“On 6th April, 2012, I consulted the MDF Chief Legal Officer on the possibility that if the Commander-in-Chief was really incapacitated, how would the MDF contribute towards the transition? The situation was getting tense that at any moment things could have spiralled into chaos. Therefore, this was the time the MDF had to maintain its commitment to constitutional order. Some politicians were calling me to brief me on the situation and indirectly informing me that in the event that the President dies, the vice president, Dr. Joyce Banda could not ascend to the presidency because she ditched the DPP, as the ruling party, and formed her own party (Peoples’ Party). Despite my layman’s reasoning, according to the Republic of Malawi’s constitutional provision, Section 83 (4), the vice president Joyce Banda had to assume the office of the President. The politicians continued calling me to offer possible scenarios on the country’s leadership, as the news had changed, and the government just announced the death of the President.”

“As Commander of MDF, I had to rise above partisan politics. I contacted the vice president, who was in Blantyre at that time. She said that so far, no one had briefed her on the fate of the President. Instead, the DPP senior officers were conducting secret meetings in order to appoint the President’s young brother as the President of the Republic of Malawi, which was a departure from the constitutional provisions. I then suggested to her that she should come to Lilongwe to be organising things on the ground. Her response was that she did not have security and she was afraid that some thugs would attack her. I pledged to send her the military police escort from Blantyre and that they would remain with her throughout the transition. Military Police was dispatched to Blantyre and she was escorted to Lilongwe.”

“My actions, which included avoiding being swayed by some DPP politicians who proposed a temporary MDF takeover, helped avoid a potential power struggle and bolstered the legitimacy of the transition process by ensuring that civilian institutions retained control. On the other hand, President Bingu wa Mutharika’s death came after a period marked by both economic and political strain. The majority of Malawians were frustrated with his management of the country’s economic challenges, including the fallout with the donor community. People were openly saying that the MDF should take over the government. However, I realised that this was the moment for the MDF to demonstrate its professionalism by remaining neutral and apolitical, ensuring that the constitutional process of transferring power could proceed without military interference” (RT2025COMM).

Amidst the speculation surrounding the death of President Mutharika, who was the Commander-in-Chief of the Malawi Defence Force, the MDF Command decided to switch its security detail and deploy soldiers to the home of Vice President Joyce Banda to protect her, as mandated by the Malawi Constitution. The MDF’s decision to protect the vice president sent a strong message to the DPP cabinet ministers who were plotting to install Peter Mutharika as president of the Republic of Malawi. This demonstrated that the MDF was committed to upholding the Malawi Constitution, thereby facilitating the swearing-in of Vice President Joyce Banda as per Section 83(4). One by one, DPP cabinet ministers began pledging allegiance to Vice President Joyce Banda, realising that the MDF’s actions indicated it would not support an unconstitutional takeover of government as planned by the DPP cabinet.

When Joyce Banda became the President of the Republic of Malawi, immediately the MDF had the Commander-in-Chief. At the end of it all, the MDF ensured a constitutionally smooth

transition of power following the death of President Bingu wa Mutharika. The Vice President Joyce Banda became the 4th President of the Republic of Malawi (Figure 5).



Figure 5: Joyce Banda being sworn in as the Fourth President of the Republic of Malawi (Source: Malawi Archives)

Another respondent had this to say about power transition when the office of the president falls vacant by death:

“At a critical moment, the military is expected to act in accordance with the Constitution. For instance, in 2012, when Malawi faced a situation where the president had passed away, there were attempts to appoint someone other than the vice president to assume the presidency” (KII342023).

The outcome of the MDF intervention was a peaceful power transition from Bingu Wa Mutharika to Joyce Banda as the President of the Republic of Malawi. Her party became the ruling party, while the DPP transitioned into the opposition.

4.2.3 The Malawi Defence Force and Election Management

The review of the Malawi Constitution mentions elections in 64 sections, signifying their importance in a democratic Malawi. Elections are held to select the president, members of parliament, and councillors of local governments. Democracy exists due to the elections of civil authorities into various leadership positions. As a result, election management becomes a constitutional matter, as elections seek legitimate leaders. Hence, the MDF is committed to ensuring that elections are well managed and their outcomes are accepted by the citizens of Malawi.

Historically, elections have been marred by political violence. This can be traced back to referendum through the first general election in 1994. In the recent years it has gotten worse hence the involvement of the MDF has been key to ensuring that elections are peaceful. The other reason the MDF is involved in the election process is logistics value chain management, due to their specialised equipment and training in peacekeeping. The MDF has a history of involvement in election management in Malawi, stemming from a history of trust gained through *Operation Bwezani*. Malawians tend to have confidence in the MDF in whatever it gets involved in and its outcome. In this section, results are based on the cases of the 2014 general elections and the 2019 general elections in Malawi.

4.2.3.1 Role Played by the MDF in the 2014 General Elections

The 2014 General Election in Malawi took place in the midst of political tensions between the then ruling party, PP and the opposition party, DPP. The tension was because the President of the DPP government fired the Vice President of the DPP government. Another hot issue was the popular Cash gate scandal which emerged during the Joyce Banda Presidency. The situation was further exacerbated by revelations that these high-level frauds could be traced to the upper echelons of government. President Joyce Banda, despite having

garnered international acclaim and donor confidence, found herself then politically vulnerable due to the scandal just as she was campaigning for re-election.

As voting progressed and results began to trickle in, it became increasingly clear that Peter Mutharika of the opposition, DPP, was leading in the presidential race. The leading of Peter Mutharika caused panic among members of the ruling party, PP, who feared that a DPP victory could usher in a wave of political retribution. Many of the PP diehards feared that, should Banda lose, her administration and allies would face arrest and prosecution over Cash-gate. In this case, President Banda had no choice but to publicly announced the cancellation of the elections and called for a fresh vote within 90 days, citing widespread irregularities and allegations of vote rigging.

The declaration to cancellation of the elections had set the country on the edge of a constitutional crisis. The Malawi Electoral Commission (MEC) disputed the President's declaration, arguing that only the MEC had the legal mandate to manage and announce election outcomes. The situation escalated when the Malawi Broadcasting Corporation (MBC), the state broadcaster, aired Banda's directive and reported that the main tally centre in Blantyre would be shut down. This announcement triggered panic and confusion among the public, political parties, and election observers, both local and international.

More controversially, President Banda, acting in her capacity as Commander-in-Chief of the MDF ordered military involvement in enforcing the closure of the tally centre. Rather than use the police—who typically handle civil matters including electoral logistics—she instructed the MDF to intervene, a move that raised serious ethical and constitutional concerns. Critics questioned why the same government that had organised and run the elections was now accusing its own process of being fraudulent. The irony was hard to ignore.

Despite pressure from the presidency, the MDF's 93rd Brigade Commander, who had been tasked with carrying out the order to shut down the tally centre and seize equipment, refused to comply. The then Brigade Commander had this to say:

"I declined the order three times, citing that the military had no business interfering in electoral matters. I don't want to see innocent Malawians die. I also didn't want our actions to affect Malawi's democratic processes. My decision was guided by professionalism and constitutional loyalty. I was aware that the political environment was tense especially between the Presidency and the MEC."

The MDF's mandate, according to Section 161(1) of the Constitution, is to operate under civilian authority—but only where such authority is lawful and constitutional. In response to the escalating tensions, the MDF stepped in to ensure adherence to the rule of law, despite attempts by civil authorities to compel the MDF to close the tally centre. Orders were issued to the Commander of the 93rd Brigade to enforce the directive to shut down the centre. In this instance, the 93rd Brigade Commander "shirked" on the order from the MDF Commander to shut down the tally centre. However, the 93rd Brigade Commander's action was based on averting a looming constitutional crisis which could have erupted resulting in loss of lives and damage to property. Eventually, the Malawi High Court ruled in favour of the MEC; that the President's order was unconstitutional, and therefore MEC went ahead to announce the results of the elections.

The Malawi Electoral Commission moved to the High Court seeking an interpretation of the president's order to have the elections cancelled. The High Court ruled that the order was unconstitutional, and this judgement exonerated the 93rd Brigade commander's decision to decline the order to close the tally centre. MEC went ahead to declare Peter Mutharika as the winner of the elections. DPP's Peter Mutharika was thus sworn in as Malawi's President.

Soon after the DPP took over the government, President Dr. Joyce Banda left the country on a self-imposed exile for almost four years. Some people argued that her self-imposed exile was to avoid potential arrest for the cash-gate scandal cases. In this instance, the presence of the MDF played a crucial role in ensuring that the politicians' intentions to nullify the elections were not achieved. The Commander of the MDF on the ground (93rd Brigade) exuded impartiality and professionalism, which averted an attempt to avoid potential arrest in connection with the Cash-gate potential security breakdown in the country that could have resulted in the loss of precious innocent lives and damage to property due to political greed.

4.2.3.2 The role played by the MDF in the 2019 General Elections in Malawi

The 2019 General Elections in Malawi marked a pivotal moment in the country's democratic evolution. Held on 21 May 2019, these tripartite elections—covering presidential, parliamentary, and local government seats—were among the most highly contested in Malawi's democratic history. At the heart of the tension was the presidential race, in which incumbent President Professor Peter Mutharika of DPP was declared the winner with 38.57% of the vote. His closest challengers were Dr Lazarus Chakwera of MCP who garnered 35.41%, and Dr Saulos Chilima of the United Transformation Movement (UTM), who secured 20.24%.

What followed the election results was an unprecedented national crisis rooted in public distrust of the electoral process. Allegations of electoral irregularities quickly surfaced, most notably the controversial use of Tipp-Ex correction fluid to alter results on tally sheets. This led many Malawians and political stakeholders to question the credibility of the election. Both the MCP and UTM rejected the results, and a wave of civil unrest erupted across the country.

The Human Rights Defenders Coalition (HRDC), a civil society umbrella body, played a prominent role in mobilising protests. These demonstrations, initially peaceful, escalated into violent clashes in several parts of the country, especially when the then MEC Chairperson, Justice Jane Ansah, refused to resign. The political and legal standoff deeply polarised Malawian society, with opposition parties, civil society organisations, and large sections of the public calling for a rerun of the elections.

As the protests intensified and the Malawi Police Service (MPS) struggled to contain widespread unrest, the government invoked Section 161(4)(a) in conjunction with section 160(1)(b) of the Constitution of Malawi, which empowers the President to deploy the MDF to assist civilian authorities in maintaining law and order when police capacities are overwhelmed. The MDF's intervention, although constitutionally sanctioned, was not a conventional security operation. Instead, it marked a rare and sensitive balancing act between ensuring national stability and protecting constitutional rights, including the right to peaceful protest.

Throughout this period, the MDF's conduct stood out for its professionalism and impartiality. Soldiers were deployed alongside police officers to protect infrastructure, prevent escalation of violence, and de-escalate tensions between protesters and law enforcement. In some instances, MDF personnel were praised for preventing police brutality and maintaining a buffer between demonstrators and the police. This reinforced public confidence in the military and elevated its image as a neutral institution committed to upholding constitutional order rather than serving partisan interests.

The MDF's intervention during the post-2019 election crisis is widely viewed as a constitutional act aimed at preserving public order and democratic space. Their restraint and impartiality helped prevent what could have escalated into a broader conflict. It also

contributed to the conditions that enabled the Constitutional Court's landmark judgment in February 2020, which annulled the presidential results and ordered fresh elections—a rare judicial precedent in Africa that underscored the role of institutions in safeguarding democracy.

The 2019 General Elections were marred by allegations of irregularities, including the infamous use of Tipp-Ex correction fluid on tally sheets. In response to claims of electoral fraud, demonstrations led by HRDC erupted, demanding the resignation of President Peter Mutharika and the head of MEC, Jane Ansah. Police were quickly overwhelmed by the size of the demonstrators (See Figure 3). The government, utilising Section 160(1)(b) of the Constitution of the Republic of Malawi, deployed the MDF to support the Malawi Police Service in curbing violent demonstrations.

However, the DPP political leadership, particularly the president, instructed the MDF Commander that he did not want any demonstrations in the streets of the main towns, as evidence showed they were causing significant property damage and that some hooligans were involved in shop looting. The organisers of the demonstrations sought court and city authorisation to march in the streets; therefore, halting the demonstrations as ordered by the president could have resulted in a contempt of court charge against the MDF Commander. Instead, the MDF Commander chose to engage in dialogue with the leaders of the demonstrations to convey the message to the protestors to adhere to their original plans rather than destroy and loot people's property. The commander further assured the leaders of the demonstrations that they would receive protection from the MDF if they conducted peaceful protests and followed their original plans.



Figure 6: MDF involvement in the 2020 Protest (Source: Malawi Archive)

On another note, the MDF commander and some senior MDF officers prepared a report to brief the President, proposing that the entire situation required a political solution rather than engaging the MDF to halt the demonstrations. The MDF command suggested to the President that he should engage the Public Affairs Committee (PAC) to negotiate with HRDC leadership to end the demonstrations. However, the President categorically declared that he could not negotiate with “terrorists” - the HRDC leadership. This meant that the demonstrations had to continue, to the detriment of Malawi’s economy. As the demonstrations persisted unabated, some government institutions compromised by the politicians and the DPP cadres began planning to target the leaders of the demonstrations to cultivate fear in them, hoping to disrupt the organisation of the demonstrations. Although there was no direct evidence regarding who bombed the UTM offices, resulting in one family being wiped out, or the firebomb thrown at Mr. Timothy Mtambo’s residence, all telltale signs pointed to secret meetings held by certain party officials.

The MDF Commander remained defiant against the Commander-in-Chief’s orders and played a supportive, stabilising role in managing the demonstrations. The opposition (MCP

and UTM) challenged the election results in court. As the court proceedings continued, the DPP leadership realised that the evidence in the case was not in their favour. Subsequently, unknown individuals began intimidating the judges so that the judges would rule in DPP's favour. Moreover, some individuals even attempted to bribe the judges with money, but they failed because the contacted judges reported the matter to the Chief Justice. Given this situation, the Chief Justice sent the High Court Registrar to contact the MDF Commander, requesting protection for the judges and their families, warning that the case would be discontinued due to security concerns, as it was believed that some people would harm them. The MDF provided 24-hour security for the judges and their families throughout the court period. The judgment in the case was pronounced on 2nd February 2020, in favour of the plaintiffs (MCP and UTM).

The court's verdict was historic, humiliating the DPP-led government. In this instance, the President decided to retire the MDF Commander, as he was deemed a sympathiser of the MCP and UTM. However, this highlights the core issue of civil-military relations; the political leadership in a state must recognise the balance of responsibility between the military and political leadership. In this instance, the political leadership exceeded constitutional bounds, pressuring the MDF commander to stop the demonstrations and deny security to the judges and their families during the trial period. The demands by the civil authority were contrary to section 160 (1)(a) of the Malawi Constitution, which assigns the MDF the responsibility to protect the country's citizens.

4.2.4 Malawi Defence Force intervention in State of Disasters: Cyclones and pandemics

The MDF plays a vital and multifaceted role in disaster management in Malawi, demonstrating its ability to adapt to non-traditional responsibilities while addressing the

nation's pressing needs. Part of its constitutional mandate under section 160(1)(c) is to; provide technical expertise and resources to assist the civilian authorities in the maintenance of essential services in times of emergencies.

One of the respondents had this to say:

“With the world focused on terrorism, conflict in several countries, it is easy to forget about the threat posed by natural disasters. Natural disasters pose as great a threat as conflict does to the well-being of millions of people across the globe and underlying livelihoods by wreaking havoc on property and natural resources. When disaster-affected states are unable to cope with the response and recovery to disasters on their own, they often turn to other states and the international humanitarian community to help manage the disaster response and to provide resources and know-how to ensure a quick recovery. In many instances, it is the national military of the affected state, often aided by international militaries that provide lifesaving aid in the immediate aftermath of the disaster. In Malawi, each time the country was hit by cyclones, our neighbours; Tanzania and Zambia provided support to Malawi such as helicopters and relief materials in aid of the displaced population. Military have the unique capability to move thousands of people and critical supplies and equipment needed, for example, to clear and open airports, sea ports and roads, and to restore essential infrastructure that would otherwise take weeks or months for other agencies to organise.”

MDF influence in crisis management encompasses the involvement of the military in coordinating responses to emergencies, both natural and human made. This influence extends beyond mere combat capabilities, integrating logistics, infrastructure, and strategic oversight to ensure effective crisis response. In crises such as natural disasters or pandemics,

the MDF has often provided vital resources and operational expertise. Their training in rapid mobilisation and resource allocation enables swift responses, minimising chaos and facilitating recovery efforts. The MDF's influence is evident in coordinating efforts across multiple agents, thus, enhancing overall crises management effectiveness. Moreover, military influence shapes decision-making processes during crises. MDF leaders often participate in strategic planning, helping to assess risks and determine priorities. This collaboration between MDF and civilian authorities enhances situational awareness, ultimately leading to more informed and timely actions. The role of MDF influence in crises management is gradually evolving, reflecting changes in societal expectations and technological advances. As MDF adapts to new forms of crises, their influence remains critical in shaping responses and fostering resilience.

In many instances, MDF has also been called upon to maintain order during civil unrest. The MDF's deployment during the 2020 demonstrations often reflected its substantial influence in domestic politics, as the MDF took control to restore stability where civilian authority faltered. These past crises underscore how MDF influence shapes the dynamics of crisis management, reinforcing both the potential benefits and the ethical dilemmas of military involvement in governance and public safety.

In contemporary governance, militaries are recognised as strategic partners in crisis management. They contribute expertise, logistical support, and coordination during emergencies such as natural disasters and health crises. This collaborative approach allows for a more effective response, blending military discipline and civilian protocols. The integration of military strategies into governance frameworks has also seen the establishment of joint task forces, allowing for streamlined decision-making amidst crises. This evolution signifies an acknowledgement of the MDF's unique capabilities, enhancing

the overall resilience of national emergency responses. As societies evolve, the role of the military continues to adapt, balancing the need for security with democratic values. The modern military's influence in crisis management emphasises professionalism and a commitment to civil governance while still recognising its pivotal role in safe guarding national interest.

The decision-making framework typically follows a hierarchical structure, where senior MDF personnel assess situations and direct responses. The structured approach facilitates rapid and effective action, ensuring that critical resources are mobilised efficiently. MDF influence in these processes is often marked by a blend of tactical analysis and operational readiness. Additionally, the collaborative frameworks established between MDF leaders and government agencies enhance decision-making. During crises, the MDF provides vital information and strategic insights, allowing for informed choices that balance military objectives with civilian needs. As a result, military influence in crises management is characterised by comprehensive analyses that prioritise successful outcomes while maintaining public safety. In the context of military influence in crises management, decision-making processes are critical. These processes involve strategic considerations that shape how military organisations respond to emerging crises, including natural disasters, conflicts, or public health emergencies. The MDF's extensive experience in crisis environments often positions them as key decision-makers.

Examining MDF influence in crisis management can be illustrated through notable case studies that reveal how MDF involvement shapes governance and decision-making processes. These instances underscore the complexities and nuances of such influences in various contexts. One prominent example is MDF's response to cyclones from 2019 to 2023. The MDF played a vital role in search and rescue operations and provided crucial logistical

support, highlighting their capacity to manage large-scale disasters effectively. Another significant case is MDF's involvement in crisis management during the Covid-19 outbreak, where the MDF helped contain the crisis through the establishment of treatment facilities and logistical support.

Military strategy influences crises outcomes through a variety of mechanisms. For instance, well-coordinated military responses can lead to faster stabilisation during national emergencies, affecting public perceptions and trust in leadership. Efficient deployment of troops and resources often minimises chaos and mitigates further escalation of crises. The military's structured decision-making process allows for quick responses to urgent situations. Strategic planning and execution in crises, such as natural disasters or terrorism can save lives and restore order rapidly. MDF's influence in crisis management ensures that critical interventions are timely and effective. Furthermore, military training emphasises discipline and organisation which are critical in chaotic conditions. Successful military strategies can enhance collaboration with civilian authorities, reinforcing public safety and crisis recovery efforts. Such partnerships often lead to improved outcomes, demonstrating the essential role of military's influence in crisis management. The repercussions of military strategies on crisis outcomes are significant. The effectiveness of these strategies determines not only the immediate impact of a crisis but also the long-term implications for governance and societal trust in institutions.

The involvement of MDF troops in crises management raises significant ethical considerations that impact both governance and civil society. Several key ethical concerns must be addressed when examining military influence in crisis management: civil-military relations; and upholding the balance between military authority and democratic governance remains crucial. A disproportionate military role risks undermining civil institutions. Use of

force; the potential for military intervention may escalate conflict rather than resolve it. Ethical frameworks must guide decisions on the proportional use of force to minimise harm to civilians. Transparency and accountability; military operations require clear guidelines to ensure transparency. Keeping the public informed fosters trust and compliance with democratic norms.

In navigating crisis management, MDF often faces several challenges that hinder their effectiveness. One prominent issue is the limitation of resources, such as funding, and at times, personnel may be stretched thin during simultaneous domestic operations. This scarcity can impact operational readiness and response time during crises. Another significant challenge lies in communication and coordination with civilian authorities. Mistrust can arise between military entities and civilian entities leading to a breakdown in cooperation. Efficient crises resolution hinges on seamless collaboration, which can be difficult when both parties prioritise different objectives or operate under distinct frameworks. Lastly, ethical considerations in military interventions create moral dilemmas that organisations must confront. Decisions regarding the use of force, the preservation of civilian life, and the extent of military authority in domestic affairs remain contentious, challenging military organisations in their quest for effective crises management.

The MDF's influence in crises management is evolving, reflecting shifts in societal expectations and global dynamics. This evolution underscores the need for the MDF to adapt its approaches to crisis situations while maintaining essential ties with civilian frameworks. In recent years, the dynamics of military influence in crisis management have evolved, reflecting a significant shift in military-civilian relations. The transformation is characterised by a more collaborative approach as civilian authorities recognise the unique capabilities that the military can bring during crises. Key trends include enhanced communication

between military and civilian entities, leading to better coordinated responses. This collaboration can be observed in various sectors, such as disaster relief, public health emergencies, and national security initiatives. As crises become more complex, the fusion of military resources and civilian expertise has become increasingly vital. Moreover, there is a growing emphasis on joint training exercises and simulations that involve both military and civilian personnel. This proactive approach not only builds trust but also enhances the effectiveness of response strategies during actual crises. The integration of technological advancements further amplifies the synergy between these entities.

Technological advances significantly shape MDF's influence in crisis management, enhancing operational effectiveness and coordination with civilian authorities. These innovations include advanced communication systems, data analytics, which streamline decision-making and improve situational awareness during crises. For example, real time data sharing through secure communication networks allows military leaders and civilian officials to maintain a coordinated response to emergencies. This synergy not only enhances the military's role in crisis management, but it also solidifies its influence in shaping governmental policies during critical situations. In essence, technological advances are pivotal in redefining how military influence operates within crisis management frameworks, fostering a collaborative environment with civilian authorities while elevating the strategic capacity of military organisations.

In various crises, military personnel often utilise their strategic frameworks to advise civilian authorities. By assessing risk factors and logistical requirements, the military can propose actionable policies aimed at mitigating the impact of the crisis. This collaboration can enhance the effectiveness of response strategies.

4.2.4.1 Malawi Defence Force's intervention in avoidance of humanitarian catastrophe: Case of Cyclone Freddy

Malawi is not typically hit by “hurricanes” in the way that Atlantic regions are, but it does experience the destructive impacts of tropical cyclones—powerful storm systems that, while they may weaken as they move inland, can still bring torrential rains, flooding, and widespread damage. Between 2019 and 2023, Malawi was hit by successive cyclones namely Cyclone Idai (2019), Cyclone Ana (2022), and Tropical Cyclone Freddy in 2023.

Tropical Cyclone Freddy (2023)

The most significant and well-documented event was Tropical Cyclone Freddy in March 2023. Although Malawi is a landlocked nation in southeastern Africa, remnants of cyclones from the Indian Ocean or Mozambique Channel can and do affect the country. In the case of Cyclone Freddy, its eye passed over parts of Malawi—most notably in the Nsanje district—bringing exceptionally heavy rains and leading to severe flooding. This event resulted in extensive displacement of households, infrastructural damage (including schools, health facilities, and roads), and unfortunately, a high toll in terms of lives lost and people injured. Situation reports from Malawi’s Department of Disaster Management Affairs and updates from humanitarian organisations provided figures indicating hundreds of fatalities and thousands displaced, underscoring the storm’s severity.

Other Weather Events:

While there are occasional heavy rainfall events and flooding in Malawi linked to the remnants of tropical systems, Cyclone Freddy stands out as the most impactful between 2019 and 2023. Other cyclonic or convective events may have occurred, but none reached the prominence or devastation of Freddy during this period.

Understanding the regional weather dynamics is crucial—although Malawi does not experience hurricanes per se, the remnants and associated heavy rains from tropical cyclones can trigger severe floods and landslides. This makes preparedness and effective disaster management essential even for a landlocked country.

There is also value in exploring how such events influence long-term policy and infrastructure planning, as well as what measures are being adopted to mitigate future risks. Cyclone Freddy's impacts on Malawi in 2023 were wide-ranging and devastating. Here's a detailed look at the specific impacts:

1. Widespread Destruction and Displacement:

The cyclone's torrential rains triggered flash floods, leading to landslides and debris flows. These events directly damaged critical infrastructure, including roads, bridges, and power grids. One assessment estimated that over 508,000 people were displaced across multiple districts, while another source noted that in total, over 2.2 million people were affected, with about 659,278 people displaced—the disruption touching almost every corner of the affected regions.

2. Housing and Infrastructure Damage:

The housing sector bore the brunt of Cyclone Freddy. Approximately 260,681 houses were either damaged or completely destroyed. In many instances, the floodwaters washed away residential areas along with essential infrastructures such as schools, health facilities, and public utilities. With roads and bridges swept away, communities found themselves isolated, complicating rescue and relief efforts. In some areas, power supply was interrupted for more than three days, deepening the crisis for affected residents.

3. Agricultural and Economic Impacts:

Malawi's agricultural sector, vital to its economy, was severely affected. The cyclone damaged crops that were nearing maturation and disrupted irrigation infrastructure. This not only resulted in immediate food security challenges but also threatened longer-term economic stability and livelihoods for communities dependent on agriculture. The overall economic impact spanned multiple sectors—housing, transportation, energy, and productive sectors—setting back local and national development significantly.

4. Humanitarian and Emergency Response Measures:

In response to the disaster, the government declared a state of emergency in 14 districts. Rescue teams were deployed swiftly, and over 534 evacuation centres or sites were set up, predominantly in public buildings like schools and churches, to shelter displaced populations. The coordinated response was aimed at addressing both immediate humanitarian needs and initiating plans for longer-term recovery and reconstruction efforts.

Cyclone Freddy not only affected the physical landscape of Malawi but also had profound social and economic repercussions. The multi-sectoral assessments conducted by organisations such as the Government of Malawi and humanitarian partners have been central to understanding the cumulative impacts and shaping recovery strategies.

The role played by MDF during Cyclone Freddy

The Malawi Defence Force was a key component of the government's emergency response during Cyclone Freddy. Although detailed accounts are dispersed across various reports, several general roles emerge from the official assessments and flash updates:

1. Search and Rescue Operations:

The Defence Force was mobilised to assist in rapid search and rescue efforts. Specialised teams were deployed to reach isolated communities and affected areas where flash floods and landslides had trapped residents. Their agility in navigating through flooded or debris-laden areas helped save lives during the critical early stages of the disaster.

a) Rapid Deployment and Coordination:

Once the severity of the flooding and mudslides became apparent, the Defence Force swiftly set up specialised search and rescue teams. Their mandate was clear: to reach isolated communities, navigate treacherous terrains, and rescue people and recover bodies. Coordination with local volunteers and authorities was essential, as residents' first-hand knowledge of their area proved invaluable in identifying trapped individuals quickly. This integration of military discipline with community insights greatly accelerated the response time.

b) Utilisation of Specialised Resources:

Among the advanced resources deployed were K9 sniffer dogs trained to detect human scent beneath layers of mud and debris. In one reported instance, in a house half-covered by mud, a small team comprising five soldiers, along with local community members, used three shovels to unearth a middle-aged man from beneath the collapse. This example illustrates not only the specialised skills of the teams but also emphasises the improvisation and determination under severe conditions. The inclusion of K9 units augmented human efforts, allowing the teams to cover more ground and improve accuracy in detecting survivors.

c) Tactical Challenges and Solutions:

The search and rescue operations were far from straightforward. The flooding transformed landscapes almost overnight—roads, bridges, and entire neighbourhoods became isolated

by water and muddy debris. This significantly hampered mobility and sometimes necessitated the use of alternative transportation means, including equipment-assisted methods and, in some cases, even the support of rescue aircraft from neighbouring regions. Such aircraft, provided by international partners like Zambia, were deployed particularly in hard-to-reach areas such as Mulanje, Phalombe, and Nsanje. This multi-pronged approach ensured that even the most inaccessible areas were reached in a timely manner.

d) Humanitarian Outcome Focus:

Beyond the immediate rescue of individuals trapped by the floods and mudslides, the teams also focused on the sensitive task of recovering bodies. This dual focus not only helped in saving lives but also played a crucial role in accounting for the disaster's toll and providing some closure to grieving communities. Between Tuesday and Thursday following the cyclone, teams rescued over 1,000 individuals, including many vulnerable groups such as children and women, thereby underscoring the critical life-saving impact of these operations.

The operations underscored the importance of having well-coordinated, adaptable search and rescue mechanisms in place during extreme weather events. The combination of specialised techniques, modern technology like K9 units, and collaborative community efforts was pivotal in mitigating further loss and accelerating the humanitarian response.

2. Logistical and Operational Support:

In the chaos following Cyclone Freddy, clearing roads and re-establishing transportation links was vital. The MDF provided robust logistical support by coordinating the removal of obstructive debris and enabling the delivery of relief materials, medical supplies, and food. Their involvement ensured that humanitarian agencies could reach even the most remote communities quickly.

3. Coordination and Communication:

Working closely with other government agencies – such as the Department of Disaster Management Affairs – and international humanitarian organisations, the Defence Force played a central role in the coordinated response. They helped relay critical situational information and assessments from the field, supporting decision-makers in prioritising areas for intervention and ensuring that response operations remained streamlined and effective.

4. Security and Maintenance of Order:

In the aftermath of the crisis, the Defence Force also played a role in maintaining secure environments at evacuation and temporary shelter sites. Their presence was instrumental in ensuring orderly distribution of relief supplies, protecting vulnerable populations, and preventing secondary incidents of looting or civil unrest during the recovery process.

Challenges faced in Search and Rescue operations

Search and rescue operations are intricate missions that often confront a multitude of challenges arising from both the environment and operational constraints. Here are some of the most commonly encountered issues:

1. Adverse Weather Conditions:

Extreme weather—such as heavy rain, high winds, fog, or snow—can transform an already dangerous situation into one that is even more unpredictable. Weather extremes hinder visibility, degrade communication signals, and can rapidly alter the environment (for example, by turning stable ground into treacherous mud or causing flooding) that further slows the response and jeopardizes both rescue teams and victims.

2. Challenging Terrain:

Many search and rescue missions take place in rugged or inaccessible areas. Mountainous regions, dense forests, urban rubble post-disaster, or vast deserts present obstacles such as

unstable ground, steep slopes, heavy debris, and limited pathways. This terrain demands specialised equipment and techniques, and navigating these environments can significantly delay search efforts and complicate extraction operations.

3. Time Constraints:

Speed is critical in search and rescue operations. The “golden hour” principle underscores that life-saving interventions are most effective within a narrow window. Rapidly changing conditions, along with the sheer urgency to locate and extract survivors, force teams to operate under immense time pressure, which can sometimes lead to compromised decision-making or rushed operations.

4. Communication Breakdowns:

Clear and reliable communication is the lifeline of effective coordination. However, in remote or harsh environments, equipment failure or weak signals are common. Additionally, complex, multi-team operations may suffer from protocol breakdowns, misinterpretation of commands, or even redundant communications, ultimately hampering coordination in critical moments.

5. Resource and Equipment Limitations:

Even well-prepared teams can be hampered by limited access to state-of-the-art equipment and technological support. Shortages of critical resources such as advanced detection tools (e.g., drones, thermal imaging cameras, or K9 units), specialised rescue gear, and well-coordinated logistical support can slow down operations and limit the scope of search efforts.

6. Human Fatigue and Stress:

Search and rescue missions are physically and mentally demanding. Prolonged periods in high-stress environments can lead to fatigue, reducing the efficiency of even seasoned operators. The cumulative stress from witnessing traumatic events and working under

constant urgency may also affect situational awareness and decision-making over the course of a long-duration operation.

These challenges highlight not only the complexity of managing a safe and efficient search and rescue operation but also the critical need for robust training, technological support, and seamless inter-agency communication. Each of these factors plays a vital role in enhancing the effectiveness of rescue efforts under pressure. Illustration of MDF's intervention in figure 7 below.



Figure 7: MDF Soldiers in search and rescue mission during Cyclone Freddy

(Source: Malawi Archive)

How military-civil cooperation has improved disaster response

Military–civil cooperation enhances disaster response by pooling the unique strengths of both military and civilian organisations to create a more comprehensive and effective response system. Here are several key ways in which this cooperation improves outcomes:

1. Enhanced Logistical and Operational Capacity:

Military forces bring experience in rapid deployment, advanced logistical networks, and well-drilled command structures. This is invaluable when disaster strikes and large-scale mobilisation of resources is necessary. Meanwhile, civilian agencies often possess intimate local knowledge and a focus on community needs. The military's ability to rapidly transport relief supplies, deploy aerial support such as helicopters, and clear critical infrastructure like roads and bridges complements the civilian focus on tailored aid distribution and ongoing recovery efforts. Together, this blending of capabilities leads to a far more efficient and adaptive operational framework.

2. Improved Communication and Coordination:

Disaster situations are marked by rapidly changing conditions and high uncertainty. Military organisations are well-practiced at operating under such conditions, with robust communication systems and well-established hierarchies to relay critical information. When these systems interlink with civilian organisations' networks, they facilitate real-time information sharing and integrated decision-making. This synergy minimises delays in response—helping to ensure that rescue operations and relief efforts are both timely and appropriately targeted.

3. Increased Resource and Expertise Sharing:

Civil-military cooperation allows for the sharing of specialised equipment, technical expertise, and personnel. The military often has access to advanced technologies—such as unmanned aerial vehicles (drones) for damage assessment, thermal imaging, and K9 units for search operations—that might not otherwise be available to civilian disaster management teams. This mix of high-tech and ground-level expertise enables more precise and effective

search, rescue, and recovery operations, thus directly contributing to saving lives and reducing economic losses.

4. Maintaining Public Order and Security:

In the chaotic aftermath of disasters, maintaining order can be as critical as delivering aid. The military's presence can help stabilise affected regions by safeguarding evacuation centres, securing supply distribution points, and preventing secondary disturbances such as looting or civil unrest. This not only protects vulnerable populations during their time of crisis but also helps build public confidence in the response efforts, ensuring that recovery operations proceed smoothly.

5. Facilitating Long-Term Recovery and Resilience:

Beyond the immediate relief efforts, military–civil partnerships contribute to the long-term recovery process. Their coordinated efforts often extend into rebuilding critical infrastructure, restoring essential services, and supporting community resilience initiatives. By integrating lessons learned from disaster response exercises, both sectors can continuously improve preparedness strategies and build more robust systems for future emergencies.

In summary, the cooperation between military and civilian agencies creates a synergistic environment where each party's strengths counterbalance the other's weaknesses. This leads to a more agile, well-resourced, and coordinated disaster response capable of addressing both immediate life-saving needs and the longer-term challenges of recovery and rebuilding.

4.3 Democratic control of the Malawi Defence Force by the elected authorities

The research findings highlight that the Malawi Constitution, as the supreme law of the land, has enshrined a framework for the democratic control of the MDF. Through this framework, the MDF is held accountable to the civilian-led structure of command and oversight, ensuring that the MDF remains accountable to Malawians through their elected representatives: the President and Members of Parliament. The constitutional framework has established a clear mandate, defined command structures, institutional checks and balances, and the supremacy of the President as Commander-in-Chief. This is illustrated in Figure 8 below:

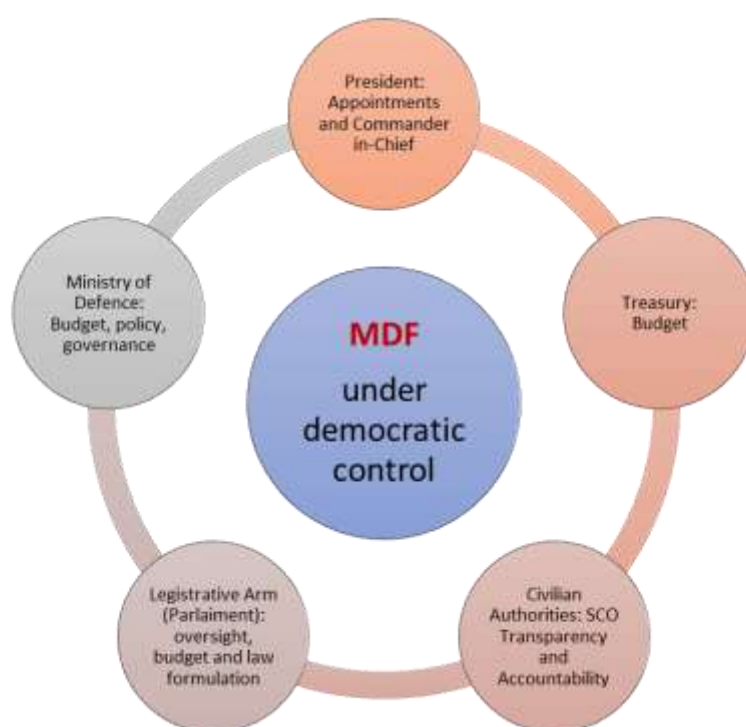


Figure 8: Democratic control of the Malawi Defence Force by elected authorities

4.3.1 Constitutional Mandate and Civilian Oversight

According to the Constitution, the MDF exists to defend Malawi's sovereignty, territorial integrity, and constitutional order. The MDF is presented as an apolitical institution that is subordinate to civilian authority. To ensure that the MDF remains subordinate to civilian control and stays apolitical, Section 160 of the Constitution subjects the MDF to the

authority of the Constitution and any Act of Parliament. The supreme law of the land limits the operations of the MDF to be guided by democratic values, stipulating that only civilians can lawfully amend their mandate.

4.3.1.1 Command Structure of the Ministry of Defence

The command structure of the Ministry of Defence, as outlined in the Constitution, is designed to strike a balance between effective defence capability and firm civilian oversight. It has the President as Commander-in-Chief, Minister of Defence, and Commander of Malawi Defence. The command structure has embedded two checks and balances institutions of the Defence Council, National Assembly, and the parliamentary committees of Defence and Security (See Figure 9). This structure upholds the principles of constitutionalism by ensuring that military power is exercised lawfully, transparently, and in service to democratic governance rather than political expediency.

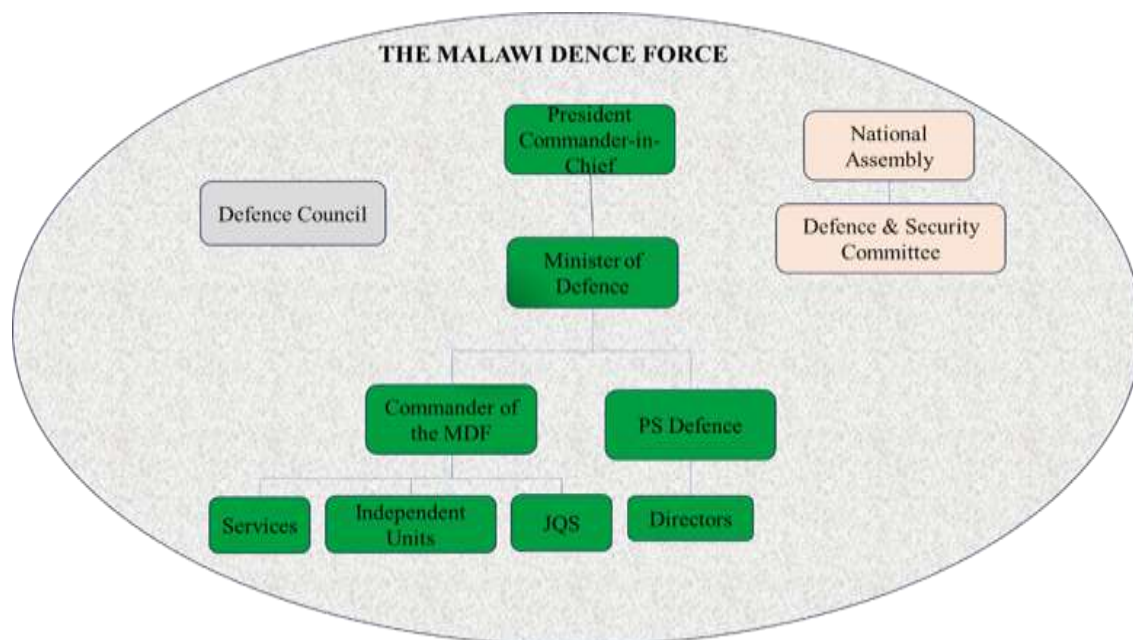


Figure 9: Command Structure of the Ministry of Defence

a. The President as Commander-in-Chief

The President of Malawi is the Commander-in-Chief of the MDF by power conferred on the President by Section 161(1) of the Constitution of Malawi. The Commander-in-Chief has supreme power over the MDF decisions and operations but the power is confined within the provisions of the Constitution. As the Commander-in-Chief, the President has the power to appoint the Commander of the MDF and other senior officers. The appointments are subjected to clear guidelines and consultation mechanisms within the MDF. Implying that the President's power is exercised within the limits of constitutional and parliamentary oversight. The Constitution is crafted in the manner that no one has absolute power but it promotes power sharing, while giving power of supremacy to civil authorities, such as politicians.

Section 160(1): “The Defence Force of Malawi shall operate at all times under the direction of those civil authorities in whom this constitution vests such powers.”

The MDF in this case has the power to check the extent of civil authorities' decisions and command over the military operations as provided for by the Constitution.

b. The Malawi Defence Council

Under Section 161 of the Constitution of Malawi, the Defence Council is established to advise the President on all matters of defence policy and military strategy. The Council plays a critical role in ensuring that decisions about the use and administration of the military are not taken unilaterally by the President. Its composition includes the Minister responsible for Defence, the Commander of the MDF, Deputy Defence Commander of the MDF, Chief of Staff of MDF (secretary), Service Commanders of MDF, Chief Legal Officer of MDF, Principal Secretary (PS) Defence, the Secretary to the President and Cabinet, Solicitor General and other key figures, creating a multi-institutional approach to military oversight.

The Defence Council helps bridge the gap between civilian authority and military command, promoting dialogue and coordination in line with democratic norms. It ensures that the use of force, military budgets, and strategic decisions are scrutinized within a consultative and accountable framework.

c. Commander of the Malawi Defence Force

The President appoints the Commander of the MDF who is accountable to both the President and, by extension, to the constitutional order. The Commander is responsible for the operational control and day-to-day administration of the military. While the Commander reports to the President, their actions are expected to conform to the principles of professionalism, non-partisanship, and constitutional loyalty. This role is crucial in crisis situations such as elections, transitions of power, or civil unrest. The Commander's responsibility is to ensure that the military remains neutral, protects national security, and supports lawful civilian governance.

d. The National Assembly

The National Assembly plays a critical role in overseeing the military. Section 161(4)(5) requires that the powers of the President as Commander-in-Chief be subject to the Constitution and laws made by Parliament. The National Assembly is thus empowered to legislate on military matters, approve defence budgets, and scrutinise defence policies through parliamentary debate and committee systems. This legislative function ensures that military decisions are not taken in isolation from democratic institutions and that the MDF is accountable to the people through their elected representatives.

e. The Defence and Security Committee of the National Assembly

A specialised parliamentary committee on Defence and Security is established to provide focused oversight of military affairs. This committee reviews military expenditures, interrogates defence policies, and monitors the performance and conduct of the MDF.

By holding hearings, summoning senior military and defence officials, and engaging in policy review, the committee serves as a watchdog, ensuring that the military operates transparently and in line with constitutional principles. This is especially critical in emerging democracies like Malawi, where robust oversight mechanisms guard against the politicisation or misuse of the armed forces. Figures 8 illustrates the democratic control by elected authorities over the Malawi Defence Force.

4.3.2 Conflict Between Civilian Authorities and the Military and its impact on effectiveness and accountability

Respondents acknowledged that inherent differences in cultural norms and operating conditions between political leaders and military officers are a perennial source of tension in democratic systems. Politicians tend to thrive in conditions of ambiguity and uncertainty, often achieving success by mastering such complexities. In contrast, military officers prioritise clarity of mission and certainty in conditions, as the absence of these elements in military operations can lead to disastrous decisions. During interviews, one had this to say:

“The military doesn’t just take orders without examining their implication on their constitutional obligations. We respond to civil authorities as the orders come, but not every directive is taken at face value. If the order or request to be executed is political or could have serious consequences to the democratic rights of the citizen, the military might push back or propose a different way to handle the situation. It’s not about

defiance, but about being cautious and responsible to the constitution” (KII 0016/2022).

For example, the military refused to take orders from the civil authorities when they were ordered to take arms and keep law and order in the refugee camp when there were reported unrest and armament.

One respondent had this to say:

“There was a situation where the government requested the military to maintain law and order at a refugee camp. The military declined, citing that armed deployment could escalate hostilities and result in an international outcry, as it might be perceived as the military attacking refugees. Similarly, the military's involvement in guarding forests presents another challenge” (KII 00172022).

One respondent cautioned that:

“While armed forces could potentially deter illegal activities, the use of arms in such situations might result in legal and ethical concerns. Conversely, operating without arms could lead to incidents of excessive force, such as torture, which have reportedly occurred in some cases” (KII 00182022).

It was found that the MDF strives to maintain integrity as one respondent stated:

“The military is cautious to avoid actions that could compromise its integrity or draw unnecessary criticism, particularly when political partisanship or misuse of its mandate is involved. This careful balancing act underscores the need for clear, non-partisan, and legally sound directives when engaging the military in non-traditional roles” (KII 00192022).

Box 2: Memoir of General Vincent Nundwe

I was appointed Commander of MDF on 20th June 2019, just after the 2019 Presidential Elections, which resulted in mass demonstrations and culminated in fresh presidential elections in 2020. The country was experiencing chaotic security situations due to a breakdown of law and order caused by the demonstrators. The HRDC, which was the lead CSO, could not control its masses, who took advantage of the demonstrations to vandalise and loot people's businesses. The police were overwhelmed, and MDF troops were deployed to support them under section 160(1)(b) of the Constitution of the Republic of Malawi. Around the same period, the COVID-19 pandemic surfaced in Malawi. The COVID-19 spread rapidly, such that the President had to declare a state of disaster, which also necessitated the intervention of MDF medical personnel to support the Ministry of Health authorities in setting up quarantine centres in readiness for COVID-19 patients.

There are rare occasions when the Commander-in-Chief can, and must, order the military to respond to internal crises, whether catastrophic natural disasters, devastating accidents, or armed attacks. The principle of presidential intervention holds that the president can and sometimes must intervene when state and ordinary judicial proceedings cannot or will not maintain order, public safety, or the equitable enforcement of the law against armed opposition. The president may also intervene using the military when state personnel or facilities are in significant danger.

I experienced the effects of four disasters: Cyclone Idai, Cyclone Ana, Cyclone Freddy, and the COVID-19 pandemic. The president declared a state of disaster during all these crises. In this instance, it constituted a constitutional crisis that

pertains to exceptional circumstances when political authorities must respond to events threatening national security. The military serves as the most readily available utility organ and first responder for the government. Thus, the Malawi Defence Force, under section 160(1)(c) of the Constitution of the Republic of Malawi, is required to provide technical expertise and resources to assist civil authorities in maintaining essential services during emergencies.

In all these crises, MDF was invited to coordinate with various government institutions and NGOs to intervene by providing humanitarian assistance to the displaced population. MDF was also conducting search and rescue operations using both boats and helicopters. The interventions were often very timely, but due to the scale of the disasters, not all areas could be covered simultaneously. This resulted in loss of lives. The cyclones had fundamental effects on the physical landscape of Malawi, which had profound social and economic repercussions. There was massive damage to critical infrastructure, including roads, bridges, and buildings. The agricultural sector was severely affected, resulting in challenges to food security.

The MDF, as a key utility organ of government, mobilised to assist in search and rescue operations and the delivery of humanitarian relief items to displaced populations. However, I observed that in nearly all situations during disaster operations, some politicians and prominent civilians tended to request support for their areas directly from MDF command, bypassing the Department of Disaster. In these circumstances, the MDF is not meant to serve individual interests, as it is deployed to support the Department of Disaster, which has the constitutional responsibility to manage disasters in the country. I realised that these politicians

were merely taking advantage of the crisis to promote their image in their respective constituencies. Such requests became common practice during disasters, as most people panic and do not consider the established chain of command when calling for support.

On the other hand, as Commander of the MDF, I observed many challenges each time disasters struck the country. Firstly, there is the issue of utility helicopters for use in search and rescue missions. During the one-party era, the MDF had a considerable fleet of helicopters that were readily available for disaster response. For instance, the MDF intervened during the Phalombe disaster in March 1997 when the country experienced flash floods. The Malawi government also deployed MDF helicopters to Mozambique when it was affected by flash floods in the year, 2000. Unfortunately, due to a lack of maintenance, all the helicopters have been grounded. Since then, the Malawi government has had to request helicopters from neighbouring countries, Tanzania and Zambia, when calamities occur. This situation places our country's security at risk from our adversaries. Another challenge is the availability of engineering equipment, such as bailey bridges, which are used to temporarily reconstruct washed away bridges. In the pre-1994 era, the MDF procured several bailey bridges that were deployed during disasters. However, after 1994, all the bailey bridges in stock were permanently used to replace washed away bridges during disasters, and the stock was never replenished. Consequently, the MDF began relying on the Ministry of Transport and Public Works to provide the equipment through the Department of Disaster, a bureaucratic process that led to delays in rescue missions.

Another significant challenge encountered was the unnecessary entanglements in the procedures for procuring new helicopters for the MDF. The government had allocated funds for the exercise; however, some greedy and unprofessional individuals chose to disrupt the process, resulting in the MDF still lacking helicopters to this day.

4.4 The Strategies for Constitutional Civilian Control Over the Malawi Defense Force

Constitutional civilian control of the MDF is a critical element in maintaining democratic governance and stability. This framework ensures that the military remains subordinate to elected civilian authorities while adhering to the principles of professionalism and non-partisanship (Malawi Government 2004). Insights from interviews and respondents have been organised into seven key areas: Democratic Oversight Mechanisms; Separation of Powers and Checks and Balances; Legislative Controls; Financial Oversight; Organisational and Policy Frameworks; Education and Professionalism; and Balancing Power Dynamics.

4.4.1 Democratic Oversight Mechanisms

The Constitution of Malawi establishes the President as the Commander-In-Chief, placing the military under clear civilian leadership. This delineation prevents interference by other branches of government and ensures that authority is centralised within the executive.

One respondent explained:

"The subordination of the military to civilian authority is not arbitrary; it is grounded in the Constitution, specifically in section 161, which explicitly states that the military shall remain subordinate to the civil authority" (KII 0020).

This clarity in the chain of command reduces the likelihood of power struggles and maintains the integrity of the military's operations.

Despite this constitutional framework, challenges persist. Some respondents noted that civilian leaders sometimes expect the military to act in partisan ways, which undermines their professionalism.

As one interviewee remarked:

“When political leaders demand partisanship or issue questionable orders, it places the military in a difficult position. Subordination should not mean blind obedience; it must align with principles of constitutional governance and national interests” (KII 0021).

Another interviewee emphasised the importance of implementing appropriate orders that align with positive authority. They stated:

“True subordination involves discipline, respect, and constructive advice to civilian leaders. Blindly following all orders, regardless of their impact on the nation, can have disastrous consequences” (KII 0022).

The respondents underscored that while the military must respect civilian leadership, it also has an obligation to operate within the framework of law and ethics.

4.4.2 Separation of Powers and Checks and Balances

The principle of separation of powers ensures that decisions involving military action, such as going to war, are made by elected officials accountable to the people. Unlike military officers, who operate within their mandate and focus on tactical execution, civilian leaders must justify the rationale for these decisions to the public. This system not only preserves

the democratic order but also prevents the militarisation of political processes (McInnis, 2020). McInnis further posits that the most striking characteristics of modern statehood is a paradox: the separation of powers and monopolisation of force. Any modern democratic constitution ensures that the legislative power, is the one which executes the law. With the modern state, civil society has given itself a tool of coercion that assures the populace of security from both external and internal threats while, at the same time, giving them the opportunity to live out their freedoms and determine themselves within the boundaries of legal justice. One respondent highlighted:

“Civilian leaders must have a broader perspective when making decisions about military action. They consider factors beyond the immediate tactical context, which the military might overlook due to its specific focus on operational objective” (KII 0023).

The supremacy of the Constitution serves as the foundation for these relationships. When civilian leaders adhere to constitutional principles, such as the automatic succession of the vice president in the absence of the president, it reinforces military confidence in their leadership (Metz 1995). As another respondent noted:

“The military operates on principles of discipline and legality. When civilian leaders follow the Constitution, the military naturally aligns with their directives because they trust the legitimacy of those decisions” (KII 0024).

However, respondents emphasised the importance of civilian leaders understanding the military’s capabilities and limitations. One participant explained:

“Civilian leaders must make informed decisions that align with the military’s resources and capacity. Ignoring this understanding creates friction and reduces the effectiveness of directives” (KII 0026).

One respondent had this to say:

“The security sector represents an area of national politics, which is particularly subjected to the system of checks and balances of governance in an open and democratic society. The necessity to ensure accountability of those who hold executive responsibility in security and defense affairs derives from the immense power that rests with this bestowment and is mostly directed towards the legislative authority, the parliament, as the representative body of the people. To provide transparency with respect to how the nation’s means of force are administered rests with both major parts of national power, the executive and the parliament, and is primarily oriented toward the public” (KII 0027).

4.4.3 Legislative Controls

The legislature plays a crucial role in maintaining civilian control over the military. Through the approval of military budgets, laws governing the defense sector, and oversight of operations, Parliament ensures accountability. Sections 161 and 162 of the Constitution highlight the role of the legislature in monitoring defense activities, particularly through budgetary reviews and inquiries.

Respondents acknowledged gaps in legislative expertise, with one stating:

“There is a lack of civilian defense experts within Parliament and the Ministry of Defense who can effectively scrutinize military budgets and policies. This gap undermines the quality of oversight” (KII 0028).

Another respondent highlighted the importance of legislative engagement with the military, noting:

“Regular visits by parliamentary committees to military facilities foster transparency and build trust between civilian authorities and the MDF” (KII 0029).

4.4.4 Financial Oversight

Financial transparency is essential to prevent resource misuse and ensure that military budgets align with national priorities. Respondents noted that Malawi has yet to develop a comprehensive national security strategy that integrates military budgeting with broader national interests. One participant pointed out:

“Without a national security strategy, it is challenging to allocate resources effectively. This gap leaves the military underfunded and ill-equipped to address emergencies” (KII 030).

Respondents also emphasised the need for a proactive approach to military financing. One remarked:

“Our political leadership needs to invest in building the capacity of the military. When disasters strike, like Cyclone Freddy, we find ourselves unprepared and reliant on external assistance” (KII 031).

One method of civilian control is through budgetary constraints. The Malawi Government exercises the “power of the purse” by limiting defense budgets and dictating how appropriated funds can be spent by the military. Strict control over defense expenditures ensures close observation of military activities. Importantly, the appropriation and execution of the defense budget provide a means for the legislature to maintain regular communication with military authorities. For example, the Parliamentary Committee on Defense and

Security frequently involves the MDF command and visits military cantonments to inspect the progress of projects funded under the MDF budget (MDF Act 2004).

However, a significant observation by respondents was the lack of a civilian cadre of defense experts within either the legislature or the Ministry of Defense (MoD) capable of making informed decisions about defense expenditures. This lack of expertise has created an atmosphere of mistrust toward civilians responsible for oversight, leading to polarisation within the MDF. Evidence of this mistrust is reflected in the inadequate operational equipment provided to respond to emergencies during disasters. This lack of preparedness underscores the urgency of designing a strategic approach to military funding.

4.4.5 Organisational and Policy Frameworks

The MDF's organisational structure ensures its subordination to civilian leadership. The Defense Act delineates operational boundaries, emphasising the military's role in supporting civilian authorities. This framework prevents unauthorised civilian officials from issuing ad hoc directives and ensures compliance with constitutional protocols. One respondent emphasised:

“The Defense Act creates a clear chain of command, ensuring that all military actions are coordinated through proper channels. This structure protects the military from being exploited for political purposes” (KII 0032).

4.4.6 Education and Professionalism

Promoting education and professionalism within the MDF fosters accountability and alignment with democratic principles. Training programs that emphasise constitutional responsibilities, human rights, and non-partisanship play a crucial role in aligning military values with democratic ideals.

Respondents highlighted the need for integrating civilian perspectives into military education. One stated:

“Civilian involvement in military training fosters mutual understanding and enhances the military’s ability to operate within a democratic framework.” Another respondent remarked, “Professionalism ensures that the military remains focused on its mandate and avoids being drawn into partisan politics” (KII 0033).

4.4.7 Balancing Power Dynamics

Civil-military relations depend on maintaining a balance of power. Politicians thrive in ambiguous environments, while the military requires clear directives to function effectively. One respondent noted:

“Regular dialogue and collaboration between civilian and military leaders minimize misunderstandings and build trust” (KII 0034).

At the apex of the national security structure is the President, supported by key advisors, ensuring centralised decision-making. However, the president is supposed to inform the national assembly promptly and in appropriate detail. Further, the MoD is headed by a civilian minister to whom the Commander of the defense force of Malawi is accountable, and the minister has the political responsibility over the MDF (Malawi Government 2004).

The MoD houses both civilian and military staffs. The role of the civilians is to assist with the formulation and presentation of policy, relations with parliament and the media, financial and legal issues or international relations (Sarkesian et al 2002). Whilst some of the technical advisers are military officers, defense is a deeply political subject and a civilian minister of defense needs advice on policy formulation, on handling parliament and the media, on dealing with other departments and other countries, and on wider policy and legal issues,

financial management and into international matters. This cadre of permanent officials in the MoD working with the military staff is called “civil servants”. As already alluded to above the framers of the constitution of Malawi designed a system of civilian control of the military in a manner that conformed with government overall architecture of “checks and balances”. An elected president was designated the Commander in Chief of the nation’s Defense Force. This had the dual advantage of ensuring that an elected civilian leader presided over the nation’s military while at the same time enhancing unity of command over the military. The president was also granted the ability to commission military officers, authority to appoint Ministers of Defense to preside over military service, and the responsibility to regularly report to the legislature on the State of the Nation Address.

4.5 The framework for upholding constitutionalism in civil-military control in Malawi

Addressing specific objectives 1, 2, and 3 to uphold constitutionalism in civil-military control in Malawi requires all stakeholders to position constitutionalism as the core organising principle. The framework includes various actors, such as civilian authorities, military institutions, and governance structures, which interact with one another to maintain democratic order. It has been established that each actor possesses distinct interests that may be personal or constitutional. The findings indicate that the decisions made by civilian authorities and the military exert multidirectional influences. These influences are depicted by the arrows, illustrating how constitutional values are shaped by, and in turn shape, these institutions through ongoing engagement, oversight, and accountability mechanisms in Figure 10.

4.5.1 Civil-Military Interactions in Malawi: Perspective on Constitutional Triggers –injects

The framework illustrated in Figure 10 is divided into three key domains: the first (left side) highlights the realm of civil-military interaction, where elected politicians, civil servants, and the military engage through oversight, commands, strategic planning, and operational subordination. The civil servants operate under the Principal Secretary of Defence.

In Malawi’s evolving democracy, the relationship between civilian authorities and the MDF has been shaped by various political and constitutional events. The following section offers a grounded interpretation of how both civilian and military actors have responded to nine specific triggers—referred to as “injects”—that have tested the strength of constitutionalism and democratic control over the armed forces.

(a) Election Management

Elections in Malawi—especially when marred by controversy—have repeatedly drawn the MDF into the spotlight. The “Tipp-Ex Elections” of the 2019 presidential election, which were characterised by irregularities and attracted nationwide protests led by Civil Society Organisations (CSOs), drew the army into involvement. At the same time, MEC was under intense scrutiny by the CSO and electoral stakeholders. The MDF was requested to ensure the security of polling centres and protect electoral materials. The MDF presence was widely viewed as a stabilising force, ensuring that protests did not descend into chaos. While the MDF provided security and ensured peaceful demonstrations, the political parties and CSOs were mobilised to demand electoral justice through courts. The Supreme Court nullified the election results, a landmark ruling that reinforced the independence of the judiciary. Throughout this

tense period, the MDF maintained its neutrality, earning public trust by protecting institutions rather than individuals.

(b) Leadership Succession

Malawi's leadership succession, notable moments in Malawi's political history, came in 2012 following the sudden death of President Bingu wa Mutharika. The constitutional line of succession was clear—Vice President Joyce Banda was next in line—but some influential figures within government sought to prevent her from assuming power. During the power vacuum, the MDF secured Banda's residence to send a clear message that she was the next President of the Republic of Malawi as provided for in the Constitution. The military's objectivity helped calm tensions and ensured a smooth, lawful transition.

(c) Security Crises

The MDF has consistently provided support during moments of national insecurity. The MDF has often covered the Malawi Police Service whenever the police are overwhelmed; a specific example is the disputed 2019 elections protests. Responding to a request from civilian authorities, the MDF stepped in to help restore order, contrary to the wishes of the Commander-in-Chief. The armed forces focused on protecting critical infrastructure and preventing violence, acting as a stabilising force in collaboration with other state institutions. Although there was reported violence against the police officers who overstretched their authority over citizens, the MDF demonstrated its role as the guardian of peace and constitutionalism under civilian command.

(d) Power Vacuums

The MDF during periods of political ambiguity—such as delays in electoral results or leadership crises—has adopted a cautious yet deliberate approach. The military has engaged closely with civilian leaders to ensure its actions align with the Constitution; for instance, during the 2012 succession debate, the MDF avoided any power grab and instead facilitated a peaceful handover of power to President Joyce Banda.

(e) Civil Unrest

When protests escalate into violence, the MDF often steps in to assist the Malawi Police Service. For example, during the 2011 protests against the Mutharika government, demonstrators expressed frustration over economic mismanagement. The police struggled to contain the unrest, which prompted military intervention. Although the presence of soldiers raised concerns about militarisation, many citizens appreciated the relative restraint with which the MDF operated. Human rights groups called for oversight but also acknowledged the military's role in preventing further bloodshed.

(f) Budget Control

Civil-military relations are also shaped by debates around defence funding; for example, the National Assembly, through its Defence and Security Committee, is tasked with overseeing military budgets. The civilian authorities may not allocate enough funding to the MDF or may delay it altogether. However, the military has advocated for better support, while civilian leaders have emphasised accountability. The dialogue has prompted budget hearings, reviews, and policy adjustments,

illustrating the ongoing negotiation between civilian oversight and military operational needs.

(g) Power Offers

There have been moments when political actors attempted to draw the military into partisan conflicts by offering power. This occurred during the 2019 election crisis. In both instances, MDF leadership rebuffed such overtures, reaffirming their neutrality and commitment to the Constitution. Their refusal of power preserved the legitimacy of the broader democratic process.

(h) Military Subordination

The principle of military subordination to civilian control is embedded in Malawi's constitutional order. The MDF has consistently operated under the authority of the Ministry of Defence, the Office of the President and Cabinet, and parliamentary oversight. Decisions regarding troop deployment, procurement, and national security priorities have generally followed these civilian-led processes. While tensions occasionally arise—particularly when the military feels constrained by bureaucracy or political interference—the overall pattern has been one of respect for democratic institutions.

(i) Command Authority

Questions of command and legitimacy can become especially fraught during times of transition. In 2012, some government officials and security elites tried to block Vice President Joyce Banda from assuming the presidency after President Mutharika's death. The MDF's leadership responded by affirming its loyalty to the constitutional order, helping to resolve the standoff. This move was critical in

demonstrating that military command is not rooted in personal allegiance but in adherence to legal and institutional mandates.

4.5.2 Application of the Framework to Uphold Constitutionalism

Civilian control of the military is central here and necessary for maintaining democratic legitimacy. The second domain (upper and lower boxes) encompasses institutional structures, such as legislative oversight bodies, judicial systems, and policy instruments that regulate and limit power (See figure 10 below). These bodies form a protective ring that upholds the constitutional order, preventing arbitrary or unconstitutional actions. The third domain (right side) illustrates outcomes and feedback loops, wherein the results of effective governance, such as peace, public trust, national stability, and a strengthened rule of law, feed back into the system to reinforce commitment to constitutional norms.

However, this dynamic system is not static. It is subject to *injects*, which are critical variables or triggers that can stress-test civil-military relations and require coordinated responses. As described in the conceptual model and observed in practice, injects such as election management, leadership succession, security crises, power vacuums, civil unrest, budget control, power offers, military subordination, and command authority initiate responses from both civilian and military actors. These injects may prompt military involvement either to stabilise the system or, in fragile contexts, to fill perceived gaps in authority. For example, a power vacuum following the sudden death of a president might require the military to protect institutions while awaiting civilian succession, as seen in Malawi in 2012. Similarly, election-related unrest, for example, in 2019 disputed elections, trigger military deployment under civilian command to ensure public safety and uphold constitutional order.

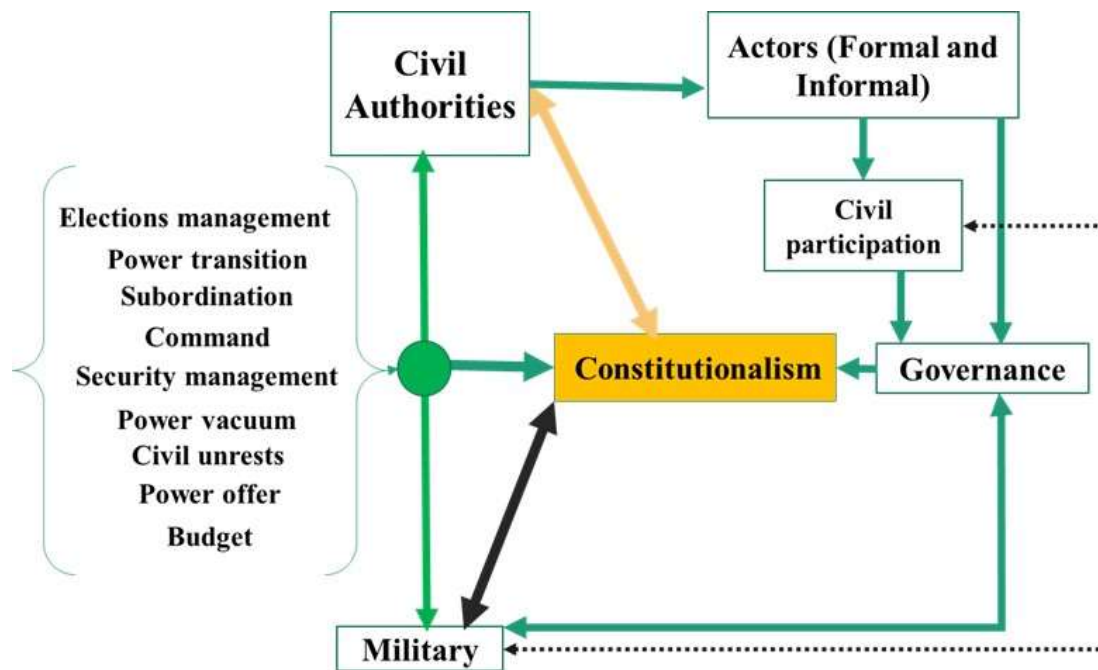


Figure 10: Conceptual Framework on the dynamics of constitutionalism

4.6 Conclusion

This chapter has explored how the MDF has engaged with Malawi’s evolving democratic landscape and contributed to constitutional governance through its conduct and institutional alignment. The findings were structured around the four specific objectives and provided critical insights into the complex, yet often under-examined, civil-military dynamics in Malawi. Firstly, the study found that the MDF’s interventions in political and constitutional crises have largely been guided by principles of constitutionalism and restraint, with *Operation Bwezani* standing out as a pivotal moment. This intervention not only dismantled the paramilitary MYP but also paved the way for democratic transition, illustrating the MDF’s capacity to act in defence of the public interest when civilian authority faltered. Secondly, on civilian oversight, the findings show that although mechanisms exist—such as parliamentary committees and constitutional provisions—their effectiveness has varied over time. While the Defence and Security Committee has occasionally played a watchdog role, political interference and limited technical capacity have undermined consistent enforcement of oversight. Thirdly, in analysing the strategies used by civilian authorities to

control and influence the military, it emerged that appointment powers, legislative frameworks, and budgeting have been the primary tools. However, the effectiveness of these strategies depends heavily on the political will and ethical commitment of those in power, suggesting a need for more robust and independent oversight structures. Finally, the chapter presented a conceptual framework for strengthening constitutionalism in civil-military relations, grounded in the realities of Malawi's political history and institutional experience. The framework calls for the reinforcement of democratic norms, professionalisation of the MDF, inclusive civilian engagement in security policy, and the depoliticisation of military appointments. Together, these findings offer a nuanced understanding of the MDF's role in democratic governance and highlight the ongoing challenges and opportunities for enhancing constitutional order in Malawi.

CHAPTER 5: DISCUSSION

5.1 Introduction

This chapter presents discussion of results guided by objectives; assessment of the role played by MDF in upholding the constitution, an analysis of the democratic control of the MDF by the elected authorities, an examination of the strategies for enabling constitutionalism on the elected authorities to ensure the operations of the MDF and develop the framework for upholding constitutionalism in civil-military control in Malawi.

5.2 The Nature and Extent of MDF's Interventions in Political and Constitutional Crises Since 1994

Since Malawi's historic transition to multiparty democracy in 1994, the MDF has emerged as a central actor in upholding constitutional governance during moments of political tension and crisis. Although the Constitution mandates the MDF to remain under civilian control and refrain from political partisanship, its interventions in various high-stakes situations reveal a nuanced, evolving role—one that balances professionalism with constitutional responsibility in times of national uncertainty.

One of the most significant episodes highlighting the MDF's intervention in a constitutional crisis is *Operation Bwezani*, which took place in December 1993. Although technically just before the full implementation of multiparty democracy, the operation set the tone for the military's future role in Malawi's democratic transition. The operation was prompted by escalating tensions between the MDF and the MYP, a paramilitary wing of the then-ruling MCP. At the time, the MYP was widely perceived as an oppressive tool used to intimidate citizens and suppress opposition to Dr. Hastings Kamuzu Banda's autocratic rule. As the country approached its first democratic elections, the MYP's actions posed a direct threat to national stability and the possibility of free and fair elections.

The tipping point came when members of the MYP fatally shot two MDF soldiers during a confrontation in Mzuzu. This sparked a spontaneous and widespread military response, as MDF units across the country mobilised to disarm MYP operatives in what became a nationwide operation. The MDF's intervention was both bold and unprecedented. It bypassed the top military leadership—who were perceived as loyal to Banda—and was driven by junior ranks who felt a patriotic duty to restore national dignity and protect the path toward democracy. Within days, the MDF had dismantled MYP bases, seized stockpiles of illegally obtained arms, and significantly weakened MCP's oppressive grip on the population.

Operation Bwezani thus stands as a watershed moment in Malawi's political history. It not only disarmed a powerful political militia but also reasserted the military's alignment with constitutionalism over autocratic loyalty. The fact that this operation was primarily supported by civil society, the general public, and even some opposition politicians underscore the perceived legitimacy of the MDF's actions. Notably, the intervention paved the way for a relatively peaceful and credible general election in 1994.

In the post-Bwezani period, the MDF has maintained a reputation for neutrality and professionalism during several subsequent constitutional crises. One such example occurred in 2012, following the sudden death of President Bingu wa Mutharika. As political uncertainty gripped the nation, speculation arose that the ruling elite might attempt to block the constitutional succession of Vice President Joyce Banda. In this fragile moment, the MDF took a firm stance. Under the leadership of General Henry Odillo, the military made it clear that it would uphold the Constitution, even threatening to intervene if any unlawful succession plan was pursued. This stance was widely praised domestically and

internationally as a textbook case of the military safeguarding democratic order without overstepping its mandate.

Similarly, during the 2019–2020 electoral impasse, which saw the disputed re-election of President Peter Mutharika, the MDF once again emerged as a key stabilising force. The country witnessed widespread demonstrations organised by the civil society and opposition parties, protesting the alleged manipulation of election results. Although tensions escalated and some protests turned violent, the MDF maintained order in coordination with the police and refrained from suppressing lawful demonstrations. Most notably, the MDF was perceived to have acted independently and impartially, refusing to be co-opted by political interests.

Throughout these crises, the MDF's actions reflected an evolving doctrine rooted in professionalism, national unity, and constitutionalism. Rather than acting as a political actor, the military assumed the role of a guardian of democratic norms, showing remarkable restraint and respect for civilian supremacy. This approach has helped maintain public trust in the institution and distinguish it from other armed forces in the region that have frequently resorted to coups or political interference.

However, the MDF's neutrality has not come without challenges. There have been allegations and suspicions, particularly during election seasons, that the military might be influenced by prevailing political interests. Some observers have also expressed concern over the limited transparency surrounding high-level military decisions and the lack of robust civilian oversight, particularly from Parliament. The Defence and Security Committee of Parliament, while constitutionally mandated to oversee military operations and budgets, has at times been viewed as ineffective or under-resourced.

Despite these concerns, the extent of the MDF's interventions has remained mainly within constitutional boundaries. The institution has consistently demonstrated a commitment to upholding the democratic order, even under conditions of political pressure. By acting decisively when civilian institutions were weak or compromised, such as during *Operation Bwezani* or the 2012 succession crisis, the MDF has played a formative role in stabilising the country's democratic trajectory.

5.3 Democratic Control of the Malawi Defence Force by Elected Authorities

Democratic control of the military is a foundational principle of constitutional governance in any democratic society. In Malawi, this principle has taken root gradually since the transition from autocratic rule in 1994. The MDF, as the national military institution, operates under a constitutional mandate to remain apolitical, professional, and subordinate to civilian authority. However, the realisation of democratic control over the military is shaped by both formal mechanisms—such as constitutional provisions, legislative oversight, and institutional reforms—and informal practices involving political will, civil society scrutiny, and historical legacies.

According to Huntington's theory of objective civilian control, democratic oversight is best achieved when the military is granted autonomy in operational affairs while remaining firmly subordinate to elected civilian leaders in policy and strategic decisions (Huntington, 1957). This separation is intended to prevent the politicisation of the armed forces while ensuring civilian supremacy. Malawi's post-1994 constitutional order reflects this philosophy by outlining clear provisions for civilian oversight of the MDF, including the roles of Parliament, the Minister of Defence, and the President as Commander-in-Chief. However, as Janowitz (1960) and Schiff (2009) argue, formal structures alone are insufficient. Civil-military relations must also be informed by mutual trust, shared values,

and societal consensus—elements that take time to build, particularly in transitional democracies.

In practice, Malawi has experienced both successes and tensions in exercising democratic control over its military. The most defining moment remains *Operation Bwezani* in 1993, where the MDF took decisive action to dismantle the MYP a paramilitary wing of the then-ruling Malawi Congress Party (MCP). While this operation occurred just before the formal transitioning to multiparty democracy, it reflected a pivotal demonstration of military professionalism and popular alignment against authoritarian control. As recounted by Captain Vincent Nundwe, the operation was sparked by frustration within the MDF over unchecked abuses by the MYP. Though the decision to act originated from junior ranks without formal orders, the subsequent restructuring—including the appointment of a civilian Minister of Defence and retirement of top generals—symbolised the beginning of democratic civilian control (Nundwe Memoir, 1993).

Since 1994, Parliament has played an increasingly active role in overseeing the MDF, especially through the Defence and Security Committee. This body is responsible for scrutinising defence budgets, summoning senior military officers for hearings, and reviewing defence policies. As Bruneau (2006) notes, *legislative oversight* is a critical dimension of democratic civil-military relations, serving as a check against unaccountable military action and ensuring alignment with national priorities. However, resource constraints, limited technical expertise, and political patronage have occasionally undermined the committee's effectiveness in Malawi.

The President's role as Commander-in-Chief also presents both opportunities and challenges. While the position allows for centralised civilian command, it also carries the risk of politicising the military if used for partisan gain. This tension has surfaced during

constitutional crises, such as the sudden death of President Bingu wa Mutharika in 2012. During this period of uncertainty, the MDF maintained order and facilitated a peaceful transition of power to Vice President Joyce Banda, adhering to constitutional protocols despite pressure from factions within the ruling party to block the succession. This intervention reaffirmed the military's commitment to constitutionalism rather than personal loyalty—a key marker of democratic control.

Similarly, in the aftermath of the 2019 disputed elections, the MDF was again called upon to protect citizens and safeguard public order during mass protests. While its presence was initially controversial, especially amid reports of heavy-handed police responses, the military eventually gained public trust through its relatively restrained and impartial conduct. This moment reinforced the MDF's evolving role as a stabilising force that respects democratic expression while fulfilling its security mandate.

Nevertheless, challenges remain. As Feaver's (2003) *agency theory* suggests, the military operates in a principal-agent dynamic, where the civilian leadership must continually monitor and incentivise the military to ensure compliance. In Malawi, weak institutional capacity and sporadic political interference can strain this relationship. Moreover, the informal influence of retired military officers in political circles—often unregulated—raises questions about the full separation between military service and political participation.

Schiff's (2009) *concordance theory* is particularly relevant to Malawi's context. She argues that stable civil-military relations in transitional societies are not merely a matter of hierarchical control, but rather the product of shared agreements among political elites, the military, and civil society. In recent years, Malawi has made progress in this direction. CSOs such as PAC have advocated for transparency in security governance and held public forums

on military accountability. Media outlets have also reported on military expenditure and conduct, contributing to a culture of public scrutiny.

To strengthen democratic control further, Malawi must institutionalise oversight practices, enhance parliamentary capacity, and cultivate a professional military ethos rooted in constitutional values. The appointment of defence ministers with clear civilian backgrounds, the inclusion of independent experts in oversight bodies, and the integration of human rights training in military academies are steps in the right direction. Equally important is the promotion of internal checks within the MDF—such as internal audits and disciplinary boards—to ensure that professionalism and accountability are embedded at all levels.

In conclusion, democratic control of the MDF in Malawi has evolved significantly since the country's transition to democracy. Anchored in constitutional provisions and guided by a combination of theory and experience, the country has demonstrated that effective civil-military relations are possible even in fragile democratic settings. However, sustaining this trajectory requires vigilance, institutional reform, and an unwavering commitment to the principles of constitutionalism and civilian supremacy.

5.4 Strategies Employed by Civilian Authorities to Maintain Control Over the MDF and Implications for Democratic Consolidation

In Malawi's multiparty era, the strategies employed by civilian authorities to maintain control over the MDF have been critical to safeguarding democratic consolidation. These strategies have evolved from structural reforms and constitutional oversight to policy directives, institutional appointments, and informal political engagement. Each has played a distinct role in guiding the military's role in governance while promoting a norm of civilian supremacy in line with democratic principles.

One of the core formal strategies has been the use of constitutional and legal frameworks to define and restrict the role of the MDF. Section 160(1) of the Constitution of Malawi clearly mandates that the Defence Forces must operate under the direction of civilian authorities, uphold the constitutional order, and guard against threats to national safety. This legal clarity has served as a normative and procedural anchor for civilian control, particularly during moments of political and constitutional uncertainty. Chapter 2 of the thesis highlights that such legal provisions are central to theories of democratic civil-military relations, notably Huntington's (1957) concept of "objective control," which prescribes firm legal and institutional boundaries between military and civilian spheres.

Civilian control has also been pursued through ministerial appointments and reconfigurations of command structures, especially during and after major political transitions. The case of *Operation Bwezani* in 1993 is illustrative. Following the disbandment of the Malawi Young Pioneers (MYP) and the restoration of military professionalism, President Banda—under public and political pressure—appointed Major General Wilfred Mponela as Minister of Defence. This marked a structural shift towards democratic accountability, as Banda had held the defence portfolio himself since independence. The replacement of top military officials such as General Yohane with more neutral, professional commanders like Generals D. Maulana and M. Chigawa further reinforced the reorientation of the MDF towards constitutional loyalty.

In addition, civilian authorities have employed legislative tools and parliamentary oversight to reinforce control over the MDF. Parliamentary review of defence budgets and legislative debates around national security matters have created platforms for transparency and accountability. Chapter 2 underscores that effective parliamentary oversight is critical in

democratic civil-military relations, not only to ensure fiscal discipline but also to prevent the politicisation of the armed forces (Croissant et al. 2010).

Another notable strategy is the use of defence policy formulation as a tool for civilian guidance. While Malawi does not have a comprehensive defence white paper, policy directives—often embedded in broader national development strategies—have increasingly incorporated civilian objectives such as peacekeeping, disaster response, and electoral security. These priorities reflect the growing alignment between defence roles and democratic development, as echoed by Bruneau and Tollefson (2006), who argue that modern militaries must be responsive to national development and public security agendas defined by civilian governments.

Civil society actors and opposition politicians have also contributed to civilian control by exercising indirect influence and public pressure. For instance, CSOs were instrumental in documenting and condemning abuses by the MYP, which contributed to public support for *Operation Bwezani*. Furthermore, in the 2012 succession crisis following the death of President Bingu wa Mutharika, civil society leaders and constitutional lawyers publicly insisted on adherence to Section 83(4) of the Constitution, which mandates that the Vice President assume office upon the death of the President. This pressure helped create a political climate in which the MDF supported a peaceful and constitutional transition to Joyce Banda's presidency, as confirmed by interviewee RT2025COMM in Chapter 4.

Nonetheless, the relationship between civilian authorities and the military has not been without tension. The data in Chapter 4 suggest that civilian leaders have at times attempted to politicise the military, such as when politicians urged MDF commanders to seize political power or act outside their mandates during periods of crisis. The refusal of Captain Vincent Nundwe to storm Sanjika Palace during *Operation Bwezani* underscores the professionalism

of the MDF and their commitment to remaining apolitical. This aligns with Finer's (1962) caution that undue political interference can erode military professionalism and destabilise civil-military relations.

The implications of these strategies for democratic consolidation in Malawi are significant. First, they have contributed to a professionalised and constitutionally loyal military that is generally perceived by the public as non-partisan and dependable. This public trust enhances the legitimacy of democratic institutions, particularly during elections and periods of transition. As one respondent in Chapter 4 notes, "The MDF was acting within its mandate under the Constitution... it filled a vacuum left by civilian institutions that had been weakened under one-party rule" (RT00123).

Second, these strategies have reinforced the norm of civilian supremacy, a key pillar of liberal democratic governance. The 2012 transition, in particular, demonstrated that even in the face of political manipulation and elite fragmentation, the institutional frameworks and strategic actions of civilian and military actors could still uphold the constitutional order.

Third, the deliberate avoidance of military takeovers, despite opportunities and provocations, has set a positive precedent in Malawi and offers lessons for other transitioning democracies in Africa. The MDF's restraint during both *Operation Bwezani* and the 2012 power vacuum shows the effectiveness of multi-pronged strategies that combine legal, institutional, and normative controls over the military.

In conclusion, the strategies employed by civilian authorities in Malawi—through constitutional provisions, ministerial reshuffling, parliamentary oversight, policy directives, and civil society engagement—have contributed to a relatively stable model of democratic civil-military relations. While challenges remain, especially regarding informal political influences, the trajectory is broadly supportive of democratic consolidation.

5.5 Upholding Constitutionalism through Civilian Oversight and Military Restraint

The results of the study show that one of the most notable interventions by the Malawi Defence Force (MDF) in a constitutional crisis was *Operation Bwezani*, which was a response to escalating tensions with the MYP in 1993. As the Chapter 4 findings indicate, the MDF acted without direct political instruction to disarm a paramilitary organisation that was threatening national stability and the upcoming multiparty elections. This action played a key role in dismantling the MCP's tools of repression and restoring public confidence ahead of Malawi's democratic transition. While not fully sanctioned by political authorities at the time, the intervention demonstrated an internalised commitment by the MDF to constitutional order and public interest, echoing what Schiff (2009) describes as “concordance” — where military, political, and societal values align in defence of democratic norms.

This action resonates with Samuel Huntington's (1985) theory of objective civilian control, which advocates for a politically neutral but operationally autonomous military that upholds state institutions. The MDF's restrained and targeted operation — disarming the MYP without escalating into a full-blown conflict or attempting to seize power — reflected professional conduct in line with Huntington's notion of a capable yet apolitical military. Huntington's framework helps explain why the MDF was seen as a protector of constitutionalism rather than a threat, particularly in contexts where the civilian authority was either complicit in or incapable of curbing violations by the MYP.

The operation also reflects the importance of institutional norms and internal professionalism within the military, themes underscored by Finer (2017) and Bruneau (2006). Finer argues that military institutions will intervene in politics where civilian institutions are weak, but also that professional military norms can act as a restraint. In the case of *Operation*

Bwezani, it was the junior ranks of the MDF, in defiance of senior leadership's initial inaction, who led the call to disarm the MYP. This shows how the military's internal culture and its embedded sense of professionalism contributed to safeguarding democratic transition when other state organs failed.

Bruneau (2006) further explains that effective civil-military relations require three dimensions: control, effectiveness, and efficiency. In Malawi's case, civilian control was arguably weak during the one-party era, but effectiveness and internal cohesion within the military enabled it to act decisively when national stability was at stake. The military's ability to coordinate and execute a national-level operation under pressure, and without descending into political opportunism, speaks to the kind of internal accountability mechanisms that Bruneau sees as critical for democratic consolidation.

Another important dimension evident in the findings is the role of civil society and political elites in legitimising military interventions that protect constitutionalism. Schiff's (2009) concordance theory suggests that democratic civil-military relations are sustained where there is consensus among political leaders, military officers, and society. During *Operation Bwezani*, civil society groups and opposition leaders did not condemn the MDF's actions; rather, they rallied behind the operation as a necessary intervention to creating a level playing field for democratic elections. This consensus reinforced the legitimacy of the military's role and ensured that the intervention did not spiral into prolonged military dominance, a common pitfall in many post-authoritarian transitions across Africa (Williams 2001).

In line with Janowitz's (1988) constabulary force model, the MDF's role was not merely to defend the state from external threats but also to help manage internal political tensions in a way that supported democratic governance. Janowitz argues for an integrated military that

supports domestic peace and constitutional continuity. The MDF's conduct — stepping in to restore order and then returning to the barracks — fits this model and illustrates the benefits of civil-military integration in fragile democracies like Malawi.

CHAPTER 6: CONCLUSIONS AND RECOMMENDATIONS

6.1 Introduction

This chapter brings together the key findings of the study to reflect on the role of the MDF in safeguarding constitutionalism and navigating political and constitutional crises since the country embraced multiparty democracy in 1994. The chapter revisits the research objectives and synthesises insights from key informant interviews, document analysis, and case studies to examine the extent of military interventions, the robustness of civilian oversight, and the broader implications for democratic consolidation in Malawi.

Throughout the study, it became clear that while Malawi's journey towards strengthening civil-military relations has not been without challenges, it also presents valuable lessons for sustaining democracy in fragile contexts. The findings illustrate a growing maturity in how the MDF conducts itself—showing restraint during times of crisis, maintaining professionalism, and largely upholding its constitutional mandate. At the same time, the study underscores the need for stronger oversight mechanisms, institutional reforms, and a culture of mutual accountability between civilian leaders and the military.

What follows is a structured reflection on each of the four specific objectives of the research, culminating in recommendations for a robust framework to safeguard constitutionalism in Malawi's civil-military landscape.

6.2 Conclusion

The research set out to explore the evolving role of the MDF in Malawi's political and constitutional life. It found that since the country's democratic transition in 1994, the military has played a complex but generally constructive role in managing crises. From the decisive intervention during *Operation Bwezani* to moments of political restraint in recent election

disputes, the MDF has demonstrated a commitment to national stability. Yet this balancing act—between stepping in when necessary and respecting civilian supremacy—remains delicate.

Civilian oversight mechanisms, such as those embedded in parliamentary committees and accountability institutions, have made commendable progress but are still constrained by limited capacity, lack of technical knowledge, and political interference. Despite these constraints, the MDF's professionalism and discipline have played a critical role in maintaining public confidence in the institution.

Civilian authorities have adopted various formal and informal strategies to manage the military's role in governance. While these have helped reinforce the norm of civilian control, their success depends heavily on political will and the entrenchment of democratic values. Partisanship, secrecy, and weak enforcement of oversight laws continue to pose risks to transparent governance of the security sector.

Finally, the study advocates for a comprehensive framework that integrates constitutional safeguards, institutional accountability, and military professionalism. Upholding constitutionalism in civil-military relations in Malawi requires not only legal reforms but also active civic engagement, depoliticised leadership, and a military culture anchored in service to the state rather than loyalty to individuals.

As Malawi continues its democratic journey, the relationship between the military and civilian authority must be guided by shared values, legal clarity, and mutual respect. If properly nurtured, this relationship can serve as a model for democratic resilience in Africa and beyond.

6.2.1 The Nature and Extent of MDF's Interventions in Political and Constitutional Crises Since 1994

The nature and extent of MDF's interventions in political and constitutional crises since Malawi's transition to multiparty democracy reveal an institution that has matured in its constitutional role. While the risk of politicisation remains a concern, the MDF has thus far managed to strike a balance between acting when necessary and respecting the limits of civilian oversight. This track record not only underscores the military's critical role in Malawi's democratic consolidation but also serves as a model for other countries navigating similar transitions in Africa.

6.2.2 Effectiveness of Civilian Oversight Mechanisms in Promoting Accountability and Professional Conduct within the MDF

The analysis of findings under Specific Objective 2 reveals that while Malawi has made notable strides in institutionalising civilian oversight over MDF, several challenges continue to hinder the full effectiveness of these mechanisms. Parliamentary structures—particularly the Defence and Security Committee—play a pivotal role in scrutinising the military's budget, operations, and alignment with constitutional norms. However, capacity gaps, limited technical expertise, and insufficient access to security-related information often constrain their ability to provide meaningful oversight.

The study also found that other civilian oversight bodies, such as the Auditor General and CSOs contribute to promoting transparency and accountability in the defence sector. Yet their influence is often reactive and limited by political sensitivities and restricted mandates. While constitutional and legal frameworks for civilian control exist, their implementation is not always consistent or robust, partly due to limited political will and a lingering culture of secrecy around military affairs.

Importantly, respondents acknowledged the professionalism and discipline within the MDF, which has contributed to public trust in the institution. However, this professionalism is not solely the result of internal military values but is also shaped by the broader political environment and the effectiveness of external civilian checks.

In sum, while civilian oversight mechanisms have laid a foundation for accountability and professionalism within the MDF, their effectiveness remains mixed. Strengthening these mechanisms—through capacity building, greater transparency, and enhanced collaboration between Parliament, civil society, and oversight institutions—is critical for consolidating democratic control of the armed forces in Malawi.

The analysis of strategies employed by civilian authorities to maintain oversight over the MDF reveals both progress and persistent challenges in consolidating democratic governance. Civilian actors have utilised a range of formal and informal mechanisms, including constitutional mandates, parliamentary oversight, ministerial directives, and public accountability tools to assert authority over the military. These efforts, particularly through institutions such as the Defence and Security Committee of Parliament and the establishment of a Ministry of Defence portfolio, have contributed to entrenching a culture of civilian supremacy.

However, the findings also highlight that the effectiveness of these strategies often depends on political will, institutional capacity, and the maturity of democratic norms. At times, civilian oversight has been undermined by partisanship, limited transparency, or reluctance by political leaders to engage with the military as a professional and apolitical institution. Despite these obstacles, the MDF has generally maintained a posture of restraint and professionalism, avoiding overt political entanglement even during periods of national crisis.

Ultimately, the strategies examined show that democratic consolidation in Malawi is an evolving process. Strengthening the relationship between civilian authorities and the military requires not only legal frameworks and institutional mechanisms but also trust, mutual respect, and sustained commitment to constitutional principles. As we advance, reinforcing these strategies through civic education, independent oversight, and depoliticised military governance will be key to preserving the delicate balance between adequate security provision and democratic accountability.

6.2.3 Developing a Framework for Upholding Constitutionalism in Civil-Military Control in Malawi

This study aimed to investigate how constitutionalism can be effectively upheld in Malawi's civil-military relations. Drawing on historical and contemporary experiences—including *Operation Bwezani* and subsequent moments of political tension—it is clear that Malawi's journey toward democratic consolidation has been significantly shaped by the conduct of its military, particularly the MDF. The findings show that while the MDF has, in key moments, acted as a guardian of constitutional order, such outcomes cannot be left to chance or institutional goodwill alone.

What emerges strongly is the need for a robust and clearly defined framework that integrates constitutional principles, institutional accountability, and democratic civilian oversight. Such a framework must ensure that the roles, responsibilities, and boundaries of military involvement in governance are not only codified in law but also consistently upheld in practice. Civilian oversight bodies, such as Parliament's Defence and Security Committee, must be adequately empowered—both in terms of legal authority and technical capacity—to engage in meaningful oversight of the military. Similarly, the executive must refrain from politicising the military or

using it to gain undue political advantage, especially during electoral disputes or moments of constitutional uncertainty.

The framework must also address the professionalisation of the military, emphasising merit-based promotions, non-partisanship, and regular civic-military dialogue. Importantly, institutional reforms should promote transparency, public trust, and a culture of accountability, whereby the military sees its primary duty as serving the state—not any single political leader.

Ultimately, upholding constitutionalism in civil-military relations requires more than rules on paper. It demands a shared national commitment to democratic norms, respect for institutional checks and balances, and ongoing engagement between civilian authorities, the military, and society at large. By nurturing this relationship, Malawi can continue to build a democratic order in which the military enjoys a constructive, constitutionally grounded role.

6.3 Recommendations

6.3.1 Objective 1: Assessing the Nature and Extent of MDF's Interventions in Political and Constitutional Crises

Policy Recommendation

The Government of Malawi, through the Ministry of Defence and Cabinet, should formally document and institutionalise the lessons learned from key military interventions, such as *Operation Bwezani* and the 2012 succession crisis. This should be captured in a comprehensive Defence White Paper or National Security Policy, detailing the MDF's constitutional role during democratic transitions to guide future interventions and ensure they remain within constitutional boundaries.

The government incorporation with universities and think tanks should focus on developing frameworks for a National Security Strategy (NSS). This academic effort would align the MDF's operations with Malawi's foreign policy, *developmental* and security priorities.

Research could explore how NSS frameworks in other countries, such as Botswana's military neutrality and India's civil-military concordance, have contributed to stability and efficiency. Such a strategy would improve resource allocation, crisis management, and the overall effectiveness of civil-military collaboration, while also addressing emerging threats like climate change and transnational crime.

On the other hand, Government should operationalise the office of the National Security Adviser for coordination of all national security issues from all security agencies. Practical measures could include partnerships with international defense academies for training programs and knowledge exchange. This initiative would ensure that civilian oversight is not only robust but also well-informed, thereby reducing the potential for misunderstandings or inefficiencies.

Academic Recommendation

Scholars and research institutions should invest in longitudinal studies analysing the evolving role of the MDF in crisis governance. Emphasis should be placed on exploring the internal dynamics (such as ranks, norms, and professional ethics) that have contributed to the MDF's perceived neutrality and constitutional alignment, especially during politically charged moments.

6.3.2 Objective 2: Examining the Democratic Control of the MDF by Elected Authorities

Policy Recommendation:

Parliament's Defence and Security Committee should be strengthened through targeted capacity-building programmes, including training in security sector oversight, budgeting, and classified information management. This will help enhance its role in ensuring transparency, accountability, and strategic oversight over military affairs.

Academic Recommendation

Future research should focus on evaluating the effectiveness of parliamentary oversight mechanisms in post-authoritarian African democracies. Comparative case studies—including Malawi—can uncover best practices and expose institutional weaknesses in civilian control frameworks. On the other hand, academic institutions should collaborate with the MDF and the Ministry of Defence (MoD) to design specialised civil-military training programs. These programs would educate civilian leaders and policymakers on military functions, security strategies, and defence policies. Training modules can include constitutional mandates, the principles of democratic oversight, and the roles of armed forces in non-traditional missions. Such programs would help bridge the knowledge gap between civilian authorities and military leaders, fostering a shared understanding of roles and responsibilities essential for effective collaboration.

6.3.3 Objective 3: Exploring Strategies Used by Civilian Authorities to Maintain Oversight of the MDF

Policy Recommendation

The government should establish a permanent Civil-Military Dialogue Forum comprising the Ministry of Defence, civil society, academic institutions, and retired senior officers. This platform would foster transparency, enhance civilian-military trust, and encourage regular dialogue on defence and constitutionalism outside of crisis periods.

Academic Recommendation:

Academia should develop curriculum modules and research hubs focused on democratic civil-military relations, human rights in military operations, and constitutional defence roles. These should be embedded in national universities and defence colleges to shape future military and civilian leaders.

6.3.4 Objective 4: Developing a Framework for Upholding Constitutionalism

Policy Recommendation

A legal and policy framework should be developed to codify a “Constitutional Guard Doctrine” that formally recognises the MDF’s duty to protect democratic order during institutional breakdowns. This doctrine should clearly define thresholds, accountability measures, and post-intervention protocols.

Academic Recommendation

Researchers should engage in Participatory Action Research (PAR) involving the military, civil society, and elected officials to co-produce governance frameworks that uphold constitutionalism. This inclusive approach would ensure relevance, ownership, and institutional buy-in from all stakeholders.

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APPENDICES

Appendix 1: INTERVIEW GUIDE

1. ROLE PLAYED BY THE MILITARY IN CONSTITUTIONALISM

- What is the role of the military in upholding the constitution?
- Is the military committed to non-traditional roles?
- What role does the military play in election management? What is your perception on the military's role in election management?
- What issues surround power transition? Does the military play any role in power transition?
- Does the military respond to all orders by the civil authorities?
- Not all activities in the defence sector need to be done by service men/women what jobs should be tasked to civil servants?
- Why has the military not intervened in politics?
- Do you think the military is perceived to be a threat to democracy?
- What is the employment policy in your defence force?

Appendix 2: DEMOCRATIC CONTROL OF THE MILITARY BY THE ELECTED AUTHORITIES

1. What determines the subordination of the military to civilian control?
2. What constitutes good and bad civil – military control?
3. Does civilian control refer simply to the dominance of civilians within the executive branch?
4. What is the role of the legislative branch in controlling the military?
5. What would be the likely cause of conflict between the civilian authorities and the military?
6. Do civilian authority exercise democratic control over the armed forces in the country?
7. What legal framework and institutions are used by the civil authorities to control armed forces?
8. Has there been appointments at command level as a way of controlling the military in the country?
9. Should the Legislative Branch be involved in the confirmation of the appointment of the high command in the military?
10. How does the civilian government ensure that the military is doing the civilian leadership will?
11. Is the military adequately resourced in the country?

12. How does civilian control of the military ensure that military effectiveness and efficiency are maintained?

Appendix 3: STRATEGIES FOR ENABLING CONSTITUTIONALISM ON THE ELECTED AUTHORITIES TOWARDS THE MILITARY

1. What is civilian control of the military?
2. Who decides to use military force?
3. What courses of action are available to military leaders who believe the civilian authorities are making bad decisions?
4. How effective is the legislative oversight ability over the military?
5. Do politicians in the country engage in defence issues?
6. When there are differences between the civilians and the military, whose preferences should finally prevail?
7. Is spending on defence clearly linked to the country's national interests?
8. How does the government limit military intervention?
9. In what way can a Ministry of Defence be organized to encourage the maximum interaction of civilian and military personnel, so that they develop a more cooperative relationship?
10. Do you think globalization has influenced the nature of civil-military control?
11. What strategies of civil-military control are employed in the context of democratization?
12. How does historical context of a country affect civil-military control?

13. How can civilian authorities empower the military without in turn being overpowered by it?

Appendix 4: THE FRAMEWORK FOR UPHOLDING CONSTITUTIONALISM IN CIVIL-MILITARY CONTROL

1. What is the relationship between democracy and good governance?
2. Why do people with guns obey people without guns?
3. What are the military responsibilities to the state and to society?
4. Where does the MDF fit in the organisational structure of the state?
5. What are politicians' expectations of the MDF?
6. Is civilian control of the MDF a good thing for Malawian national security?
7. What are the main drawbacks to the implementation of good governance?
8. What political-institutional safeguards can state-builders utilize the military's reliability?
9. How can a state build a military that supports democratic governance and not another political party?
10. What are the main conditions that encourage the democratic civil-military control and which ones impede it?
11. What is the relationship between civilian and military leaders?
12. Is civilian control a prerequisite for a consolidated democracy?

Appendix 5: Research Ethics and Regulatory Approval and Permit for Protocol



MZUZU UNIVERSITY

DIRECTORATE OF RESEARCH

Mzuzu University
Private Bag 201
Luwinga

M z u z u 2
M A L A W I
TEL: 01 320 722
FAX: 01 320 648

MZUZU UNIVERSITY RESEARCH ETHICS COMMITTEE (MZUNIREC)

Ref No: MZUNIREC/DOR/23/70

12/06/2023.

Vincent Nundwe,
Mzuzu University,
P/Bag 201,
Luwinga,
Mzuzu 2.

vinnundwe@yahoo.co.uk

Dear Vincent,

**RESEARCH ETHICS AND REGULATORY APPROVAL AND PERMIT FOR PROTOCOL
REF NO: MZUNIREC/DOR/23/70: CONSTITUTIONAL BASED TRANSFORMATIVE
DEVELOPMENT FROM SECURITY GOVERNANCE PERSPECTIVE SINCE
MULTIPARTY DEMOCRACY IN MALAWI AND SOME SELECTED COUNTRIES IN
THE COMESA REGION.**

Having satisfied all the relevant ethical and regulatory requirements, I am pleased to inform you that the above referred research protocol has officially been approved. You are now permitted to proceed with its implementation. Should there be any amendments to the approved protocol in the course of implementing it, you shall be required to seek approval of such amendments before implementation of the same.

This approval is valid for one year from the date of issuance of this approval. If the study goes beyond one year, an annual approval for continuation shall be required to be sought from the Mzuzu University Research Ethics Committee (MZUNIREC) in a format that is available at the Secretariat. Once the study is finalised, you are required to furnish the Committee with a final report of the study. The Committee reserves the right to carry out compliance inspection of this approved protocol at any time as may be deemed by it. As such, you are expected to properly maintain all study documents including consent forms.

Committee Address:

Secretariat, Mzuzu University Research Ethics Committee, P/Bag 201, Luwinga, Mzuzu 2; E-mail address: mzunirec@mzuni.ac.mw

Wishing you a successful implementation of your study.

Yours Sincerely,

A handwritten signature in blue ink, appearing to read 'Gift Mbwele', with a stylized flourish at the end.

Gift Mbwele

SENIOR RESEARCH ETHICS ADMINISTRATOR

For: CHAIRMAN OF MZUNIREC