

**THE ROLE OF PRESIDENTIAL SPEECHES ON PUBLIC POLICY
FORMULATION IN MALAWI FROM 2009 TO 2012**

MASTER OF ARTS (POLITICAL SCIENCE) THESIS

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the Requirements for the award of Master of Arts in Political Science

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DECLARATION

I declare that that this research, “**The Role of Presidential Speeches on Public Policy Formulation in Malawi from 2009 to 2012**”, is my own work and that it has not been presented for examination for any degree at any institution or university. All other people's work used in this study has been indicated and acknowledged appropriately by means of reference.

Jonas Wamapalo Msukwa

Name

Signature

Date

CERTIFICATE OF APPROVAL

The undersigned certify that this thesis represents the student's own work and effort
and has been submitted with our approval

Signature..... Date.....

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Signature..... Date.....

Professor Happy Mickson Kayuni, PhD

Joint Supervisor

DEDICATION

I dedicate this study to my lovely wife, Alice Kashoni, and our wonderful children,
Merit and Mervin.

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ABSTRACT

This study examined the role of presidential speeches on public policy formulation in Malawi from 2009 to 2012. The study was compelled by Bingu wa Mutharika's sudden change in the use of speeches from setting policy agendas, and communicating priorities to the public in his first term (2004 to 2009) to formulating public policies in his second term of office (2009 to 2012). Using a qualitative approach, the study employed content analysis to identify key themes to better explain how and why public policies were formulated through speeches by Bingu wa Mutharika during his second term in office in a democratic era. This study employed the 'elite' and 'big man' theories to describe how the executive, particularly Bingu wa Mutharika, bypassed the system of involving the legislature in the formulation of public policies that reflect the needs of all Malawians. The study concludes that the new structure, in which Bingu wa Mutharika used speeches to formulate public policies, was not provided for in the 1994 Malawi constitution and did not reflect the true needs of the general public. The findings of the study suggest that, factors contributing to presidential speech based policymaking in Malawi include: lack of strong oversight bodies on the issues of policy making and lack of knowledge of stakeholders about their roles in policy making processes. The results also suggest that political contexts in which specific presidential speeches are made include: State of National Address (SONA), Developmental rallies, Emergency situations, and Political rallies. Finally, the study establishes that the impact of presidential speeches on policy formulation in Malawi has both positive and negative aspects. Positively, these policies are found to be effective while negatively, the study establishes that these policies only reflect on the interests of the few and they are characterized by policy implementation gap.

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LIST OF FIGURES

Figure 1. Summary of the Iron triangle form of politics

LIST OF ABBREVIATIONS

C.C.A.P.	Church of Central African Presbyterian
C.H.R.R.	Centre for Human Rights Rehabilitation
C.S.	Church and Society
C.S.O.	Civil Society Organizations
C.U.	Catholic University of Malawi
D.P.P.	Democratic Progressive Party
M.C.P.	Malawi Congress Party
M.N.A.	Malawi National Assembly
MZUNI	Mzuzu University
P.A.C.	Public Affairs Committee
S.O.N.A.	State of the nation address
S.O.T.U.	State of the Union Address
U.D.F.	United Democratic Party

CHAPTER ONE

INTRODUCTION AND BACKGROUND

1.1 Introduction

This chapter presents the introduction on the role of presidential speeches on the public policy formulation in Malawi from 2009 to 2012. This chapter, which serves as the foundation of the study, contains the introduction, background, problem statement, objectives, and justifications.

In the background, this chapter discusses how public policies were formulated in Malawi from the country's independence in 1964 to the time of the study, 2009–2012. Through this discussion, a study problem, 'the shift in the role of presidential speeches on public policy formulation in Malawi from 2009 to 2012', was identified and presented in the problem statement, along with the impact of the public policies formulated through these presidential speeches.

To achieve this comprehensive examination of the problem, this chapter highlights the tools used in the specific objectives, which are: an examination of factors contributing to presidential speech based policymaking in Malawi; an assessment of the political contexts in which specific presidential speeches are made; and an assessment of the impact of presidential speeches on policy formulation in Malawi.

This chapter also highlights the motivation of the study. This study is driven by the researcher's curiosity to understand how public policy formulation in Malawi has evolved over time, notably during Bingu wa Mutharika's second tenure as president, when several speech formulated public policies became visible in the country. Therefore, the role of presidential speeches on public policy formulation in Malawi from 2009 to 2012 must be examined.

1.2 Background

Malawi, which got independence in 1964, began formulating public policies almost immediately (Booth et al., 2006). Its individual-centered formulation was only formalized in 1966 (Malawi Constitution, 1966). According to Mutahaba et al. (1993), most African presidents' individual-centered public policy formulation approach during this period must have been motivated by their nation-building aspirations as well as dealing with colonial-era challenges. However, Dr. Kamuzu Banda's decisions were debated and deliberated in parliament due to procedural requirements (Venter, 1995). Smith (1976) defined this public policy as the conscious decision to follow a specific course of action or not. The formulation of this public policy only got modified in 1994 when Malawians returned to democratic government after thirty years of one-man leadership. During democracy, most Malawians expected public policymaking to be a difficult and panic-stricken process.

These Malawians' expectations were primarily based on the assumption that different elements, such as political, economic, cultural, and social environments, must be considered in the public policymaking process, and that different actors must be involved in identifying policy alternatives and selecting the preferred option (Raju and Ravindra, 2016). Brooks (1989), in agreement with this viewpoint, described public policy as the broad framework of ideas and values within which decisions are taken and actions, or inaction, are pursued by governments in relation to some issue or problem. While Corkery et al. (2005) agreed with this viewpoint, they argued that the public policymaking process was typically a linear one involving stakeholders primarily from the executive, legislative, and judicial branches of government. In practice, however, the executive branch, notably the president, has had a significant impact on public policymaking, particularly policy agenda setting, which Brasil and Jones (2020) defined as the process of converting private issues into public ones, which subsequently become government priorities. The majority of the literature supports this assertion by emphasizing that presidents use presidential proclamations to influence public policy agenda setting in the majority of the world's countries (Cohen, 1995; Whitford and Yates, 2009; Peake and Eshbaugh-Soha, 2008; and Peake 2001).

In general, however, presidents utilize speeches known as presidential speeches to influence public policy agenda (Tedin et al., 2011). According to Kernell (1997), presidential speeches are formal public addresses delivered by a president or head of state that outline their vision, policies, and priorities. This means that presidential speeches are an important tool for presidents to articulate their vision, set policy agenda, and

inspire action. More broadly, presidential speeches serve as a conduit for communication between the president and various audiences, including citizens, policymakers, and the media (Cohen, 2010).

Various studies that have been conducted on public policymaking in Malawi during the democratic era have revealed that the making of public policies necessitates the participation of a variety of actors. Some of these include research by Ivy Jullie Luhanga (2001) and the Centre for Human Rights and Rehabilitation (2020). These studies, which focused on the need for various interests in public policymaking in Malawi during the democratic era, discovered that it encountered some challenges, mainly due to government agencies' top-down approaches, insufficient publicity of policy and legislative processes, capacity gaps in civil society, and low levels of literacy, all of which impede understanding of policy procedures and what the policies imply. Despite these numerous studies on policymaking in Malawi, little research has been done on the role of presidential speeches on public policy formulation. However, available literature indicates that despite Malawi's attainment of democracy in 1994, presidential speeches have continued to play a significant role in the public policymaking process, regardless of the deliberate diversion from making public policies through speeches that were individual-centered in the one-party era. The following are some examples of how presidents have formulated public policies during the democratic era in Malawi.

Bakili Muluzi, the first re-multiparty system president, adopted and maintained Dr Kamuzu Banda's neopatrimonial leadership style, in which he and his team captured formal law and administration structures and formulated policies reflecting their own

interests, which to a greater extent defended their positions (Booth et al., 2006). He also extended his party's followers and parliamentary representation on his government's side by buying independent and opposition members of parliament (MPs) to support his agendas.

Bingu wa Mutharika, who came to power in 2004 through the United Democratic Front (UDF) and later founded his own party, the Democratic Progressive Party (DPP), lacked the support of the majority members of parliament (MPs) in the house to support any bills he could bring up for debate in the national assembly. In this situation, Bingu wa Mutharika resorted into enforcing section 58 of the Malawi constitution, which required him to convene parliament when he had pressing issues, in the form of bills, for members of parliament to deliberate and adopt, and to prorogue parliament when he felt all useful issues had been satisfactorily addressed (Chinsinga, 2008). In other cases, members of parliament were forced into deliberating and passing policy agendas lined up by the government through citizens' vigils at parliament (VonDoepp, 2005).

When Bingu wa Mutharika retained the Malawi presidential seat in the 2009 elections, this time with an absolute majority of presidential votes and Democratic Progressive Party (DPP) members of parliament seats (Brooks and Loftus, 2016), he suddenly changed his leadership style. Among others, Bingu wa Mutharika was seen singlehandedly formulating public policies through speeches on podiums which were later implemented.

1.3 Problem Statement

Although the Republic of Malawi's 1994 constitution, Articles 7, 13, and 73 (1), enshrines the process of public policymaking and explicitly outlines the executive's responsibilities and roles in policymaking, the executive continues to dominate the process. This is evidenced by some policies formulated during presidential podium speeches in Malawi, specifically during Bingu wa Mutharika's second term of office. Most notable instances include: the 'shoot to kill policy,' which permitted police officers to shoot and kill any suspected criminal found at the scene of crime (Mkamanga 2011); and the declaring of Fergus Cochrane-Dyet, the British High Commissioner to Malawi, a persona non grata for claiming that Mutharika was increasingly becoming autocratic and intolerant of criticism (Newling, 2011). The declaration and adoption of the zero-deficit budget in the 2011/2012 fiscal year was another public policy that, apart from being motivated by desperation, was a podium proclamation public policy (Chinsinga, 2014).

These growing cases have raised concerns, particularly regarding the consequences of policy implementation, which have occurred mostly due to a lack of definitions for policy operationalization (Shawa, 2012). Shawa backs up this assertion by mentioning security dangers in the country in 2009 as a result of demonstrations by concerned citizens in response to the implementation of the quota system policy, a presidential podium policy that did not have the approval of lawmakers.

This demonstrates that these policies lack content that reflects the needs and wishes of Malawians, despite the fact that Malawians are largely represented by Members of Parliament who are responsible for advancing their interests. When a country's president begins making policies on his or her own, there are fears that he or she would eventually achieve the position of personal rule (Ogbazghi, 2011). According to Ogbazghi (2011), the president will eventually abandon all legally sanctioned institutions of law, whether constitutional or civic, in order to satisfy his or her personal wishes and whims and therefore continue in power. Therefore, it is against this background that this study must be carried out to understand how and why the president, Bingu wa Mutharika, did formulate policies through speeches in Malawi from 2009 to 2012 in the democratic era when he had in his first term (2004 to 2009) led Malawi by following democratic principles.

1.4 Main Objective

This study is aimed at examining the role of presidential speeches on public policy formulation in Malawi from 2009 to 2012.

1.4.1 Specific Objectives

- (i). To examine factors contributing to presidential speech based policymaking in Malawi.
- (ii). To assess the political contexts in which specific presidential speeches are made.

- (iii). To assess the impact of presidential speeches on policy formulation in Malawi.

1.5 Main Question

Why are presidential speeches used for public policy formulation in Malawi during the democratic era?

1.5.1 Research Questions

- (i). What are the factors contributing to presidential speech based policy making in Malawi?
- (ii). What are the political contexts in which specific presidential speeches are made?
- (iii). What is the impact of presidential speeches on policy formulation in Malawi?

1.6 Justification of the study

The study has academic value since it adds to the existing literature on public policymaking. Although there have been extensive studies on public policymaking in Malawi, as well as studies on the influence of presidential speeches on policy agenda setting (Cohen, 1995; Cohen, 2010; Kernell, 1997; Tedin et al., 2011; Whitford & Yates, 2009), little attention has been paid to the role of presidential speeches on public policy formulation during democratic governance, particularly in Malawi.

So, conducting and completing a study on the role of presidential speeches on public policy formulation in Malawi would be a watershed moment in academic circles, as the findings would add new knowledge to the literature by filling a critical gap regarding the intersection of presidential speeches and public policy formulation in Malawi during the democratic era. This would eventually dispel the notion that Malawi was reverting to an autocratic regime.

While the findings of this study will help to improve policy processes by emphasizing the importance of inclusive stakeholder engagement and ensuring that policymaking reflects the needs of the populace rather than being concentrated in the hands of the executive, it will also provide a literature resource for scholars to use when studying presidential discourse, public policy formulation, and public policymaking. Above all, completing this study will earn the researcher the coveted Master of Arts degree in Political Science.

1.7 Arrangement of Chapters

This dissertation is organized into five chapters to better examine the role of presidential speeches on public policy formulation in Malawi from 2009 to 2012. The first chapter includes the study's introduction and background, the problem statement, the study's objectives and research questions, and the study's justification, in that sequence. The second chapter is a literature review organized around specific objectives: an examination of factors contributing to presidential speech based policymaking in Malawi (the roles of the executive, legislature, and judiciary in the public policymaking); an assessment of the

political contexts in which specific presidential speeches are made; and an assessment of the impact of presidential speeches on policy formulation in Malawi. The third chapter provides the study's methodology, which includes the research design and method, study population, sampling and sample size, data collection techniques, data analysis, ethical considerations, and limitations. The fourth chapter provides the study's findings and detailed discussions. Finally, chapter five comprises the dissertation's conclusion, which includes an overview of the study, conclusions of findings, implications, and recommendations for further studies.

CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

This section presents the review of literature and the theoretical framework that underpins current research on public policymaking. On the review of literature, this section examines the current literature relevant to this study, focusing primarily on empirical evidence that is consistent with this research's specific objectives. In terms of theoretical framework, this section examined numerous frameworks that guided public policymaking studies and selected the best fit for this study.

2.2 Factors contributing to presidential speech based policymaking

In democratic countries, the making of public policies involves the interaction of numerous individuals within formal structures and according to the rules governing those structures (Rowe, 1997; in Peters & Zittoun, 2016). The public policymaking process is summarized in the 'public policy cycle', which includes stages such as problem identification, policy agenda setting, policy formulation, policy implementation, and policy monitoring and evaluation (Jann & Wegrich, 2016).

According to Anyebe (2018), the legislature, executive, and judiciary institutions all have persons with the authority to formulate and implement public policies.

In practice, however, the executive and legislative branches of government have demonstrated a direct involvement in the formulation and implementation of public policies. The judiciary institution, on the other hand, is responsible for ensuring the constitutionality of executive and legislative activities (Popoola, 2016). According to Anderson (1979) in Popoola (2016), these players, the executive, legislative, and judicial branches, are official participants in public policy formulation.

On the contrary, Smith (1976) contended that public policy was not necessarily the outcome of multiple interconnected causes and players. Hill (2005) strongly backed this perspective, arguing that public policy was not a clearly defined and tangible object. By this, they understood that public policy included not only legislative measures, but also government decisions made by the presidents in speeches to achieve specific goals or address specific challenges. While these government decisions were acknowledged as public policies, it was difficult to trace precise times when they were made. This section, therefore, discussed the strengths and weaknesses in the performances of the three arms of government that allowed the president to have more power in the formulation of public policies.

2.2.1 The role of the executive in public policymaking

The executive branch in democratic countries is made up of both elected and non-elected officials (Knill & Tosun, 2008). According to Matheson et al. (2007), elected officials, such as the president, prime minister, ministers, special advisors, special assistants, and top political aides, are responsible for defining public policy. Non-elected officials, according to Hallsworth et al. (2011), are mostly career civil servants who, due to their technical expertise and long-term service, are responsible for bringing order to policy proposals, advising elected officials, who are mainly politicians, and efficiently carrying out elected officials' decisions. Knill and Tosun (2008) suggest that all of the elected and non-elected executives' responsibilities come under the policy agenda setting, policy implementation, and evaluation stages of the public policymaking process. This means that the executive branch in democratic countries plays a variety of responsibilities in the public policymaking process. Popoola (2016) supported this argument by demonstrating that specific government players, as well as some non-government actors, were critical and important in the sub-processes of policy initiation, choices, formulation, implementation, and evaluation. Drawing on the experiences of key actors, Popoola discovered that comprehensive and well-executed public policies promoted effective governance and development.

Apart from the aforementioned duties, the president, who is the head of the executive institution, plays the responsibility of assenting to bills (Roux, 2002). Bill assenting is the process by which the president is granted the authority to officially approve or reject a bill debated in parliament before it becomes law. The president must act within twenty-

one day of receiving the bill. This provision plainly demonstrates that the president does not have special authority to formulate public policies.

On the other hand, Anderson (2003) contended that public policies, whether in the form of legislation, executive orders, or administrative rules, were not always the result of the policy formulation process. Anderson (2003) went on to suggest that public policies could be formulated by a single individual, such as the president, who may not adhere to the due process. This viewpoint was strongly supported by Patel and Tostensen (2006), who asserted that presidential system granted presidents vast powers, transforming them into 'big men' whose positions were frequently supported by a personality cult and systematic clientelism. This was the case because formal constitutional provisions were mixed with the informal neo-patrimonialism of African society, which increased the consolidation of power in the presidential office. According to Patel and Tostensen (2006), this has somewhat replaced the formulation of public policy by participation with rule by pronouncement, particularly from presidents. This study will therefore probe where the Malawi president, particularly Bingu wa Mutharika in his second term, got the authority to formulate public policies on his own in the democratic Malawi.

2.2.2 The role of the legislature in public policymaking

Legislative institutions are houses where elected officials, often known as 'representatives', make laws and policies (Roux, 2002). While this was the case, Hallsworth et al. (2011) argued that policy proposals submitted in these houses by politicians, who were mainly cabinet ministers, were mostly written by civil servants who

also specified policy implementation procedures. Parliamentarians debated, deliberated, and passed policy proposals or rejected them if they did not reflect citizens' needs and desires (Milimo, 1993; in Rwodzi, 2019). Legislative institutions were considered effective and vital for democracy when representatives reflected citizens' needs and wants when passing or rejecting policy proposals. Corroborating this point, Aitken (2013) stated that effective legislation was capable of attaining the goal for which it was formulated and implemented. Aitken further stated that quality legislation was the one that defined and developed procedures for producing effective legislation. This demonstrates that strong legislation was crucial for the running of democratic governments since it had the potential to initiate the country's development.

Despite several studies indicating that effective legislative institutions were crucial for the functioning of democratic governments, some studies argued that some factors made these legislative institutions ineffective. While Saiegh (2005) acknowledged the importance of legislative institutions in the functioning of the democratic system, he stated that in most Latin American nations, legislative institutions played a minimal role in policymaking processes due to a variety of issues. In this regard, it demonstrates that legislative institutions alone were insufficient for the functioning of democratic governments, but rather effective legislative institutions.

Some studies have linked the ineffectiveness of legislative institutions in democratic governments to their economic conditions. In this regard, Sachin (2015) contended that developing countries had weaker legislative institutions than developed countries due to

lack of capacities, resources, and political structures. These developing countries' legislative institutions may be likened to authoritarian regimes' legislative institutions, which were purely ceremonial because they served the president's interests and purposely deviated from institutional structures (Peters and Zittoun (eds), 2016). Gandhi et al. (2020) questioned not just the functions of legislatures and lawmakers in authoritarian regimes, but also why these legislatures existed in the first place. This study focused on authoritarian politics and institutions, with the goal of advancing research agendas for both authoritarian institutions and legislative studies.

There is sufficient evidence that the majority of African legislatures are becoming effective. In support of this viewpoint, Barkan (2008) observed that most African legislatures have begun to initiate and change laws to an extent not witnessed during the era of neopatrimonial rule or even in the early years following the restoration of multiparty politics. Barkan (2008) supported his assertion by mentioning Kenya, Malawi, and Nigeria as examples of African countries with effective legislatures that were able to prevent presidents from amending the constitution to eliminate presidential term limits. However, this study acknowledged that there was little consistency across Africa in the effectiveness of legislators in formulating public policies.

In Malawi, section 8 of the constitution states that the legislature is responsible for formulating public policies. The president and the National Assembly make up this legislature.

Bulmer (2017) claimed in favor of this argument that democratic presidents also led the National Assembly because they served as both the "head executive" and the "chief legislator". According to Chilenga (2008), this is one of the factors that brought the executive branch closer to policy formulation in the Malawi National Assembly. However, Chilenga (2008) contended that the Malawi constitutional arrangement on section 9 specifies the responsibilities of the executive in the public policymaking as the initiation of policies, legislation, and the implementation of all laws that embody the express intentions of the Malawian people.

In practice, however, Malawi's presidential political system places parliament second (Patel and Tostensen, 2006). This renders Malawi's legislative branch ineffective in its roles of formulating public policies, limiting the executive branch's excessive powers, and articulating the interests and grievances of all people in the country it represents. Furthermore, Barkan (Ed.) (2009) argued that presidents in most democratic countries represent the people because the presidential system allows them to do so. According to Barkan (Ed.) (2009), presidents have the authority to hand down already developed policies to legislators in democratic countries for approval as a matter of procedure, or to formulate their own policies unilaterally. This study on this section therefore seeks to enquire if the Malawian legislature, the Malawi National Assembly, served the president or the general public's interests.

2.2.3 The role of the judiciary in public policymaking

The judiciary comprises judges and courts (Popoola, 2016). This institution interprets, protects, and enforces the constitution and all laws (Malawi Constitution, 1994 (1)9). This demonstrates that the judiciary is not legally mandated to initiate, formulate, or implement policies. However, this judiciary conducts judicial reviews, statutory interpretations of cases before the judges, and judicial activism to accomplish their aforementioned roles (Egomwan, 1991; in Popoola, 2016). Roman (2014) echoed this in his study, noting that constitutional review instruments gave judges authority over the legislature and executive and moved them closer to policymaking by bringing legal expertise into play. The study's findings revealed that the policies formulated in this context were influenced by both judicial and political factors.

The judiciary formulated policies that combined both judicial and political elements. Kay (2008) supported this viewpoint by claiming that judges formulated public policies when making laws in courts and then implemented those policies while applying those laws. Kammerer and Estrella-Luna (2020), in agreement with this understanding, emphasized de Tocqueville's observation in the United States of America. In their study, they discovered that policy and law were inextricably linked since political concerns became judicial questions. Despite highlighting social policy, environmental policy, and economic policy as some of the public policies frequently formulated through courts in their study, Kammerer and Estrella-Luna (2020) revealed a lack of graduate programs in public policy to equip students on the role of courts in the policy process and

recommended possible program revisions to close the gap. These findings thus demonstrate that the judiciary's involvement in the formulation of public policies is not widely known.

On the contrary, the judiciary is regarded as being directly involved in the public policymaking process (Taylor, 2008). Taylor summarized the relevance of incorporating courts into the analysis of public decisions and policy implementation in the Brazilian political system. Taylor further discussed the main factors that influenced the degree and depth of the Judiciary's impact on public policies. By this, Taylor (2008) agrees that the Brazilian judiciary took a more active role in public policymaking than the traditional and widely accepted duty of overseeing the actions of the executive and legislature. This study will therefore enquire whether the judiciary in Malawi played a direct role in public policymaking during the study period.

2.3 Political contexts in which specific presidential speeches are made

Nash et al. (2006) defined political context as the political aspects of the environment that are relevant to action. Political context in relation to presidential speeches should therefore mean the political aspects of the environments in which presidential speeches are made. In general, presidential speeches aim to inform or influence an audience through structured and purposeful face-to-face communication (Babič & Fikfak, 2016).

Presidential speeches that aim to inform the audience of anything are considered to serve a transactional purpose (Bennett, 1976; in Al-Majali, 2015). According to Bennett, presidential speeches that serve this transactional purpose typically use language to

communicate factual or propositional information. In this regard, it should be noted that these presidential speeches are predominantly delivered by presidential aspirants.

These aspirants' speeches are said to be convincing and focused in order to entice voters to vote for them in an election. Pengsun and Fengfeng (2013) supported this standpoint by revealing in their study that presidential aspirants' election speeches had an impact on the outcome of the election if they were presented in terms of mood, modality, and personal pronoun. The study, which analyzed Obama and McCain's election speeches, found that Obama outperformed McCain. According to Pengsun and Fengfeng's findings from their study, presidential aspirants' delivered speeches in order to persuade voters to vote for them in elections.

Furthermore, presidential aspirants have been observed utilizing speeches to legitimate themselves as the best choice. Trajkova and Neshkovska (2019), in support of this position, noted that presidential aspirants devoted a significant amount of time and effort to winning elections by portraying themselves in the best possible manner. They accomplish this by praising themselves and their political parties while simultaneously delegitimizing and attacking their opponents and the policies they represent (Trajkova & Neshkovska, 2019). This study, which analyzed Donald Trump and Hillary Clinton's speeches in one of the United States of America's elections, found that these presidential aspirants used more positive terminology to describe themselves and their policies, and negative terminology to criticize their opponents' policies. However, according to this

study, the purpose of utilizing these strategies was to persuade voters to vote them into office.

In many cases, however, speeches acknowledged as presidential speeches are delivered by incumbent presidents. These speeches are known to serve an interactional purpose and also develop and maintain social relationships and common ground (Bennett, 1976; in Al-Majali, 2015). According to Nash et al. (2006), these presidents' speeches are largely intended to influence public policymaking. While Druckman and Jacobs (2009) agreed that presidential speeches influence public policymaking, they emphasized that these speeches primarily affected public policy proposals. In support of this viewpoint, Eshbaugh-Sona (2010) contended that presidential speeches inform others about the president's policy preferences and allow them to meet public expectations. The study's findings revealed that presidents were more likely to continue delivering speeches when the political environment improved than when it deteriorated. The study also found that presidents' speeches influenced public policy proposals, but only when the conditions were right.

The majority of studies agreed that incumbent presidents gave presidential speeches. Some of these studies even identified specific contexts in which presidents delivered speeches. One such study is that conducted by Hashim (2015). In his study, Hashim revealed that presidents were exposed to inauguration ceremonies where they delivered their first speeches, which were generally saturated with messages thanking electorates for voting for them. In an extension of this perspective, Chinwendu Israel and Botchwey

(2017) explored the illocutionary act performed in presidential Inaugural Addresses (PIAs) by Ghanaian presidents of the 4th republic, as well as the intended communicative impacts on the audience. This study found that Presidential Inaugural Speeches (PIAs) were characterized by the predominant use of assertives and no declaratives. According to them, these illocutionary acts were employed to depict past, present, and future problems in the country and to inspire confidence in the governments. In other words, this study revealed that the inaugural speeches of presidents were designed to set the tone for the country and generate public support.

Another context in which incumbent presidents deliver speeches in their respective countries is the state of the nation address (SONA), sometimes known as the state of the union address (SOTU). In general, this is a platform utilized by incumbent presidents to express to the people what they intend to accomplish for their countries as well as what they did the previous year for the country's progress (Teten, 2003). Adjei et al. (2015) conducted a study that strongly supported this argument. This study, which analyzed how President John Evans Atta Mills used language in his first state of the nation address to express his political message to his people, found that material processes dominated Mills' speeches because he knew that his responsibility was to work on a number of concrete projects to create a sense of developmental progression and continuity for his country. This means that the address asks for strong and decisive action, not just assurances and wishful thinking.

Some studies indicated that emergency situations provided a context for presidents to deliver speeches. In this regard, Ouyang and Morgan (2023) contended that most countries had National Emergencies Acts that allowed presidents to issue written statements justifying the objective of the national emergency declaration, continuance, or termination. While Windsor (2013) stated that emergency situations posed political challenges for societies because these events put both citizens and leaders at risk, he also stated that leaders who respond successfully to emergency situations should be rewarded with longer tenure than those whose responses are deemed inadequate. However, Ouyang and Morgan (2023) and Windsor (2013) contended that presidents used speeches to formulate policies during these periods, revealing primarily their preferences and strategies for accommodating the social, political, and economic shocks caused by emergency situations. This study will therefore probe the political contexts in which specific presidential speeches were made in Malawi during the study period.

2.4 The impact of presidential speeches on public policy formulation

Knill and Tosun (2008) argued that the executive, particularly the president, must be involved in setting the policy agenda because it is an important source of power in public governance. Andrade and Young (1996) and Villalobos and Sirin (2011) conducted studies that support the president's effect on the policy agenda and found that presidents' authority was evident when they influenced the policy agenda. These studies, utilizing various models of analysis, contended that presidents had a noticeable influence on

foreign policy. These studies, however, did not focus on the media outlets employed by these presidents to influence their policy agendas.

On the other hand, presidents utilized speeches to set public policy agendas (Babič and Fikfak, 2016). According to Lovett et al. (2015), the president's influence on policy agenda setting was necessary since it was an important aspect of the presidential-legislative relationship. This study, which focused on the State of the Union address, revealed that popular presidents were capable of directing legislative attention, whereas unpopular presidents were incapable. Overall, however, presidents' speeches appear to have some influence on policy agenda setting.

Hughes (2009) approved the usage of Union addresses in his study. He disclosed that the president played an important role in setting the policymaking agenda. The study determined President George W. Bush's success by analyzing the front pages of The Los Angeles Times, The New York Times, and The Washington Post one week before and after each State of the Union Address in 2002 and 2006 respectively. This analysis found that speeches only appeared to influence media coverage in 2002, which could be attributable to Bush's declining public approval. While this is true, it appears that presidential speeches have had an impact on public policy agenda setting.

A more specific study that indicated that presidential speeches were used to set policy agendas is the one conducted by Peake and Eshbaugh-Soha (2008). This study discovered that modern presidents wield significant authority in setting national agendas through national televised speeches, but it did not investigate the consequences. However, the study discovered that there were differing views on how the president's national speeches

influenced policy agenda setting. Despite these ambiguous statements about how presidential speeches influenced policy agenda setting, there is evidence that they did.

In recent years, arguments have pointed to presidents as practical and principal public policymakers, particularly in terms of initiating and formulating public policies (Popoola, 2016). These presidents have utilized speeches to influence public policy formulation (Howlett & Geist, 2012; in Turnpenny et al., 2015). According to Druckman and Jacobs (2009), these presidents must have adopted and embraced this method of formulating public policies because of citizens' expectations and their reliance on presidents as primary public policymakers and representatives of their countries. As a result, Mair et al. (2019) emphasized that this was one of the factors that must have prompted presidents to make decisions on every problem in the country while ignoring the existence or significance of other points of view.

Locally and recently, particularly during Malawi's democratic era, no research has been conducted on the role of presidential speeches on public policy formulation. However, information revealed that it was only under Kamuzu Banda's reign that the president was officially granted the authority to make all government decisions at any time and place (Malawi Constitution 1966). Despite the fact that Malawian democracy is still in the process of transitioning from an authoritarian system, Chirambo (2009) argued that it allows for critical debate on opposing viewpoints. In his study of politicized cultural populism in Malawi, Chirambo discovered that Kamuzu Banda and Bingu wa Mutharika legitimized their regimes and built popular support by adopting traditional roles, cultural symbols, and images of power. The study, however, concluded that, despite Bingu wa Mutharika's efforts being somewhat thwarted by the democratic political climate, he

nonetheless formulated several public policies singlehandedly. According to Cammack (2004), this was possible because Malawi during Bingu wa Mutharika's reign was a neopatrimonial state in which power was centralized around one individual, the president, who controlled most clientelist networks and wielded discretionary power over a large portion of the state's resources.

2.5 Theoretical Framework

This section presents two theories to explain the role of presidential speeches on public policy formulation. They are “Elite Theory” and “Big Man Theory.”

2.5.1 The Elite Theory

The "Elite Theory" serves as the framework for this study. Mariotti (2020) defines this elite theory as a society divided into two classes: the mass of people and the ruling minority. Mariotti further argues that this division is for the purpose of policymaking. Woll (1974), in support of this understanding, adds that the ruling minorities have political power and make and impose decisions that affect the mass of people. Dye (1978) presents an expansion of this idea. He contends that the ruling minority formulates public policies that reflect its preferences and values, even if those values differ from those of the majority. This suggests that public policies formulated through this model were clearly flowing from top to bottom.

Mosca (in Anyebe, 2018) believed that societal divisions into elite and mass classes were unavoidable. He explained this in detail in his work, "The Ruling Class," where he argued that every society was divided into the ruling class and a class that is ruled, and that the ruling class, despite being in the minority, performed all political functions, monopolized power, and reaped the benefits of that power. This implies that the majority was nothing in the presence of the powerful minority.

Kraft and Furlong (2013) expanded on the elite theory argument, stating that there could be multiple classes of elite in society. However, Kraft and Furlong (2013) were quick to point out that, despite the presence of numerous elite groups in society, only one established class was responsible for formulating public policies. By this, they meant that there was only one dominating elite grouping in a society that was in charge of formulating public policies.

In a democratic Malawian society, the executive dominates the public policymaking process by initiating, implementing, and evaluating public policies, despite the fact that these public policies must be collaboratively formulated by the executive, legislature, and judiciary. This demonstrates that Malawi's executive branch of government is a well-established elite group with significant responsibility for policy formulation. This elite theory is thus used in this study because it has the potential to explain how and why Malawi, a democratic country that was only supposed to make public policies using the pluralism model, which allowed the general public to participate in public policymaking through their representatives, Members of Parliament, and the judiciary, allowed the executive to dominate the public policymaking process.

2.5.2 The Big Man Theory

The "Big Man Theory" is also used to guide this study. The "Big Man Theory," which became popular in New Guinea in the nineteenth century, is also known as "The Great Man Theory" (Carlyle, 2019). Carlyle (2019) asserts that the big man theory of leadership holds that exceptional leaders are not created; rather, they are born. This means that exceptional leaders are born with certain qualities and attributes that are unique to them. In essence, these big men possess four essential characteristics: their purpose, their leadership style, the abilities that made them unique, and the way in which they applied those abilities to achieve their objectives (Sahlins, 1963; in Roscoe, 2012).

In general, the Big Man stands for the most classic example of "achieved" leadership (Roscoe, 2012). Consequently, one must be extremely ambitious and fiercely competitive to pursue this leadership role. According to Roscoe (2012), big men have an impact on collective decisions and exercise informal leadership in their communities. These features contribute to the big man theory's remarkable continued relevance in modern times (Lederman, 2015).

While the functions of presidents are clearly stated in Malawi's democratic constitution, Bingu wa Mutharika formulated public policies on his own during his second time in office. According to De Coning et al. (2011), this was acceptable because presidents wielded more political power and were more knowledgeable than other authorities. Apart from that, Lederman (2015) observed that presidents of democracies who formulated

public policies by themselves were "Big Men," impacted by Big Man theory characteristics such as personalization of power, symbolic power, patronage and clientelism, and informal institutions. This theory is thus employed in this study to supplement the elite theory in explaining how and why Bingu wa Mutharika single-handedly formulated public policies during his second term as president when the environment necessitated that democratic demands reign supreme.

2.6 Conclusion

This section was a presentation of the literature review and the theoretical framework. This section has shown that: ineffective legislatures and idle judiciary create loopholes for powerful presidents to formulate policies through speeches; aspirants and incumbent presidents make presidential speeches; and, presidential speeches do have an impact on policy formulation. On the theoretical frameworks, this section has demonstrated that elite theory is capable of explaining how a few minority elites in a democratic society can promote their interests over those of the majority. This section has also demonstrated that the big man theory complements the elite theory in explaining how and why a single person, Bingu wa Mutharika, formulated public policies through speeches in a democratic society where public policies are supposed to be formulated by multiple actors while taking into account a variety of factors.

CHAPTER THREE

METHODOLOGY

3.1 Introduction

This section presents the methodology that was used in carrying out this study. It looked at the research design and method, population of the study, sampling and sample size, data collection techniques, data analysis, ethical consideration and limitations of the study.

3.2 Research Design and Method

Creswell and Plano Clark (2007) define research design as techniques for collecting, analyzing, interpreting, and reporting data in research studies. Simply put, research design is a strategy for connecting the theoretical research problem with relevant empirical research.

This study is exploratory in nature, with the goal of determining how and why public policies, which are intended to be collaboratively formulated by the executive, legislative,

and judiciary, were occasionally formulated by the president on podiums under the democratic system of government. This implies that the study used a qualitative research design. Qualitative research design is a comprehensive strategy that involves discovery. According to Creswell (2014), qualitative research focuses on understanding how individuals or groups perceive social or human problems. As a result, qualitative research design was used to gather in-depth perspectives from participants, revealing ideas and insights of people on the role of presidential speeches on public policy formulation in Malawi from 2009 to 2012.

Reiter (2017) defines qualitative research method as the collecting of non-numerical data and its interpretation in relation to specific objectives or themes. Furthermore, the qualitative research method is based on inductive reasoning, which requires the researcher to be more observant in order to ask as many questions as possible from participants (Williams 2017). This way, the qualitative research method assisted the researcher in gathering data from participants who explained how and why public policies were formulated by the president through speeches when the bodies responsible for formulating those public policies were present and the time, democratic era, did not permit the vice.

3.3 Population of the study

The population of the study can be simply defined as the population of interest in the study. According to Casteel and Bridier (2021), the study population consists of the

individuals, dyads, groups, organizations, or other entities that one seeks to understand and to whom or to which the study results can be generalized or transferred, as well as the primary group about which the research is concerned. This population will be used to recruit a sample for the study (Majid, 2018).

This study drew the population from the Malawi National Assembly former representatives (Parliament), the Judiciary (High Court Judges), Government departments/ministries (senior government officials from the Ministry of Finance, Ministry of Homeland Security, and Ministry of Foreign Affairs), Civil Society Organizations (CSOs) (Centre for Human Rights and Rehabilitation (CHRR), Public Affairs Committee (PAC), and Church and Society of Livingstonia Synod - CCAP) as well as academia (Mzuzu University and Catholic University).

3.4 Sampling and Sample Size

Dawson (2012) defines a sample as a population section chosen to represent the entire population. Similarly, Etikan et al. (2016) describe a sample as a subset of a population or universe. Etikan et al. (2016) define the sample as the overall quality of the things or situations under study. These definitions demonstrate an understanding that a sample is not only limited to a subset of a group of people, but also includes objects and items as long as they are drawn from a large population for measurement. A sample is significant because it reduces the researcher's hectic work of dealing with a larger population by

exposing him to a smaller and more manageable population that nonetheless maintains characteristics of the larger population.

In general, conducting research with a sample has proven to be an effective method because it has produced the expected results. According to Evans et al. (2000), sample size is the number of participants or observations included in the study. The sample size in qualitative research is adequately chosen through judgment. This sample size is a crucial aspect of any empirical study that seeks to draw conclusions about a population based on a sample.

For the purposes of this study, sampling refers to the process of selecting a statistically representative sample of individuals from the population of interest (Majid, 2018). Alvi (2016) defines sampling similarly to Majid. He claims that it is the process of extracting a sample from a population. This demonstrates that sampling is a crucial tool for research studies since it has the potential to attract a suitable number of people who can be interviewed while accurately representing the entire population of interest, which would definitely be difficult to interview.

The study employed a non-probability sampling technique, specifically purposive sampling. It is also called judgment sampling (Etikan et al., 2016). Purposive sampling, according to Alvi (2016), is the deliberate selection of a participant in a study based on their characteristics. Because it was a judgmental sampling technique, the researcher had the discretion to choose who to include in the study based on the wealth of knowledge

that the person was discovered to possess, which may shape and enhance the study. This study initially targeted twenty-three respondents from across Malawi. The study interviewed former Malawi National Assembly representatives who served between 2009 and 2012, including the Speaker of Parliament, Clerk of Parliament, Leader of the House, six Members of Parliament distributed equally among the Democratic Progressive Party (DPP), Malawi Congress Party (MCP), and United Democratic Front (UDF), and the Leader of the Opposition from 2019 to 2020. The study chose these respondents because of their important roles in the process of public policymaking, and this study interviewed the leader of opposition between 2019 and 2020 in place of the former leader of opposition during the time of the study due to his absence from the political scene due to his age.

This study also interviewed six former leaders of three Civil Society Organizations (CSOs), two for the Public Affairs Committee (P.A.C.), two for the Centre for Human Rights Rehabilitation (C.H.R.R.), and two for the Church and Society of Livingstonia Synod - C.C.A.P.), democracy advocacy civil society organizations that were also responsible for organizing countrywide demonstrations against Bingu wa Mutharika during his second term in office.

This study also interviewed two High Court Judges who were part of the government at the time of the study. This study was certain that these judges would successfully inform this study of their roles in the process of public policymaking as well as how they carried out their duties during Bingu wa Mutharika's second term in government.

The study also interviewed three government officials from the Ministries of Homeland Security, Foreign Affairs, and Finance who occupied senior positions during the study period. The study's interest was to verify with these respondents the public policies formulated by Bingu wa Mutharika in his speech that were used as examples in the study, as well as to learn from these civil servants whether they implemented these public policies differently than public policies formulated jointly by the three branches of the Malawi government. The majority of this section was addressed utilizing secondary research from the existing literature on public policies formulated by Bingu wa Mutharika through speeches during his second term in office. This saved the researcher a significant amount of time, allowing him to focus on other equally important aspects of the study in order to complete it on time.

Finally, the study interviewed two governance academics, one from Mzuzu University and the other from the Catholic University of Malawi. The study was interested in learning how these learned people perceived Bingu wa Mutharika's leadership during his second term in office, as well as if his government consulted them on public policymaking. A snowball sample was employed to identify this and most other respondents because the researcher knew only one individual in the field of governance, one High Court judge, and a few former CSO office holders and politicians during the time of the study. According to Vogt (1999), the snowball sampling method is ideal for identifying study subjects when the researcher only knows one or a few respondents.

3.5 Data Collection

This study included both primary and secondary data. Key informant interviews were used for primary or empirical data, while literature reviews were employed for secondary data.

3.5.1 Key informant interviews

Key informants are very important in qualitative data collection methods (Ali et al., 2013). In general, key informants are persons who know what is going on in a specific field. The researcher interviewed these Key informants using two methods: telephone interviews and face to face interviews.

The researcher used telephone interviews primarily to get consent from prospective respondents to participate in the study and to schedule appointments with those respondents who agreed to the researcher's requests. While telephone interviews are regarded as the most convenient and time-saving method for the researcher, this study relied heavily on face-to-face interviews to gather in-depth information from respondents. Telephone interviews were employed to gather in-depth information only in cases where it was beyond the researcher's capabilities.

The researcher gathered in-depth information from respondents mostly through face-to-face interviews. The researcher utilized a sketchy interview guide to get more information from respondents, and other more probing questions arose as a result of their

responses. The open interchange of ideas and access to respondents' expressions allowed the researcher to ask more complex questions, resulting into getting the more desired and detailed information.

3.5.2 Review of literature

Secondary research can also be referred to as desk research or literature review. According to Johnston (2014), secondary research necessitates the use of theoretical knowledge and conceptual skills in order to address research issues using existing data. It is considered that if the researcher selects the relevant data for the study from publicly available resources, the researcher will save both time and money.

Aside from this, secondary data frequently shapes the study since it fills a gap in the new proposed study. According to Matthews and Ross (2010), secondary data sources include academic papers (books and journal articles); electronic, print media and internet sources; institutional and independent analytical reports; archival documents and statistical publications; newspaper articles and reports. The researcher used data from some of these sources to shape the study while also logically cross-referencing with the primary data to arrive at the study's findings.

3.6 Data Analysis

According to Marshall and Rossman (2006), data analysis is the process of bringing order, structure, and meaning to the mass of collected data. The data collected was analyzed using content analysis.

Leedy and Ormrod (in Williams, 2007) define content analysis as "a detailed and systematic examination of the contents of a particular body of materials for the purpose of identifying patterns, themes, or biases". This content analysis thus helped the researcher in summarizing all forms of human communications in relation to the secondary data and finding important themes from the study objectives that helped in giving meaning and conclusions to the collected data. The diagrammatic package was also used to report results under certain objectives or sub-objectives.

3.7 Ethical Consideration

First, the University of Malawi's Political and Administrative Studies department approved this study's proposal for data collecting. This indicated that the methods and approach were ethically correct. In addition, prospective respondents were contacted by phone to request permission to participate in the study. Where potential respondents gave consent, the researcher communicated the study topic and purpose in order for them to properly prepare for the study. No respondent was forced into participating in the study; rather, they chose to do so and could withdraw at any time. Finally, to ensure anonymity and confidentiality, the respondents' names were not included in the interview guides.

3.8 Study Limitations

This study had certain inherent limitations. Some former Malawi National Assembly (MNA) representatives, Civil Society Organizations (CSO) leaders, and serving High

Court Judges were unavailable for the study due to either busy schedule or simply unwilling to participate in this study. There were two solutions to the unavailability limitation. Some key informants who had busy schedules but were willing to participate in this study were interviewed on the phone, but for those who were unavailable and unwilling to participate; this study contacted other office bearers during the study period or, in some cases, office bearers who had previously held the same positions.

CHAPTER FOUR

RESEARCH FINDINGS PRESENTATION AND DISCUSSION

4.1 Introduction

This chapter presents the findings and discussions on the role of presidential speeches on the public policy formulation in Malawi from 2009 to 2012. The study's data was analyzed using the following specific objectives: an examination of factors contributing to presidential speech-based policymaking, along the roles of the executive, legislature, and judiciary in the public policymaking; an assessment of the political contexts in which specific presidential speeches are made; and an assessment of the impact of presidential speeches on public policy formulation in Malawi. The respondents to this study, who included former Malawi National Assembly representatives, High Court judges, representatives of civil society organizations, senior government officials during the time of the study, and academics, demonstrated a high level of public policy understanding and provided the necessary information that revealed the role of presidential speeches on public policy formulation in Malawi from 2009 to 2012.

4.2 Factors contributing to presidential speech based policymaking in Malawi

This study recognizes the executive, legislature, and judiciary as official participants in the process of public policymaking in democratic countries (Anderson, in Popoola, 2016). This study, therefore, examined these institutions' roles in the public policymaking process in Malawi from former Malawi National Assembly representatives of between 2009 and 2012 comprising of the Speaker of Parliament, Clerk of Parliament, Leader of the House in Parliament, and six Members of Parliament distributed equally amongst the Democratic Progressive Party, Malawi Congress Party, and United Democratic Front, Leader of Opposition in parliament between 2019 and 2020, two High Court judges who were part of the government during the study period, and two governance lecturers. The study on this section was interested to know where the president, Bingu wa Mutharika, got powers for formulating public policies singlehandedly through speeches during his second term in office.

4.2.1 The role of the executive in public policymaking in Malawi between 2009 and 2012

This study recognizes that the executive plays a significant role in the process of public policymaking. For practical information on this subject in Malawi, the researcher conducted an inquiry with former Malawi National Assembly representatives, High Court judges, and academics to determine whether the executive, in general, and the president, Bingu wa Mutharika in particular, performed their roles accordingly during the time of

the study. Responding to a question requesting a brief explanation of the executive and president's roles in Malawi during the study period, the majority of respondents cited policy formulation and policy implementation, which were presented differently and will be discussed below.

4.2.1.1 Policy formulation

All the respondents who were interviewed on this section indicated that the executive was responsible for formulating public policies. These respondents disclosed this when questioned about the main stakeholders in the public policymaking process, but did not elaborate. However, these respondents stated that they were aware that Bingu wa Mutharika, the president of Malawi during the time of the study, formulated public policies through speeches that were eventually implemented.

Some of these respondents indicated that Bingu wa Mutharika's actions of formulating public policies through speeches were entirely appropriate. This response is consistent with the views of Howlett and Geist (2012), as reported in Turnpenny et al. (2015), who stated that presidents were responsible for formulating public policies through speeches. One of the respondents, who thought the president was at liberty to formulate public policies the way he wanted, said that;

The president, Bingu wa Mutharika, was there to rule, to control, and to govern, therefore, making policies was his mandate and speeches were used to give direction on the subject matter”.¹

¹ Personal interview with one DPP MP on 17/04/2023

This response shows how powerful Bingu wa Mutharika was in the country during the time of the study. According to van Wyk (2007), this was necessary because a country's leader must be powerful in order to influence and dominate other people, groups, or policy agendas. Others among the respondents presented their explanations in a relatively mild tone. One of these respondents said that;

“No, this was normal because the president, Bingu wa Mutharika, was the head of the cabinet and policy formulation involves passing through this cabinet for approval. So, by the president formulating these policies he must have been exercising this as a head of cabinet”.²

In general, these findings show that President Bingu wa Mutharika had complete control over Malawi's public policymaking process during the study period. According to these findings, Bingu wa Mutharika was the only person of sound mind in charge of making decisions on all matters for the country during his second term of office (Mair et al., 2019). Maveneke (1995) saw nothing wrong with Bingu wa Mutharika's actions of formulating public policies singlehandedly through speeches. Maveneke contended that as head of the central government, the president had every authority to decide and manage public policies because he was aware of the public's needs. Despite the fact that this top-down approach to public policymaking is widely regarded as undemocratic, Norris (2000) contended that it could be rendered democratic if the central government informed citizens about what it had decided for them.

² Personal interview with the former First Deputy Speaker of Parliament on 02/05/2023

Additionally, Faltey et al.; in Miroshnikova (2014) claimed that citizens could be considered improved and incorporated into the process of public policymaking if they were educated and empowered.

While most former parliamentary respondents justified President Bingu wa Mutharika's actions of formulating public policies through speeches during the study period to be democratic, some experts disagree. Bekker (1996), one of the experts who disagreed, supported his position by first defining democracy as "government by the people" or "the people elected representatives." By this, Bekker indicated that in democratic countries such as Malawi, citizens should be directly involved in decision-making, or their elected representatives, who are mostly Members of Parliament, should make choices on their behalf. It is clear that the president, Bingu wa Mutharika, made decisions for local people who lived far away from him, and that the public policies he formulated through speeches did not reflect the needs and desires of the broader population. Babooa (2008) adds to this viewpoint by stating that only Members of Parliament legitimately represented the general public in decision making in democratic countries since they were directly and deliberately elected by their constituents for that purpose. The most concerning aspect of these findings is that parliamentarians who were entrusted by Malawian citizens with the responsibility of representing them in decision making during the study period, were among those who praised the president, Bingu wa Mutharika, for his actions of singlehandedly formulating public policies that were later implemented.

As a result of these findings, it is tempting to assume that most parliamentarians during the study period were unaware of why they were voted to the Malawi National Assembly by electorates or why Malawi adopted a democratic system of government in 1994.

One academic respondent, who endorsed the views advanced by former Malawi National Assembly representatives, claimed that things were changing and that changing the way things were done as a nation was perfectly acceptable. This respondent contended that President Bingu wa Mutharika's actions during his second term of office were just very much in order. This respondent precisely said that;

“Public policy should not be something that should be casting stones, meaning that policies should not be always written down that people should make references to. For example; the President should be free to make a decision from resolutions by the cabinet”³

These findings are generally advocating for the fast way of government arriving at a decision. Masango (2001) supports these findings because he sees this way of making decisions as providing an alternative to participatory democracy, which has proven difficult to achieve in large and complex modern societies. If citizens trusted and allowed the country's most top leaders, presidents, to make decisions on their behalf, the decision-making process would be simplified. Apart from that, Druckman and Jacobs (2009) claimed that presidents were practical and principal public policymakers and representatives of their countries, with all citizens looking to them. This, while appearing quite reasonable, may not be constitutionally supported considering that Malawi is a

³ Personal interview with one Mzuni Lecturer on 16/06/2023

democratic country that has worked hard over the years to fully consolidate its democracy. Aside from supporting democracy, Smith (1985) asserted that limiting decision-making to a few people, such as the president, may be detrimental to the country since it may exclude those people with a vision of the common good, denying the country growth.

Another respondent from the leadership of the former Malawi National Assembly representatives blamed Malawi's government system, which he said mostly heaped all the powers of running the country on the executive, with the president as its head, and also constrained the legislature and judiciary from directly having their hands on the executive. This respondent stated that;

“It was in order since the executive had proved to be more powerful to the legislature and judiciary. The legislature did not have the powers to question the executive’s actions and even when a suggestion was made by the legislature to the executive, the executive would choose to go ahead with their original decision. As for the judiciary, they also questioned the decisions of the executive through the backdoor, thus; granting judicial reviews and injunctions upon request from citizens ”⁴.

The two High Court judges who responded on this section stated that the executive, along with the legislature and judiciary, was a main stakeholder in the public policymaking process, and that they were aware that Bingu wa Mutharika formulated public policies

⁴ Personal interview with the former Leader of Opposition in Parliament on 17/05/2023

through speeches during his second term in office. One of these respondents, who mentioned the shoot to kill policy as an example of those public policies that were formulated by Bingu wa Mutharika and that they were beneficial since they reduced crime in the country, said that;

“President Bingu wa Mutharika singlehandedly formulated public policies due to his sense of insecurity as he knew that some technocrats were from other parties other than Democratic Progressive Party and also because of the sense of bravado where he wanted to be seen that he was governing this country.”⁵

One academic respondent agreed somewhat with the judge's aforementioned findings.

This respondent stated that;

“I believe Bingu wa Mutharika’s adoption of a political leadership with an African ideology that required the president to be strong, and also his admiration of president Kamuzu Banda’s personality are some of the factors that contributed to his style of formulating policies through speeches during his second term of office”⁶.

These findings, particularly Bingu wa Mutharika's adoption of Kamuzu Banda's personality, are consistent with what Chirambo (2009) discovered in his study comparing the leadership styles of Kamuzu Banda in the one-party government and Bingu wa Mutharika in the democratic era.

⁵ Personal interview with one High Court Judge on 09/04/2023

⁶ Personal interview with one C.U. Lecturer on 19/06/2023

Both former presidents were found to formulate policies through speeches, and Cammack (2004) claimed that Bingu wa Mutharika did so under democracy due to the neopatrimonialism he espoused. In a neopatrimonial leadership style, authority was concentrated in the hands of a single man, the president, who controlled most clientelist networks and had discretionary power over a large portion of the state's resources (Cammack, 2004).

According to the findings of all these respondents, the president of democratic Malawi, Bingu wa Mutharika, formulated public policies singlehandedly through speeches during his second time in office. These findings leave a lot to be desired, given that Malawi voted out this one-party regime way of formulating public policies in the 1993 referendum and subsequent 1994 multiparty democracy elections, implying that the country had adopted a pluralist method of formulating public policies that accommodates various points of view.

The most surprising thing is that even when the one-party regime president, Kamuzu Banda, was given the authority to formulate public policies anywhere and at any time (Malawi constitution, 1966), the policies were nonetheless passed through parliament to gain authority (Venter, 1996). Therefore, one wonders how Bingu wa Mutharika, a democratic president of Malawi, formulated public policies through speeches during his second term of office. It is evident that Bingu wa Mutharika was doing all of this during his second term in office because he knew the Malawian government had adopted a form of government with concentrated powers in the executive and that the president's survival

was not threatened by any particular institution. Moi and Makhamara (2020) stated that if a country adopted parliamentary government, Members of Parliament would vote the president out of office. This study, which observed Bingu wa Mutharika's continuation of public policy formulation through speeches during the study period, expressed concern for Malawi's status, assuming that Bingu wa Mutharika had already reached the status of personal ruler. This is because practically all legally sanctioned institutions of law, whether constitutional or civic, had already been abandoned for his personal preferences and whims. When this happened, Ogbazghi (2011) claimed that the president was regarded as a personal ruler.

Some respondents believed that public policies were formulated by the elected executive in collaboration with the non-elected executive but at a different level. These respondents meant that in the formulation of the same public policy, both the elected and non-elected executive participated. One of the respondents supporting this opinion stated that;

*“The executive, both appointed and permanent, plays a part in the public policymaking. While the appointed executives were responsible for making directions and control, the permanent executives defined how the policies ought to be implemented and implemented those policies”.*⁷

Kingdon (2014) corroborated these findings. He contended that while political appointees advance policy agendas, civil servants shape them. Aside from Matheson et al. (2007) and Hallsworth et al. (2011) agreeing on this understanding, Waller et al. (2009)

⁷ Personal interview with the Leader of the House in parliament on 05/05/2023

supported it by stating that civil servants rarely originated policy ideas and instead focused on responding to policy ideas passed on to them by appointed executives. By this, Waller et al. (2009) meant that civil servants were only good at developing procedures for implementing public policies. While the findings on this theme fit the preceding explanations, Henry (1992) had a different perspective. He asserted that civil servants are likewise responsible for public policymaking. His claim was based on the assumption that politics and administration were inextricably linked. In support of this viewpoint, Hanekom (1991) contended that civil servants, using their expertise and experience, identified the weaknesses and strengths of policies while performing their policy implementation duties. According to Hanekom (1991), this was a time when civil servants were also involved in policymaking because policy implementation and policymaking were intertwined. Masango (2001) simplified this argument by emphasizing that civil servants were public policymakers because public policy implementation and policymaking occurred simultaneously. Masango saw public policymaking as a complex process with no clear beginning or finish, and that as one policy was being approved, another may be launched.

This arrangement, which allowed the president, Bingu wa Mutharika, and his inner circle to formulate public policies such as the shoot to kill policy; the declaration of Fergus Cochrane-Dyett, the British High Commissioner to Malawi, as a persona non grata; and the declaration and adoption of the zero-deficit budget in the 2011/2012 fiscal year, demonstrate that public policies were formulated by a small group of people from the same family. According to Dye (2013), public policies formulated by few elites reflect

only their interests and values. Birkland (2015) asserts categorically that public policies formulated solely by executives were controversial and unsatisfactory because they lacked debates and deliberations. This demonstrates that executive formulated public policies lacked inclusivity and hence did not reflect the interests and desires of the majority of the country's citizens.

For the sake of democratic progress and the provision of welfare services to the entire country, Malawi, an ideal approach for formulating public policies would be that advanced by Purnomo and Suharto (2018), which requires the participation of both the executive and legislative branches in discussions in order to utilize various state resources for social welfare. Woll (1974) supports this approach, arguing that public policymaking was the responsibility of the three organs of government, especially the legislative, executive, and judiciary. Woll (1974) stressed that the interests of the legislative, executive, and judiciary must all be taken into account while formulating and implementing public policy. This transparency and openness in making public policy shows that a country is democratic and aims to help its citizens (Miroshnikova 2014).

4.2.1.2 Policy Implementation

Policy implementation is another role of the executive in public policymaking that some respondents cited on this section. However, the majority of these respondents did not state who explicitly implemented public policies in the executive branch, nor did they specify how the policies were implemented. Only two respondents included explanations. While one of the respondents in his response indicated that permanent executives

implemented public policies with directions from appointed executives, the other respondent said that;

*“Non-elected officials implement public policies but with directions from the elected officials and they do assess those policies as they implement them”.*⁸

These findings support Dye's (2013) argument that non-elected officials were responsible for the implementation of public policies, which was the process of putting public policy into practice. While Dye technically used government bureaucracies in his explanation, he meant non-elected officials nevertheless. However, these findings show that elected officials were the driving force behind policy implementation. These elected officials in charge of public policy implementation included the president, Bingu wa Mutharika, who, in his second term, formulated public policies through speeches.

Non-elected officials did not implement public policies autonomously because they relied on elected officials to show them the way through directions. This method of implementing public policies may fail due to ineffective communication. According to Makinde (2005), communication was an essential component for the efficient implementation of public policies because it required accurate and consistent commands to reach policy implementers in a straightforward manner. However, these findings fall short since their explanation is limited to public policies formulated solely by the executive branch, sometimes known as executive orders. These civil servants are also

⁸ Personal interview with the former First Deputy Speaker of Parliament on 02/05/2023

responsible for implementing public policies formulated by the legislature, known as 'statutes', as well as those formulated by the judiciary, known as 'court decisions' (Mazmanian and Sabatier, 1983).

4.2.2 The role of the legislature in public policymaking in Malawi between 2009 and 2012

The legislature is another main stakeholder in the public policymaking process, as noted by nearly all respondents on this section. This is consistent with the views of Hanekom (1991), who held that public policymaking was the responsibility of the three branches of government: the legislature, executive, and judicial. While all respondents on this section acknowledged that the legislature played some roles in Malawi's public policymaking process, only former Malawi National Assembly representatives attached these legislative roles, which included policy formulation, scrutiny and oversight, and citizens' representation.

4.2.2.1 Policy formulation

Only one former Member of Parliament stated specifically that the Malawi National Assembly's role in the public policymaking process was to formulate public policies. This respondent provided this role when questioned about the main stakeholders in Malawi's public policymaking process and their roles. This respondent said that;

*“Our roles as legislators were to debate, deliberate and pass policies in parliament”.*⁹

This response from a former Member of Parliament demonstrates that one of the legislature's roles was to formulate public policy. GPAD (n.d.) supported these findings and argued that public policies formulated by the legislature took the form of new laws and changed or improved old laws. Cloete (1998) agreed with these points of view, arguing that the comprehensiveness of the public policymaking process enabled the legislature to collaborate with other stakeholders in the formulation of public policies. Apart from supporting these views, Schwella and Ballard (1996) concluded that public policies formulated by the legislature in collaboration with other players were intended to increase the general welfare of the public.

However, this respondent was quick to inform this study that, despite having the responsibility of formulating public policies in the Malawi National Assembly, they were largely controlled by the executive because the policy proposals that they debated, deliberated, and passed in the house were predetermined by the executive. These views were shared by Hallsworth et al. (2011) and Frantzeskakis (2021), who claimed that politicians, particularly cabinet ministers, were great initiators of public policy proposals in the national assembly, as opposed to regular members of parliament.

This claim by the respondent demonstrates that the Malawian legislature was playing second fiddle to the executive in the process of public policymaking, and as a result,

⁹ Personal Interview with one MCP MP on 06/04/2023

public policies were primarily dominated by the executive's interests. Peters and Zittoun (2016) emphasized that legislative institutions in this state were merely ceremonial because they failed to meet their institutional prerequisites. While this may appear to be factual in its presentation, GPAD (n.d.) discovered that successful and fair legislation required expertise and support, as well as a sense of minimal cooperation among themselves, and also between them, parliament and the executive.

Another former Malawi National Assembly representative, who believed that one of their roles as legislators was to formulate public policies, stated that they had some relief in terms of the initiation of policy proposals by the executive because they were assigned Thursdays of each week during parliament seating to advance their policy proposals in parliament on what they popularly called private members bill day. This respondent provided one well-known policy initiated on Private Members' Bill Day. This respondent stated that;

*“Yes, we make policies in the Malawi National Assembly and one of the best examples of the policies that were made by parliament and was initiated through the private members bill is the Industrial Cannabis Cultivation in Malawi (Malawi Cannabis Regulation Act). The proposal to this policy was advanced by one of the Malawi Congress Party Members of Parliament when the Democratic Progressive Party was ruling the country under Peter Mutharika”.*¹⁰

¹⁰ Personal Interview with one UDF MP on 14/05/2023

While these findings ensure some legislative independence in the process of public policymaking, much work remains to be done, given that the president retains approval of those formulated policies during bill assenting (Malawi Constitution (1994) Sec 73 (1)). This plainly demonstrates that the professed independence of legislators is drowned in the executive's powers, particularly the president, who has the last word on all legislative decisions.

One of the lecturers interviewed on this section also stated that public policies were formulated by the legislature. This respondent revealed this when asked a follow-up question about when the academia became involved in the public policy cycle. This respondent stated that;

“I very much remember that I was always consulted by the parliament at the policy formulation stage”.¹¹

All the foregoing revelations by Members of Parliament and the lecturer demonstrate that public policy is formulated in the Malawi National Assembly. This observation was shared by Roux (2002), who argued that laws and policies were supposed to be formulated in legislative houses by legislators.

Another revelation to this effect came from the leader of opposition in Parliament, who was asked about opposition leaders' involvement in public policymaking in the Malawi National Assembly. This leader of the opposition indicated that one of the roles of

¹¹ Personal Interview with a C.U. Lecturer on 20/06/2023

opposition leaders in the Malawi National Assembly was to present alternatives to the executive's proposals. When asked about additional roles played by opposition leaders in the public policymaking, this respondent stated that;

*“Leaders of Opposition are responsible for chairing meetings in the Malawi National Assembly in which the opposition discusses policies and examines bills”.*¹²

The leader of the house strongly endorsed the aforementioned response as one of the legislature's responsibilities during the study time. This respondent freely stated that the leader of the house in the Malawi National Assembly was officially responsible for organizing government business in the house. According to this respondent, the leader of the house also chairs the parliamentary business committee and the legislation committee. The establishment of parliamentary committees on specific subjects and their allocation of enough time and resources, demonstrated that the legislature formulated policies (GPAD, n.d.).

These findings clearly show that the legislature was responsible for formulating public policies. According to Dye (2013), this was the only way to go if effective public policies were to be formulated, because alternative policy solutions to problems were developed in this house and public policies were being discussed in legislative committee rooms. The legislature's involvement in the public policymaking process implies that citizens' cultures and aspirations were taken into account, given that parliamentarians were

¹² Personal interview with the Leader of Opposition in Parliament on 17/05/2023

citizens' representatives in advancing their policy preferences (Sunday, 2010; in Moi and Makhamara, 2020).

Only one respondent stated that the formulation of public policies was not the responsibility of parliament, but rather the making of law. This respondent emphasized that policy formulation was the responsibility of the executive rather than the legislature. This respondent said that;

*“In parliament, we normally make laws but policy can be made by the executive”.*¹³

While some may argue that this is insufficient evidence that the Malawi National Assembly was involved in the formulation of public policies, it is important to note that Birkland's (2015) broad definition of public policy includes the making of laws by Members of Parliament in the National Assembly. Furthermore, Anderson (1997) discovered that legislators may be viewed as public policy implementers if they passed a more detailed law that did not place high demands on public officials during implementation. Because of this, the Malawi National Assembly was responsible for formulating public policies.

The overall message of this theme discussion is that the Malawi National Assembly's role in formulating public policies during the study period was overshadowed by the dominance of the executive, specifically the president, who generally initiated,

¹³ Personal interview with one DPP MP on 17/04/2023

formulated, and implemented public policies. Additionally, the Malawian constitution's commanding powers granted to the president to have the final say on all public policies formulated in the house through bill assenting have proven to be detrimental to Malawian democracy.

4.2.2.2 Scrutiny and oversight

Scrutiny and oversight, which is a mechanism used by the legislature to accomplish its duty of checks and balances by reviewing and evaluating selected executive branch activities in a democracy (GLONA, 2016), was also mentioned as one of the legislature's roles in Malawi. While one Malawi Congress Party Member of Parliament gave a short presentation, one Democratic Progress Party Member of Parliament provided a fairly detailed response. This respondent stated that;

*“As parliamentarians, we played an oversight role on policies advanced by government but we did not change anything”.*¹⁴

In line with the aforementioned findings, the leader of opposition contended that the legislature in Malawi had procedural control over the government's policies. White (2012), agreeing with the findings of former Malawi National Assembly representatives, claimed that if this parliamentary role was effectively carried out, it could inspire transparency and accountability in the conduct of government business. However, the leader of opposition responded that all of their oversight efforts as legislators were mostly in vain because the executive usually decided to stick to their original policies and

¹⁴ Personal interview with one DPP MP 05/06/2023

ignored their advice. This respondent further disclosed that the procedure allowed the legislature to scrutinize the annual budget and budget for the previous year, thus; budget policy, in cluster meeting. This respondent, while admitting that they never missed this procedure during parliament sessions, claimed to be unable to recollect when their suggestions to specific policies were considered by government.

This shows that the Malawi National Assembly was ineffectual during the study period since practically all of its suggestions were not considered by the executive in accordance with democratic standards. According to these findings, the Malawi National Assembly was ineffective, and the executive's conduct was undemocratic because it failed to uphold the principles of good governance, which GLONA (2016) claimed were responsive, transparent, and accountable to the electorate through the legislature.

Apart from this catastrophic setup, the respondent also stated that they were only given two weeks to do their oversight duty on government decisions, which he felt was insufficient. However, it was unclear whether the allocation of the two-week term for legislature oversight duties on government decisions was related to the government's shortage of finances. If such was the case, Sachin (2015) predicted ineffectual legislative actions in that particular democratic country due to a lack of capacities, resources, and political structures. Finances, according to GPAD (n.d.), were critical to the national assembly since they were utilized to organize courses and improve parliamentarian capacity.

The respondent further informed this study that the Malawi National Assembly was unable to examine Bingu wa Mutharika's pronouncements during his second term in office. The conduct of the president, Bingu wa Mutharika, can be defended as quite appropriate. GPAD (n.d.) backs up this assertion by noting that most African countries' constitutions explicitly favored the executive and presidency, and their decree powers marginalized the role of parliament in public decision. These public policies, which were formulated through announcements, were implemented in this country. So one questions where these public policies acquired their funding, given that it was the legislature's responsibility to authorize government spending (White, 2015). All of this indicates that Malawi's legislature was not autonomous, even during the democratic era.

In addition to their role in overseeing the executive branch's misconduct, a few former Malawi National Assembly respondents revealed that they also implemented public policies. While these respondents did not elaborate on their response, GLONA (2016) agreed with these findings and stated that this position belonged under the legislature's scrutiny and oversight role. GPAD (n.d.) expanded on this understanding by stating that the legislature was responsible for overseeing the efforts made by political executives in the implementation of public policies, as well as monitoring the effectiveness of public policies after they were implemented by permanent executives. This response implies that some members of parliament were not fully aware of their roles in the house. When citizens learn that their members of parliament were simply loitering in the Malawi National Assembly and were unable to contribute to the National Assembly's effectiveness or their welfare, they may become alarmed.

Aside from that, the executive's dominance over the public policymaking process was detrimental to democracy. According to Heywood (1997), in democratic countries, the executive was accountable to its sister government branches, the legislature and the judiciary, because these branches were charged with the task of constraining the executive's excessive powers on behalf of ordinary citizens.

According to this thematic discussion, Malawi's legislature was a ceremonial institution of government since it lacked real powers to accomplish its role of scrutiny and oversight. When something like this happens in a democratic country, there are concerns that the executive may use their powers to revert the country to personal rule or an authoritarian state. This would be extremely dangerous since the executive may make changes in the background while maintaining the country's democratic image.

4.2.2.3 Citizens' representation

One respondent informed this study that representing citizens in parliament was one of their responsibilities during the study period. This respondent, a very influential Member of Parliament, revealed that they represented citizens in parliament to bring development to the constituency, among other things. This respondent specifically said that;

“Yes, as a member of parliament, I represented the people in my constituency since one of my roles was to contribute to the development of

*the constituency and the whole country through contributions in the national assembly”.*¹⁵

Despite the fact that these findings were provided by a single respondent, members of parliament in democratic countries are responsible for representing citizens in the National Assembly. However, Masango (2001) argued that once elected to the National Assembly, most parliamentarians did not care about their electorates, despite the fact that those electorates had delegated decision-making power to them. This argument correctly describes the actions of most Malawian parliamentarians. These parliamentarians do not speak for their electorates because they do not consult them before representing them in parliament, and they usually vanish and stay in Lilongwe, Malawi's capital city, shortly after elections, only to return to their constituencies for the next election. This is despite the fact that most of these members of parliament candidates consistently promise electorates development if elected and also make some exemplary developments in their communities to demonstrate their seriousness to electorates.

In reality, however, the representation that is most important to democratic governments is that which brings the government closer to its people through these Members of Parliament who make laws and formulate policies on citizens' behalf. Marshall (2003) argued that citizen representation by parliamentarians is one of the pillars of democracy and good governance, with Members of Parliament serving as trustees of public mandates and speaking for them at the national level. In this approach, Chinsinga (2008) maintained that parliamentarians carried all of the electorates' hopes that democracy

¹⁵ Personal interview with the first Deputy Speaker of Parliament on 02/05/2023

would actually respond to their needs. However, the way most citizens have expected parliamentarians to act in recent years demonstrates that democracy is a huge misnomer in Malawi.

4.2.3 The role of the judiciary in the public policymaking in Malawi between 2009 and 2012

Two High Court judges who formed the government during the study period were interviewed and responded accordingly. When asked about the main stakeholders in the public policymaking process, these respondents provided different responses. While one believed that their institution, the judiciary, was not involved in the process of public policymaking, the other was adamant that their institution, along with the executive and the legislative, was an integral part of it.

4.2.3.1 Oversight role

The two High Court judges agreed that one of their judicial responsibilities in public policymaking was to check on the legality of the executive and legislative actions. This indicates that both judges were aware that they were responsible for overseeing the actions of the executive and legislative. The judge, who earlier stated that their institution did not have a role in the public policymaking process, said that;

*“Yes, this is true. The role of the judiciary is to check on the legality of legislation and policy, particularly their alignment to the Malawian constitution”.*¹⁶

These findings demonstrate that the judiciary fostered democracy in Malawi by restricting executive and legislative conduct beyond the diktat of the Malawi constitution. According to Rubin and Feeley (2003), the judiciary's role in providing checks and balances to the executive and legislature ensured improved public governance and was critical for the development and consolidation of democracy.

This judge revealed that they acted as checks and balances on the executive and president, Bingu wa Mutharika, during the study period. According to Spanou (2020), if the judiciary controlled the executive or legislative branches, it was preserving the rule of law and promoting the country's democracy. However, this respondent was quick to point out that they typically experienced difficulties in performing this role because they only challenged the Bingu wa Mutharika speech-formulated policies in court when citizens petitioned for them. This indicates that the judiciary was not entirely independent in its role of providing checks and balances on the executive, particularly the president.

As for the judge who openly indicated that the judiciary played a role in public policymaking, he agreed with his colleague that their institutional role of checking the legality of executive and legislative actions was provided for in section 108 of Malawi's constitution. When asked whether the judiciary should play a role in public

¹⁶ Personal interview with one High Court Judge on 30/05/2023

policymaking, this respondent provided an elaborate explanation. This respondent responded by saying that;

*“Yes, it was necessary for the judiciary to have a role in the process of public policymaking because the state machinery was so powerful to oppress the process. The judiciary was the only branch which could stand by the people since the legislature could mostly rally behind the government”.*¹⁷

Based on this judge's response, one may claim that the judiciary was well aware that the executive and legislative branches' actions were in violation of the Malawi's constitution. This was the appropriate time for the judiciary to provide a counter-majoritarian check on democracy, and Maranga (2010) argued that it might do so by stigmatizing and legitimizing the actions of the executive and legislative while maintaining impartiality and objectivity.

This judge revealed that they had tremendously achieved their role using the powers granted to them by the Malawi's constitution. This respondent argued that they fulfilled this role, including during Bingu wa Mutharika's second term, by granting citizens' injunctions to briefly prevent the government from implementing a particular policy that citizens believed violated their rights, as well as conducting judicial reviews. According to Roman (2014), when judges conduct judicial reviews, they exercise their full powers over the executive and legislative branches while also getting closer to policymaking.

¹⁷ Personal interview with one High Court Judge on 09/04/2023

However, this judge claimed that despite being established in the Malawi constitution, it lacked substance because only ordinary persons initiated the process and the judiciary simply intervened from the back door.

Some former Malawi National Assembly representatives supported these High Court judges in their roles in the public policymaking process. These respondents identified the judiciary as one of the main stakeholders in the public policymaking process and stated that one of its roles was to provide checks and balances. One of these former Malawi National Assembly representatives stated that;

*“The judiciary holds the executive accountable on their actions if they deviated from what the constitution and other laws of Malawi provide”.*¹⁸

This response from a former Malawi National Assembly representative indicates that the legislature was well aware that the executive was more likely to go beyond constitutional limits. Maranga (2010) approved these findings, which suggest that the executive is the most likely lawbreaker of the three branches of government. Maranga support for this argument was based on the origins of judicial review, which began in England with courts reviewing executive acts to ensure that they were within the confines of parliament-enacted statutes. Spanou (2020) also offered his experience, arguing that he had seen more judicial controls on the executive than on the legislature because the executive in most cases acted outside of the constitutional requirements.

¹⁸ Personal interview with the Leader of Opposition in Parliament on 17/05/2023

In general, the judiciary encountered numerous challenges in fulfilling its checks and balances role on the executive and legislature because it did not initiate the process. This judiciary only acted after individuals filed complaints in court against the executive, which was primarily responsible for violating the Malawi's constitutional requirements.

4.2.3.2 Policy formulation

The two High Court judges provided no clear answers on their other roles in the public policymaking process in Malawi. However, the judge, who indicated that they were among the main stakeholders in the public policymaking process, argued that they were concerned with the well-being of ordinary people. This judge specifically said that;

“Courts have the responsibility of giving people what they want, for example; giving stiffer punishments to those found in the wrong side of the law”¹⁹.

This judge's perspective was consistent with Spanou's (2020) thinking. Spanou contended that when the court attempted to bridge a specific gap between social change and government policy, it may be deemed to be participating in policy agenda-setting, or more broadly, in the public policymaking process.

Additionally, Kay (2008) strongly endorsed this judge's reasoning, which appeared unclear given the popular understanding of public policy. Kay contended that judges made public policies while making laws in courts, and implemented those public policies

¹⁹ Personal interview with a High Court Judge on 09/04/2023

while applying laws. Despite supporting this argument by stating that policy and law were inextricably linked because political questions became judicial questions, Kammerer and Estrella-Luna (2020) emphasized the importance of sufficient graduate programs to prepare students for the role of courts in the public policymaking process. This generally demonstrates a lack of awareness on the part of the judiciary as an institution regarding their role in public policy formulation.

While this method of formulating public policies could be praised for following the entire trial process in courts, there were concerns that these policies would not be uniformly formulated by judges, and that the impact would vary depending on the different implementing officers and housing structures involved.

Only one former Malawi National Assembly representative disclosed that the judiciary was also responsible for formulating public policies. This respondent stated that the judiciary held both the executive and the legislature accountable to the constitution and other national laws. This former Malawi National Assembly representative stated that;

*“The judiciary was active in the public policymaking process especially on the policy formulation stage. This judiciary constrained the executive and legislature from going beyond their constitutional given powers in the process of the public policymaking”.*²⁰

²⁰ Personal interview with the Leader of the House in Parliament 05/05/2023

These findings imply that the judiciary was directly involved in the formulation of public policies. According to Maranga (2010), when the court constrained the executive and legislative branches, it influenced what the government did or did not do on certain policy concerns. Spanou (2020) agreed with these points of view, claiming that courts directed decision-making by enforcing legislative provisions and structured executive decision-making by providing principles to guide it. This allowed the judiciary to be directly involved in the formulation of public policies. Taylor (2008) supported this idea, claiming that countries that included courts in policy analysis and policy implementation directly involved the judiciary in public policy formulation.

4.3 The political contexts in which specific presidential speeches are made

The study sought to identify scenarios that provided fertile ground enabling presidents to influence public policymaking by assessing the political contexts in which specific presidential speeches are made. All the respondents that were interviewed by the researcher to give in their insights on this subject; the former Malawi National Assembly representatives comprising of the Speaker of Parliament, Clerk of Parliament, Leader of the House, Leader of Opposition, and six members of parliament distributed equally among Democratic Progressive Party, Malawi Congress Party, and United Democratic Front, and the academia represented by two lecturers, indicated that incumbent presidents and presidential aspirants speeches influenced public policymaking. Eshbaugh-Sona (2010) strongly validated the majority respondents' argument that the incumbent presidents' speeches had a significant influence on public policymaking. Eshbaugh-Sona

disclosed that when conditions were favorable, the speeches of the incumbent president had a significant impact on public policy proposals. In terms of presidential aspirants' speeches, Pengsun and Fengfeng (2013) refuted certain respondents' claims that their speeches had an impact on public policy. According to Pengsun and Fengfeng (2013), presidential aspirants' speeches had influence on elections results.

In the study at hand, however, respondents claimed that the incumbent president at the time of the study, Bingu wa Mutharika, used speeches to formulate various public policies, which were then implemented. Kim (2017) believes this is feasible given that the executive had steadily expanded control over public policymaking or presidential administration in recent years. This section will therefore separately discuss the incumbent president's speech influence during the study period, as well as the general influence of presidential aspirants' speeches in the process of public policymaking.

4.3.1 Incumbent presidential speeches

Based on the data collected on this specific objective, a significant number of respondents indicated that incumbent presidents' speeches had more influence in the process of public policymaking than presidential aspirant speeches. According to them, incumbent presidents' speeches had more influence since they were actively involved in the running of the government, including the process of public policymaking. One who supported the opinion that the incumbent presidents' speeches were more significant than presidential aspirants' speeches claimed that;

“The speeches made by the incumbent president become more influential to public policymaking since a sitting president, in the Malawian context, accumulates more powers under the guise of constitutional principles and dictates”.²¹

Another respondent supporting these views in a somehow more detailed way said that;

“The incumbent president’s speeches had a greater influence on public policymaking. This is because the president has the powers to make decisions, implement them because of his authority over the implementers and his powers over the country’s resources”.²²

A few respondents were divided on which of the two, incumbent presidents’ speeches or presidential aspirants’ speeches, had more influence in the process of public policymaking. While they reluctantly saw the incumbent president's speeches as more influential on public policymaking than aspirant's speeches because of the authority that accompanied the incumbent president's speeches, they believed presidential aspirant’s speeches were equally important, especially if the aspirant’s party was ushered into government. One of these respondents stated that;

“Presidential aspirants’ speeches were equally influential in the public policymaking process if the party made into government but their

²¹ Personal interview with the former Clerk of Parliament on 09/06/2023

²² Personal interview with the Leader of Opposition on 17/05/2023

*influence dwindled during the time they were made because they had yet to attain that authority”.*²³

The most interesting thing is that all of the respondents who were interviewed on this specific objective mentioned political situations in which various presidential speeches were given, such as state of the nation address (SONA), developmental rallies, emergency situations, and political rallies. These respondents went on to attach explanations of how these situations were made, as well as instances of public policy formulated through presidential speeches during the study period.

4.3.1.1 State of the nation address (SONA)

This study found that the state of the nation address was one of the contexts or situations in which incumbent presidents delivered speeches. This context, which was one of the rare occasions when all three branches of government were present, was supported by all respondents on this section. Few respondents provided their answers in their own ways, as one of them stated that;

*“One of the situations in which the president made speeches was during the time of opening of parliament”.*²⁴

This respondent contended that the president had exclusive access to this platform for delivering the National Assembly's opening speech. In general, the president's message in this situation addressed welfare issues in the country, including what he did the previous year and what he intended to do for his people. According to Babič and Fikfak (2016),

²³ Personal interview with one MCP MP on 06/04/2023

²⁴ Personal interview with the Clerk of Parliament on 09/06/2023

coordinated face-to-face speeches informed citizens about the nation's position and affected their support for government policies. Because of this, and the fact that the address only came once a year, it was designed to carry an extremely strong message. One of the respondents immediately offered an example of a policy formulated during the state of the nation address. This respondent said that;

*“One of the public policies that were formulated during the state of the nation address was the quota system policy”.*²⁵

According to this respondent, Bingu wa Mutharika announced the quota system policy in parliament during his second term of office, which was intended at choosing students to Malawi's higher education institutions based on their districts of origin. Former Malawi National Assembly representatives reacted to the presidential policy proposal by voting against it in parliament. To their astonishment, President Bingu wa Mutharika implemented it, and its negative effects began to affect the majority of Malawi's northern region students. Most people in Malawi's northern region, led by the Church and Society Organization of the Livingstonia Synod (CCAP), began demanding a federation system of government from the government, which they hoped would not deprive them of their places in higher education institutions and other equally valuable benefits that they believed the government was withholding.

4.3.1.2 Developmental rallies

A developmental rally is another context that all respondents indicated Bingu wa Mutharika used in formulating and implementing policies during his second term in

²⁵ Personal interview with one MCP MP on 14/04/2023

government through speeches. This developmental rally context presented President Bingu wa Mutharika with an opportunity to make immediate policy decisions in response to immediate concerns that hampered the development of the country.

While some respondents found it difficult to distinguish between these developmental rallies and political rallies because they frequently coincided with elections, the situations are nonetheless distinct. According to the OECD (2013), a developmental rally allowed the president to design policies that influenced the country's development. One former Malawi National Assembly representative, particularly from the Democratic Progressive Party, stated that Bingu wa Mutharika's policies, as formulated in speeches at developmental rallies, had favorable impacts on Malawian citizens. This respondent, noting one of the examples of a developmental rally speech formulated policy by Bingu wa Mutharika during his second term of government, stated that;

“The shoot to kill policy which permitted police officers to shoot and kill any criminal found doing the act at the scene of crime was one such examples of a policy formulated at a developmental rally. This policy was answering to an outcry by most companies in the country but was highly emphasized at the official opening of Bakhresah Milling Company in Limbe and the pronouncement of the policy during Bingu wa Mutharika’s speech followed”²⁶.

These findings indicate that Bingu wa Mutharika was exposed to a developmental rally situation in which he made decisions for the entire country. While the respondent's

²⁶ Personal interview with one DPP MP on 05/06/2023

example of a developmental rally-formulated policy, 'the shoot to kill policy', demonstrates that it was effective for the entire country because it significantly reduced crime and boosted development in Malawi, some may argue that the policy was ineffective because it did not consider the lives of suspects when it was formulated. Lekvall (2013), in support of the effectiveness of policies formulated during developmental rallies, asserted that the developmental state came first, followed by democracy. By this, he believed that it was perfectly acceptable for governments to forgo democracy for development, because democracy would always be realized later on as the country developed.

Lekvall (2013) finds that President Bingu wa Mutharika was dedicated to developing the country by formulating public policies through speeches at developmental rallies during the study period because the key to the country's rapid growth and economic transformation was centralized decision-making, of which Bingu wa Mutharika was in charge.

Bingu wa Mutharika's speech, which was later implemented as a shoot-to-kill policy and ultimately reduced crime in Malawi, established and maintained social relationships and common grounds (Bennett, 1976; in Al-Majali, 2015). This act of single-handedly formulating public policies by Bingu wa Mutharika in his second term of office is strongly supported by Booth; in Lekvall (2013), who argued that most African countries had failed to realize their developmental dreams because they adopted a collective approach to policymaking that did not work for them. Wyk (2007) also claimed that a

country's focus should be the production of development results such as crime-free zones, and that whatever type of leadership leads to the accomplishment of this specific goal is 'good leadership.' Shockingly, some citizens' complaints against government policies such as the 'shoot to kill policy' have always existed, despite the fact that those policies have good consequences. When a policy benefits a larger number of people, it is unquestionably a good policy (Wyk, 2007). With this concept in mind, the shoot-to-kill policy was a good policy since, despite initially targeting industries, a larger number of citizens profited from crime-free zones.

4.3.1.3 Emergency situations

All respondents stated that emergency situations drew speeches from incumbent presidents. These speeches by incumbent presidents had a significant impact on public policymaking. In response to a question on whether situations influenced presidents to make specific speeches, one respondent stated that;

“Yes, situations influenced incumbent presidents to deliver specific speeches, particularly on issues of national importance. For example, in the aftermath of a national disaster or calamity, public expectations combined with competing political interests have resulted in misplaced speeches that have led to ineffective policies or, worse, conflicting with existing policies.”²⁷

²⁷ Personal interview with the former Clerk of Parliament on 09/06/2023

This respondent attributes administrative inefficiencies and poor governance to a government that allows the president to formulate policies based solely on contexts or situations. According to this respondent, there was constantly confusion in how government programs and activities were affected. Moe and Howell (1999) agreed with this respondent, arguing that emergency situations presented presidents with opportunities to strengthen their influence. According to them, these emergency situations produced an environment in which presidents' speeches and actions were not subject to legislative or judicial oversight.

Another respondent who explained how policies were formulated through presidential speeches in emergency situations during Bingu wa Mutharika's second term of office included an example of a policy. This respondent said that;

*“One of the policies formulated through presidential speeches based on the emergency context was the zero deficit budget policy”.*²⁸

While the respondent was aware that the zero-deficit budget policy was one of the policies formulated at cabinet meetings, it was also an emergency situation policy because it was formulated at a time when all of the country's budget donor partners had withdrawn as a result of Bingu wa Mutharika's unbecoming behavior toward Malawian citizens. The government's decision to move forward as a country without donors was both good and appropriate, as it was the government's responsibility to do so. A Guide for Peer Educators (2011) supported the Bingu wa Mutharika administration's decision of taking action when Malawi slipped into Bingu wa Mutharika's constructed crisis as a result of his unbecoming behaviour, which scared away the Western donor community

²⁸ Personal interview with a C.U Lecturer on 19/06/2023

from Malawi. While Young (2013) agreed with the preceding view of the president making decisions to move the country forward in the aftermath of natural disasters or economic crises, he claimed that public policies formulated during this time did not have the same impact on the general public as those formulated collaboratively with the legislature and judiciary, which generally covered the interests of the general public.

4.3.1.4 Political rallies

Some respondents also observed that incumbent presidents delivered speeches at political rallies. During this moment, presidents turn into political entrepreneurs, selling their manifestos to voters (Mishra and Jains, 2016). They usually deliver a message of hope that connects with electorates. These presidents utilize language to communicate factual or propositional information to their intended audience in order to persuade them to vote for them in an election (Bennett, 1976; in Al-Majali, 2015). In short, presidential speeches at political rallies are intended to persuade citizens to vote for them or their party in the upcoming election. One of the respondents, who saw that political rallies speeches were made out of emotions, stated that;

“Policies made at political rallies were mostly made out of excitement or anger and were aimed at enticing or constraining someone. For this reason, the policies made in this way might not be useful to the entire nation”²⁹.

²⁹ Personal interview with the former first Deputy Speaker of Parliament on 02/05/2023

These findings clearly show that political rallies were scheduled for presidents to communicate promises or to occasionally denounce someone, often a competitor in an upcoming election. Trajkova and Neshkovska (2019) validated these findings, claiming that incumbent presidents used political rally speeches to praise themselves and their political parties while delegitimizing and attacking their opponents and the policies they represent. These presidential speeches at political rallies were also very effective at wooing electorates when delivered in terms of mood, modality, and personal pronouns (Pengsun and Fengfeng, 2013). While this is the general assumption, experience has proven that presidential speeches by incumbent presidents in Malawi at political rallies are intended to cover the government's mess and manipulate voters into believing that it is on the right path hence deserving their vote.

4.4 The impact of presidential speeches on policy formulation in Malawi

For this study, to get insights on this specific objective so as to jointly make a conclusion on the role of presidential speeches on public policy formulation in Malawi from 2009 to 2012, it interviewed former Malawi National Assembly representatives of between 2009 and 2012 comprising of the Speaker of Parliament, Clerk of Parliament, Leader of the House, and six Members of Parliament distributed evenly among Democratic Progressive Party, Malawi Congress Party, and United Democratic Front, and the Leader of the Opposition from 2019 to 2020. Academics represented by two lecturers, three government officials holding senior positions between 2009 and 2012 - one from each ministry (Ministry of Homeland Security, Finance, and Foreign Affairs), and six civil

society organizations (C.S.Os) representatives active between 2009 and 2012 - two from each C.S.O. (Centre for Human Rights and Rehabilitation, Church and Society of Livingstonia Synod CCAP, and Public Affairs Committee) also responded on this specific objective. All these respondents disclosed that Bingu wa Mutharika singlehandedly formulated public policies through speeches during his second time in office. According to these respondents, Bingu wa Mutharika's speech formulated policies had either a negative or positive impact on Malawians.

4.4.1 The negative impact of Bingu wa Mutharika's speech formulated public policies

Non-elected officials have a significant role in the unfavorable results of public policies. Anderson (2003) supported this viewpoint by claiming that non-elected officials purposefully messed up policy implementation to get undesirable outcomes. While this is the reasoning, a significant number of respondents on this section believe otherwise. According to these respondents, the president, particularly Bingu wa Mutharika's speech formulated public policies in the second term of his presidency, had negative impacts on most Malawians because they served few citizens, and lacked implementation procedures.

4.4.1.1 Policy serving few interests

The majority of civil society organizations' respondents who identified governance flaws in Bingu wa Mutharika's second term of presidency believed that the policies he formulated through speeches benefited few people in Malawi. While most respondents

presented their views directly, a few did it in their own distinctive way. One of these respondents, who felt that the beneficiaries of Bingu wa Mutharika's speech formulated policies were primarily his inner circle, stated that;

*“Public policies formulated by Bingu wa Mutharika through speeches would have incited genocide since they were generally made to benefit one nation (ethnic group) at the expense of the rest of the nations in the country”.*³⁰

This respondent substantiated his claim by mentioning the effects of Bingu wa Mutharika's quota system policy, which he said deprived many capable northern region students admission to higher education schools under the guise of equally sharing the national cake. This respondent also brought to the attention of this study the issue of the silent stoppage of China-funded projects in Malawi's northern region, and proposed a federalist style of government during that period, despite the fact that it was not supported by Malawi's constitution.

Another respondent from civil society organizations stated that the policies formulated by Bingu wa Mutharika through speeches benefited only a few interests. The respondent explained that;

“The public policies formulated by Bingu wa Mutharika through speeches lacked information due to lack of consultation. For this reason, these policies were failing to address the needs of a greater number of citizens in the country. This way, citizens were rising up for thinking that the

³⁰ Personal interview with a representative from Church and Society on 10/05/2023

*president was deliberately violating their rights or deliberately sidelining them ”.*³¹

These findings show that public policies formulated through presidential speeches lacked sufficient information because no single individual can be aware of every issue confronting the country. For this reason, a group of people must work together to formulate public policies that reflect the needs and desires of the majority of the country's citizens.

When former Malawi National Assembly representatives were asked about the challenges to Bingu wa Mutharika's speech-formulated policies, the majority agreed with civil society organizations' respondents that the policies served only a small number of people. The majority of respondents expressed their sentiments directly, with only a handful providing some elaboration. One of such former Malawi National Assembly respondents, who attached an explanation, stated that;

*“The public policies formulated by Bingu wa Mutharika in his second term covered solutions for the selected citizens of Malawi due to lack of information as a result of lack of consultation ”.*³²

Another former Malawi National Assembly representative offered a comprehensive summary of policies formulated by presidents through speeches, with the intension of not attacking anyone. This respondent said that;

³¹ Personal interview with Church and Society representative on 12/04/2023

³² Personal interview with one MCP MP on 06/04/2023

“It was obvious that policies formulated by a single person would lack information and might end up being beneficial to few people”.³³

While earlier respondents indicated that Bingu wa Mutharika's speech formulated policies had flaws in that they only served the interests of a few Malawians, one of the two senior government officials interviewed during the study who supported these findings claimed to have noticed this problem during the policy implementation process. This respondent said that;

“Due to lack of consultations, Bingu wa Mutharika’s speech-formulated policies were usually narrowly focused”.³⁴

From the two lecturers who responded on this specific objective, one of them also indicated that Bingu wa Mutharika's speech-formulated policies served the interests of few citizens. This respondent particularly said that;

“Some of the policies that were formulated by Bingu wa Mutharika through pronouncements gravely contradicted the interests of the majority Malawian citizens.”³⁵

All these respondents' observations indicate that Bingu wa Mutharika's speech-formulated policies during his second term in office benefited only a few Malawians. While Lovett et al. (2015) argued that presidents' influence on policies through speeches was appropriate because it cemented his relationship with the legislature, this

³³ Personal interview with the former Leader of Opposition on 17/05/2023

³⁴ Personal interview with a senior Government Official from Ministry of Foreign Affairs on 16/04/2023

³⁵ Personal interview with a Mzuni lecturer on 16/06/2023

understanding appears to have failed to find its way into the Malawian political context because most presidential speech-formulated policies never made it to the legislature's committee rooms, and even if they did, the legislature did not affect any change. Hill (2009) termed Bingu wa Mutharika's speech policy formulation as an iron triangle form of politics, arguing that it was primarily concerned with targeting a small number of clients or beneficiaries at the expense of the larger society. As such, new members with opposing viewpoints were rarely accommodated, and the group continued to exist.

The diagram below provides a summary of Bingu wa Mutharika's speech formulated policies (Iron triangle form of politics):

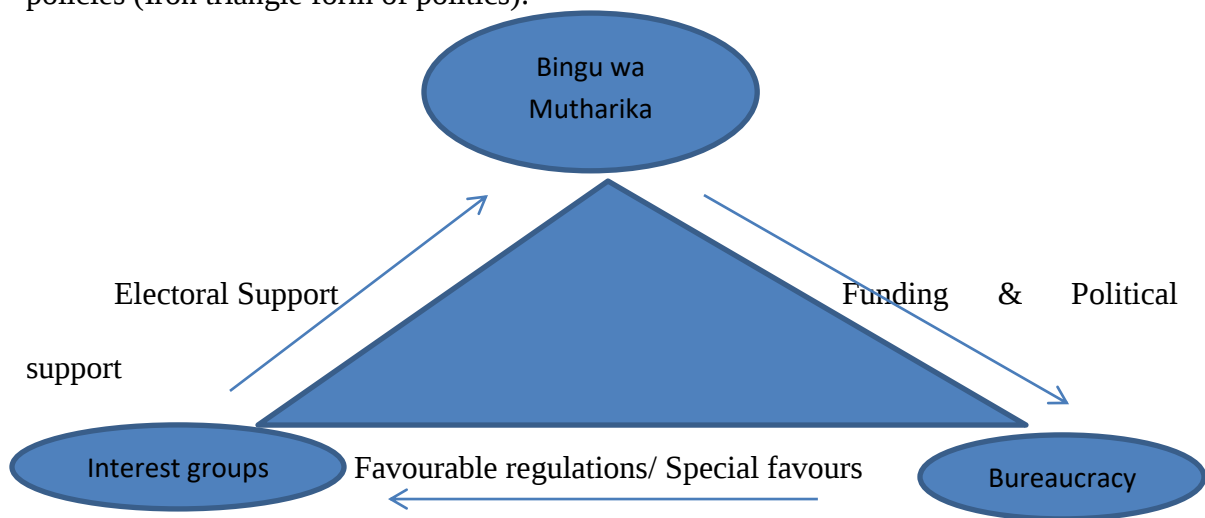


Figure 1. Summary of Bingu wa Mutharika's speech formulated policies impact (Iron Triangle form of Politics)

4.4.1.2 Policy implementation gap

This study also discovered a gap in the implementation of policies formulated by Bingu wa Mutharika during his second time in office. Among the former Malawi National Assembly representatives who responded that Bingu wa Mutharika's speech formulated policies served few people, a great number of them also revealed that those policies lacked implementation procedures. The majority of these respondents answered directly. One of the former Malawi National Assembly representatives who saw a gap in the implementation of policies formulated by Bingu wa Mutharika through speeches stated that;

*“All public policies formulated by Bingu wa Mutharika through speeches, their implementation resulted into citizens’ distrust, lawlessness, insecurity, political divisions, government inefficiencies and generally power governance for not being implemented properly”.*³⁶

This respondent's findings could imply that the Malawi National Assembly was ineffective in its role of scrutinizing and overseeing the president's policy proposals before they were formulated. These findings are consistent with Makinde's (2005) perspective, which stated that policies suffered implementation flaws if policymakers ignored the social, political, economic, and administrative elements when analyzing for policy formulation. The legislature housed constituency representatives who conveyed constituents’ preferences to the national assembly. So, by not incorporating them in the formulation of policies, the government demonstrated a lack of understanding of their

³⁶ Personal interview with former Clerk of Parliament on 09/06/2023

citizens concerns. This is however applicable because former Malawi National Assembly representatives earlier stated that they lacked the authority to question the president's pronouncements, which were eventually implemented.

All the lecturers that were interviewed on this section also saw lack of implementation procedures as a challenge to Bingu wa Mutharika's speech formulated policies in his second term of office. However, these lecturers responded in their own unique way. While one of them stated that policies formulated by Bingu wa Mutharika through speeches required implementers to align themselves with his directions, this respondent believed that this was a difficult undertaking that, if not managed effectively, may jeopardize the very essence of the policy. Makinde (2005), who supported this respondent's findings, argued that policies formulated in a top-down manner were more likely to experience implementation issues due to the exclusion of targeted groups in the policy formulation process, as well as the failure to include the implementation team. The other lecturer stated that;

*“The policies formulated by Bingu wa Mutharika through speeches were unconstitutional and lacked implementation procedures”.*³⁷

This respondent cited the shoot-to-kill policy and the zero-deficit budget policy as examples of Bingu wa Mutharika's speech formulated policies that lacked implementation procedures. According to this respondent, Bingu wa Mutharika

³⁷ Personal interview with a C.U Lecturer on 19/06/2023

jeopardized Malawi's hard-earned democracy, which necessitated the formulation of public policies through pluralism.

The two senior government officials interviewed on this section concurred with other respondents that Bingu wa Mutharika's speech formulated policies lacked implementation procedures. These respondents reported encountering difficulties with implementing these policies. According to Shawa (2012), the implementation of presidential speech formulated policies has always been a challenge due to lack of definitions for policy operationalization. While one respondent revealed facing problems in the implementation of Bingu wa Mutharika's speech formulated policies due to the absence of the implementation framework, the other said that;

*“We were very cautious when implementing speech formulated policies by Bingu wa Mutharika during his second term of office because these policies were unconstitutional and usually lacked backing and we were afraid of being sued by citizens who would feel victimized with our actions”.*³⁸

The findings of these respondents can be interpreted in two ways: the policies lacked deliberate implementation procedures, and the policies lacked legislative authority. The framework and legislation are both essential for implementing sensitive policies. According to Waller et al. (2009), these help in preventing the careless or deliberate victimization of innocent persons when implementing presidential speech formulated

³⁸ Personal interview with a senior Government Official Ministry of Homeland Security 16/04/2023

policies. The shoot-to-kill policy should have been treated with this respect to prevent implementers from using it to victimize innocent Malawians or neglecting to act appropriately for fear of being sued owing to a lack of government protection.

4.4.2 The positive impact of presidential speech formulated public policies in Malawi

Some respondents on this section, who included four former Malawi National Assembly representatives, one civil society organizations' representative, and one senior government official during the study period, indicated that Bingu wa Mutharika's speech formulated policies in the second term of his presidency had a positive impact on the general public. This response demonstrates that the policies formulated singlehandedly by President Bingu wa Mutharika through speeches during his second term in office were effective to the general public.

4.4.2.1 Effective policies

Bingu wa Mutharika's speech formulated public policies during his second term of office were deemed effective for the entire country by some former Malawi National Assembly representatives. In line with these findings, Popoola (2016) asserted that presidents formulated public policies that benefited the general public because they were practical and principal public policymakers in the modern understanding. While most of the respondents presented their answers in brief, one of them comfortably stated that;

“The policies formulated by president Bingu wa Mutharika in his second term of office were very effective to the entire country because they were aimed at improving the welfare of Malawians”.³⁹

While Purnomo and Suharto (2018) supported these findings by arguing that presidents' speech formulated policies were effective to the general public because they utilized various state resources, they however claimed that it was necessary for presidents to accommodate the public's will. Purnomo and Suharto (2018) believed that this was the only way presidents could prevent public protest over their policies. This demonstrates that individual formulated policies could not fix the general public's problems. Validating this argument, Onichakwe (2018) asserted that presidents would be practicing autocratic leadership if they formulated and implemented public policies on their own. This, he claimed, would not benefit the general public.

These respondents also indicated that Bingu wa Mutharika's speech formulated policies had no challenges. According to these respondents, Bingu wa Mutharika's speech formulated policies improved the welfare of all Malawian. One of the respondents clearly said that;

“There were no challenges, but if it happened, it might not have reflected the needs and wants of people. But as for Bingu wa Mutharika in his

³⁹ Personal interview with the former Leader of the House on 05/05/2023

*second term of office, he made policies that reflected the needs and wants of people because they all went through the cabinet”.*⁴⁰

By stating that Bingu wa Mutharika's speech formulated policies went through the hands of cabinet ministers, this respondent implied that public policies were not formulated solely by Bingu wa Mutharika. According to this respondent, Bingu wa Mutharika's speech formulated policies reflected the needs and wants of the general public since cabinet ministers' perspectives, who were mostly parliamentarians representing constituents, were also taken into account. While this may be the case, Alonso (2018) argued that the involvement of cabinet ministers in the formulation of public policies did not guarantee the reflection of citizens' interests in the policies formulated. According to Alonso (2018), public policies formulated by high-profile people were likely to be flooded with their interests and were usually endorsed by the media. The bottom line of these findings is that public policies formulated by one or a few persons benefited the selected few, particularly those who formulated those public policies, rather than the wider public.

One civil society organizations' representative, who claimed that Bingu wa Mutharika's speech-formulated public policies were effective to the general public, admitted to organizing nationwide demonstrations against Bingu wa Mutharika's autocratic leadership during his second term in office. However, this respondent informed this study that there were no specific challenges to the policies that Bingu wa Mutharika

⁴⁰ Personal interview with the former First Deputy Speaker of Parliament on 02/05/2013

formulated through speeches. According to this respondent, policies formulated through speeches by Bingu wa Mutharika followed proper channels. This respondent stated that;

*“Policies formulated by Bingu wa Mutharika through declarations were either formulated after consulting technocrats or technocrats strategized on the implementation procedures for those policies”.*⁴¹

These findings contradict the civil society organizations’ representative’s former sentiments that Bingu wa Mutharika ruled this country with an iron fist, resulting in their participation in the revolution against his leadership during the study period. This respondent's former assertion is more convincing than the latter argument because Bingu wa Mutharika should have included citizens in the process of public policymaking in democratic Malawi rather than formulating them only by himself. This resonates with Moi and Makhamara (2020) observations, who claimed that citizens in democratic countries should also make public policies, laws, and rules rather than simply electing officials.

This respondent supported the effectiveness of Bingu wa Mutharika's speech formulated public policies on the general public, citing the shoot-to-kill policy as an example. This respondent indicated that the shoot-to-kill policy stabilized the country's internal security since the police used this reasonable force strategy to fight crime.

⁴¹ Personal interview with a CHRR representative on 10/05/2023

The credibility of the respondent's argument is seriously questioned, given that it only looked at the public policy after it had been implemented, ignoring the formulation phase and the citizens' trauma from the police killings of their fellow Malawians for simply being suspected criminals. The government's act of killing its own citizens under the pretext that they were criminals may never be recorded as a positive effect because it is the government's responsibility to protect its citizens' rights, and the right to life is never replaceable in the law of natural justice (Holcomb, 2001). In democratic societies, the government through the president should make the common good prevail over individual interests. If the government formulated and implemented public policies that did not address citizens' problems or promote citizens' rights, the government would have been captured (Alonso, 2018).

On the other hand, one senior government official from the ministry of finance, while agreeing with other respondents about the positive effects of Bingu wa Mutharika's speech formulated policies in his second term of office, stated that there were no new challenges to Bingu wa Mutharika's speech formulated policies. This respondent meant that Bingu wa Mutharika's speech formulated policies lacked resources for implementation, as did other public policies formulated elsewhere. Surprisingly, the response from this senior government official from the ministry of finance on the effectiveness of Bingu wa Mutharika's speech formulated public policies on the general public is based on assumptions, as the respondent argued that these policies, like any other policy in the land, lacked resources for implementation. This indicates that Bingu

wa Mutharika's speech formulated policies were never adequately implemented due to the lack of resources, and hence their positive effects are ambiguous.

In general, however, the findings on this section show that public policies formulated by Bingu wa Mutharika through speeches during his second term of office were not effective to the general public, as claimed by some respondents on this section, but that they either benefited a small number of people or disturbed the Malawian majority, particularly the shoot-to-kill policy.

4.5 Conclusion

This chapter presented and discussed the findings on "the role of presidential speeches on public policy formulation in Malawi from 2019 to 2012." The study has shown that the president, particularly Bingu wa Mutharika in his second term of office, formulated public policies through speeches, and that those policies were generally ineffective to the whole country due to a lack of consultations on his speech formulated policies, resulting in the benefit of few individuals, and also due to gaps on the implementation procedures, resulting in implementation failure by implementers due to a lack of enough implementation information or implementers deliberately victimizing citizens. This approach must be contained so that it does not spread to other Malawian presidents, preventing the prospect of returning to personal or authoritarian rule.

CHAPTER FIVE

CONCLUSION

5.1 Introduction

This study attempted to understand the role of presidential speeches on public policy formulation in Malawi from 2009 to 2012. The study was compelled by Bingu wa Mutharika's sudden change in the use of speeches from setting policy agendas, and communicating priorities to the public in his first term of office (2004 to 2009) to formulating public policies in his second term of office (2009 to 2012). The main objective of the study was to examine the role of presidential speeches on public policy formulation in Malawi from 2009 to 2012. This chapter concludes by looking at the overview of the whole study, the conclusion of findings, implications, and recommendations of the study.

5.2 Overview of the study

The study was aimed at examining the role of presidential speeches on public policy formulation in Malawi from 2009 to 2012.

As such, different chapters in this research paper examined the role of presidential speeches on public policy formulation separately. The first chapter looked at the study's introduction and background, problem statement, objectives, research questions, justification of the study, and arrangement of chapters.

The second chapter looked at the related literature to the study based on the following specific objectives: an examination of factors contributing to presidential speech based policymaking in Malawi along the roles of the executive, legislature, and judiciary in the process of public policymaking; an assessment of the political contexts in which specific presidential speeches are made; and, an assessment of the impact of presidential speeches on policy formulation in Malawi. This second chapter also looked at the "elite theory" and "big man theory", theories that guided this study.

The third chapter looked at the methodology of the study which encompassed the research design and method, population of the study, sampling and sample size, data collection techniques, data analysis, ethical consideration, and limitations of the study.

The fourth chapter comprehensively presented findings and discussion of the study. The data from the study was analyzed based on the following specific objectives: an examination of factors contributing to presidential speech based policymaking in Malawi along the roles of the executive, legislature, and judiciary in the process of public

policymaking; an assessment of the political contexts in which specific presidential speeches are made; and, an assessment of the impact of presidential speeches on policy formulation in Malawi. Respondents provided the required information that disclosed the role of presidential speeches on public policy formulation in Malawi from 2009 to 2012.

5.3 The role of presidential speeches on public policy formulation in Malawi from 2009 to 2012

The study aimed at examining the role of presidential speeches on public policy formulation in Malawi from 2009 to 2012. The findings of the study were based on the following specific objectives: an examination of factors contributing to presidential speech based policymaking in Malawi along the roles of the executive, legislature, and judiciary in the process of public policymaking; an assessment of the political contexts in which specific presidential speeches are made; and, an assessment of the impact of presidential speeches on policy formulation in Malawi.

5.3.1. Factors contributing to presidential speech based policymaking in Malawi between 2009 and 2012

On contributing factors to presidential speech based policymaking in Malawi, the roles of the executive, legislature, and judiciary were examined, and this section shared the factors that contributed to the executive, particularly Bingu wa Mutharika in his second term, formulating public policies through speeches.

5.3.1.1 The role of the executive in public policymaking in Malawi between 2009 and 2012

One of the roles of the executive that was mentioned by all respondents who responded on this objective; the former Malawi National Assembly representatives, high court judges, and lecturers, is policy formulation. These respondents disclosed that elected executives dominated the process of public policymaking, and that the president, Bingu wa Mutharika during the second term of his presidency, did formulate public policies singlehandedly through speeches because the system in Malawi permitted him to do so. Policy implementation is another role of the executive branch of government in the process of public policymaking that was mentioned by some respondents. While the majority of respondents saw that this role was performed by the permanent executive/civil servants, a few respondents argued that it was performed jointly by elected executives and civil servants because civil servants only implemented public policies at the direction of elected executives.

5.3.1.2 The role of the legislature on public policymaking in Malawi between 2009 and 2012

An examination on the roles of the legislature in the process of public policymaking to establish the factors that contributed to presidential speech based public policy formulation in Malawi between 2009 and 2012, found that the legislature was responsible for formulating public policies, scrutinizing and overseeing the actions of the executive, and also representing citizens in the Malawi National Assembly. On their role of policy formulation, this study found that the executive dominated the process and

occasionally took the legislature on board when formulating public policies. In some cases, when the executive and the legislature jointly formulated policies, the system allowed the executive, especially the president, to officially approve or withhold policies through a process known as bill assenting. As for the scrutiny and oversight role, this study found that the legislature was not entirely commanding on the executive because its policy alternatives and votes on the use of government funds were rarely adopted by the executive branch. On the representation of citizens, the researcher found that parliamentarians who were supposed to act as mouthpieces for constituents in the Malawi National Assembly primarily advanced their own interests because they were unaware of their citizens' representation role in parliament.

5.3.1.3 The role of the judiciary in public policymaking in Malawi between 2009 and 2012

This study on the roles of the judiciary in Malawi in regards to the process of public policymaking, found that the judiciary played the roles of checks and balances, and policy formulation. On its role of checks and balances, the judiciary ensured that the executive and legislature followed the provisions of the Malawi constitution. However, it has been indicated that the judiciary encountered some difficulties, mostly because it never initiated the judicial review process and instead relied solely on citizen applications. This means that the judiciary was not independent in the execution of this role. As for its role of policy formulation, this study found that the judiciary formulated public policies the time it passed judgments in courts. Surprisingly, some judges were

unaware that they were responsible for formulating public policies. This may be attributed to judges' lack of awareness.

While the judiciary was responsible for providing checks and balances on the executive's actions, including those of President Bingu wa Mutharika during the study period, and the legislature's actions, the overall evidence of findings on this section indicated that the Malawi constitution, which provided for this role of the judiciary, did not directly empower them, and that its role in policy formulation was not explicitly stated in the same Malawi Constitution.

5.3.2 Political context in which specific presidential speeches are made

On this specific objective, it was found that both incumbent presidents and presidential aspirants made presidential speeches. However, after careful consideration, the majority of respondents on this section disclosed that incumbent presidents, particularly Bingu wa Mutharika in his second term of office, wielded more influence over the process of public policymaking and occasionally used his authoritative speeches to formulate public policies when confronted with situations such as the state of the nation address (SONA), developmental rallies, emergency situations, and political rallies. As for presidential aspirants, this study found that they were only exposed to political rallies where their speeches were not authoritative to the country on public policymaking but were important to election outcomes. This shows that incumbent presidents' speeches, particularly Bingu wa Mutharika's speeches during his second term, had a greater impact on public policymaking when delivered within the aforementioned situations.

5.3.3 The impact of presidential speeches on policy formulation in Malawi

The final specific objective of the study, which was assessed to contribute to determining the role of presidential speeches on public policy formulation in Malawi from 2009 to 2012, is the impact of presidential speeches on policy formulation in Malawi. On this specific objective, a greater number of respondents disclosed that public policies formulated by the president, Bingu wa Mutharika through speeches during his second term of office, did not positively impact the general public because they served the interests of a small number of people, particularly Bingu wa Mutharika's inner circle and loyalists, and that the public policies faced an implementation gap due to a lack of procedures for implementation. While some few respondents indicated that Bingu wa Mutharika's speech formulated public policies during the study period positively affected the general public, they failed to support their claim. This, therefore, shows that Bingu wa Mutharika's speech formulated public policies were ineffective to the general public.

5.4 Implications of findings on presidential speech formulated public policies

As discussed in the literature review chapter, some studies have clearly indicated that public policymaking in a democratic country was mainly the joint responsibility of the three arms of government, namely; the executive, legislature, and judiciary, where all these arms of government were equal and checked if anyone amongst them contradicted the Malawi constitution's dictates. Practically, however, Malawi's elected executive demonstrated its dominance in the process of public policymaking by initiating public policies for discussion in parliament, formulating public policies in parliament in

collaboration with the legislature, approving civil servants' implementation of public policies, and assenting to bills by the president. Surprisingly, the president of Malawi during the study period, Bingu wa Mutharika, singlehandedly formulated public policies through speeches which were later implemented with his blessings. The legislature's hands were tied in its role of scrutinizing and overseeing executive actions since their voice was not authoritative and the executive had the discretion to accept or reject the legislature's advice. As for the judiciary, determining the constitutionality of executive actions was difficult because it only had the authority to suspend or review executive decisions when citizens submitted applications for it.

The literature reviewed on political contexts, or the environments, in which specific presidential speeches were made, indicated that presidential aspirants or incumbent presidents delivered speeches in a structured and deliberate manner to an audience in person. Presidential aspirants' speeches, while seen to be informative, served a transactional purpose, with the primary goal of persuading electorates to vote for them in elections. Incumbent presidents' speeches, which are believed to be intended to influence something, served an interactional role and had a significant impact on public policy proposals. While the literature on this specific objective echoes the findings of the study, which focused on the effects of incumbent presidents' speeches in the process of public policymaking, the study's findings show that the president, Bingu wa Mutharika, singlehandedly formulated some public policies during his second term of office by using speeches on the state of the nation address (SONA), developmental rallies, emergency situations, and political rallies.

In terms of the literature review on the impact of presidential speeches on policy formulation, it was found that the executive, particularly the president, was responsible for setting the policy agenda through speeches because it was an important source of power. This meant that the president, through speeches, set the policy agenda for discussion in parliament. Later, it was established that presidents, through speeches, were practical and principal public policymakers because of citizens' expectations and their reliance on presidents as principal public policymakers and national representatives. According to the findings on this specific objective, Malawi's president during the study period, Bingu wa Mutharika, owned the public policymaking process in Malawi by assenting to bills and delivering speeches that initiated, formulated, and implemented public policies. However, the majority of respondents indicated that policies formulated through speeches had negative effects on Malawians, with a few holding conflicting opinions. The majority of respondents who indicated that public policies formulated through speeches by Bingu wa Mutharika during his second term had negative effects on the general public argued that these public policies served the interests of few people, mainly Bingu wa Mutharika's inner circle, and that public policies had implementation gaps due to a lack of deliberate implementation procedures and legislative authority. According to a few respondents, Bingu wa Mutharika's public policies formulated through speeches during his second term of office had positive effects on the general public. They stated that Bingu wa Mutharika's speech formulated public policies had positive effects on the general public since they produced the intended results.

While these findings may accurately reflect an authoritarian or personal rule state due to a deliberate departure from the democratic method of formulating public policies, which requires the incorporation of various interests, Bingu wa Mutharika's second term government remained democratic because it was mandated by the democratic constitution of 1994. The dominance of the executive, particularly President Bingu wa Mutharika in his second term of office, in the process of public policymaking, particularly in the formulation of public policies, which he formulated through speeches, could be attributed to the mixed form of government, presidential and parliamentary, which makes the president the head of government who cannot be removed by the legislature, as is the case in parliamentary government.

5.5 Recommendations for further studies

This study examined the role of presidential speeches on public policy formulation in Malawi from 2009 to 2012. Despite this study being conducted through examining the factors contributing to presidential speech based policies along the roles of the three arms of government, the executive, legislature, and judiciary; assessing the political contexts in which presidential speeches are made; and assessing the impact of presidential speeches on the public policy formulation, this study notices that the findings of this study are reasonably and generally shallow to generalize the results on a wide range of issues to do with presidential speeches and public policy formulation in Malawi during democracy.

This study was originally conducted with reference to three examples of public policies that were formulated by Bingu wa Mutharika through speeches in his second term of

office, namely: the 'shoot to kill policy' which permitted police officers to shoot and kill any suspected criminal found at the scene of crime; the declaration of Fergus Cochrane-Dyet, the British High Commissioner to Malawi, a persona non grata for claiming that Mutharika was increasingly becoming autocratic and intolerant of criticism; and the declaration and adoption of the zero-deficit budget in the 2011/2012 fiscal year. Practically, these are only a few public policies, and generalizing findings based solely on them would be quite unfair. This study, therefore, recommends another study on a wide range of public policies formulated through speeches by the president during the time of the study so that these findings become more authoritative.

Aside from that, it is argued that Bingu wa Mutharika followed all democratic procedures when formulating public policies during his first term as president. It is therefore important to look into Bingu wa Mutharika's first term of presidency in order to comprehensively compare it to his second term in regards to the use of speeches in the formulation of public policies.

This study also finds that a lot has happened in Malawi's public policy formulation since the dawn of democracy, with assertions that presidents in Malawi used neopatrimonial leadership styles when formulating public policies during democracy. As a result, this study recommends that another study be undertaken to determine how all democratic presidents in Malawi used their speeches in the process of public policymaking, as well as to explore the long-term impact of presidential speeches on public policymaking.

Additionally, Bingu wa Mutharika was re-elected president in 2009 with an absolute majority of all votes cast, and several of his Democratic Progressive Party (DPP)

shadow parliamentarians were elected to the Malawi National Assembly. This compels the researcher to believe that Bingu wa Mutharika captured the Malawi National Assembly and had a direct influence on public policy formulation in the house. Bingu wa Mutharika, on the other hand, formulated various public policies singlehandedly through speeches during this period and never made it to parliament. One wonders why Bingu wa Mutharika chose this path of formulating public policies at a time when he had a majority of DPP parliamentarians in the Malawi National Assembly who would generously support his policy agendas, allowing him to preserve Malawi's democratic way of public policymaking. As such, it would be appropriate and proper to conduct a study in this area to clear up the researcher's speculations.

Finally, the researcher observes some similarities in the use of speeches in formulating public policies by the one-party president, Kamuzu Banda, and Bingu wa Mutharika during the second term of his presidency in the democratic era. Therefore, the researcher suggests that a study be conducted to comprehensively compare the use of speeches on public policy formulation between this one-party president, Kamuzu Banda, and Bingu wa Mutharika, the president during the study period, in order to confidently detect similarities and differences between them.

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APPENDICES

Appendix 1: In-depth interview guide for former Malawi National Assembly officials (Speaker/Clerk of Parliament/Leader of the house/opposition of between 2009 and 2012)

Introduction

This research, *“The role of presidential speeches on public policy formulation in Malawi from 2009 to 2012”*, is being conducted by Jonas Wamapalo Msukwa, a student of the University of Malawi. This study is for the partial fulfillment of the requirements for the award of Master of Arts in Political Science. You are therefore requested to participate in this study by truthfully answering to the questions herein and many others that may be posed to you in the course of the interview. Information collected in this interview is solely for academic purpose and confidentiality will be observed throughout this study by among others concealing your identity and keeping information safe by not communicating it to anyone. Your cooperation is greatly appreciated.

A. Introductory information

1. Which branch of government did you work for?

(a). Executive (b). Legislature (c) Judiciary

2. What position were you holding in the branch?

3. For how long did you hold that position?

4. Briefly explain the meaning of public policy in your own understanding?

5. Do you know how the public policy is made in Malawi? If yes, explain in details?

6. Who are the main stakeholders in the public policymaking in Malawi and what are their roles?

B. To examine factors contributing to presidential speech based policy making in Malawi

1. What were your roles in the Malawi National Assembly in regards to the making of public policy?

2. Did you perform any other role other than those roles in the public policymaking process?

3. There is a concern that in the past years some presidents like Bingu wa Mutharika formulated public policies through presidential speeches. Are you aware of this?

4. If yes to the above question, what do you think are the contributing factors to this act?

C. To assess the political contexts in which specific presidential speeches are made.

1. Speeches are either made by presidential aspirants or incumbent presidents. Do these speeches play the same function in the process of public policymaking?

2. If they play different functions, which one between these speeches is more influential in the public policymaking process? Explain your answer in details.

3. Can you mention some political contexts/situations in which various presidential speeches were made?

4. Do you think these situations played a role in influencing presidents to make a particular speech? Explain your answer.

5. What do you think can be the impact of making presidential speeches only based on contexts in relation to policymaking in Malawi?

D. To assess the impact of presidential speeches on policy formulation in Malawi.

1. What is the role of the president in the public policymaking process (Malawi Constitution)?

2. Can the president play other roles in the public policymaking apart from the one mentioned in 1? If yes, what are those roles?

3. There are arguments that Bingu wa Mutharika during his second term in office formulated some policies through speeches, how true is this allegation?

4. If true, were those policies formulated by the president through speeches effective to the entire country or the selected few people? Explain your answer in details.

5. In your thinking, do you think presidential speeches play a role in policy formulation in Malawi?

6. If yes to the above, what do you think are the roles?

7. What do you think are the challenges that can arise due to policies that may be formulated through presidential speeches only?

Thank you for sparing your precious time to participate in this study.

Appendix 2: In-depth interview guide for Politicians/Parliamentarians (Active between 2009 and 2012)

Introduction

This research, *“The role of presidential speeches on public policy formulation in Malawi from 2009 to 2012”*, is being conducted by Jonas Wamapalo Msukwa, a student of the University of Malawi. This study is for the partial fulfillment of the requirements for the award of Master of Arts in Political Science. You are therefore requested to participate in this study by truthfully answering to the questions herein and many others that may be posed to you in the course of the interview. Information collected in this interview is solely for academic purpose and confidentiality will be observed throughout this study by among others concealing your identity and keeping information safe by not communicating it to anyone. Your cooperation is greatly appreciated.

A. Introductory information

1. Which party were you supporting in Malawi between 2009 and 2012?

(a). DPP (b) MCP (c) UDF

2. What position were you holding in the party?

3. For how long did you hold that position in the party?

4. Briefly explain the meaning of public policy in your own understanding?

5. Do you know how the public policy is made in Malawi? If yes, explain in details?

6. Who are the main stakeholders in the public policymaking in Malawi and what are their roles?

B. To examine factors contributing to presidential speech based policy making in Malawi

1. What were your roles in the Malawi National Assembly in regards to the making of public policy?
2. Did you perform any other role other than those roles in the public policymaking process?
3. There is a concern that in the past years some presidents like Bingu wa Mutharika formulated public policies through presidential speeches. Are you aware of this?
4. If yes to the above question, what do you think are the contributing factors to this act?

C. To assess the political contexts in which specific presidential speeches are made.

1. Speeches are either made by presidential aspirants or incumbent presidents. Do these speeches play the same function in the process of public policymaking?
2. If they play different functions, which one between these speeches is more influential in the public policymaking process? Explain your answer in details.
3. Can you mention some political contexts/situations in which various presidential speeches are made?
4. Do you think these situations play a role in influencing presidents to make a particular speech? Explain the answer.
5. What do you think can be the impact of making presidential speeches only based on contexts in relation to policymaking in Malawi?

D. To assess the impact of presidential speeches on policy formulation in Malawi.

1. What is the role of the president in the public policymaking process (Malawi Constitution)?
2. Can the president play other roles in the public policymaking apart from the one mentioned in 1? If yes, what are those roles?
3. There are arguments that Bingu wa Mutharika during his second term in office formulated some policies through speeches. How true is this allegation?
4. If true, were those policies formulated by the president through speeches effective to the entire country or the selected few people? Explain your take in details.
5. In your thinking, do you think presidential speeches play a role in policy formulation in Malawi?
6. If yes to the above, what do you think are the roles?
7. What do you think are the challenges that can arise due to policies that may be formulated through presidential speeches only?
8. Do you think party president's speeches had an impact on public policymaking? Explain in details.
9. Between campaign speeches and speeches of the incumbent president, which of these speeches do you think has more impact on the public policymaking process? Explain your answer.

10. Do you think it was necessary for the president to make public policies through speeches? Explain your answer in details.

Thank you for sparing your precious time to participate in this study.

Appendix 3: In-depth interview guide for the Academia

Introduction

This research, *“The role of presidential speeches on public policy formulation in Malawi from 2009 to 2012”*, is being conducted by Jonas Wamapalo Msukwa, a student of the University of Malawi. This study is for the partial fulfillment of the requirements for the award of Master of Arts in Political Science. You are therefore requested to participate in this study by truthfully answering to the questions herein and many others that may be posed to you in the course of the interview. Information collected in this interview is solely for academic purpose and confidentiality will be observed throughout this study by among others concealing your identity and keeping information safe by not communicating it to anyone. Your cooperation is greatly appreciated.

A. Introductory information

1. Which University are you from?
2. What position do you hold at the institution (University)?
3. What is your highest educational qualification?
4. What is your area of specification?
5. For how long have you been working at the University in that area?
6. Briefly explain the meaning of public policy in your own understanding?
7. Do you know how the public policy is made in Malawi? If yes, explain in details?

8. Who are the main stakeholders in the public policymaking in Malawi and what are their roles?

B. To examine factors contributing to presidential speech based policy making in Malawi

1. Are you in any way consulted or involved in the public policymaking process?
2. If yes, at what position of the public policy cycle and what role do you play?
3. If not, would you be ready to offer any assistance in the public policymaking process if given chance?
4. There is a concern that in the past years some presidents like Bingu wa Mutharika have been making public policies through presidential speeches. Are you aware of this?
5. If yes to the above question, what do you think are the contributing factors to this act?

C. To assess the political contexts in which specific presidential speeches are made.

1. Speeches are either made by presidential aspirants or incumbent presidents. Do these speeches play the same function in the process of public policymaking?
2. If they play different functions, which one between these speeches is more influential in the public policymaking process? Explain your answer in details.
3. Can you mention some political contexts/situations in which various presidential speeches are made?

4. Do you think these situations play a role in influencing presidents to make a particular speech? Explain the answer.

5. What do you think can be the impact of making presidential speeches only based on contexts in relation to policymaking in Malawi?

D. To assess the impact of presidential speeches on policy formulation in Malawi.

1. What is the role of the president in the public policymaking process (Malawi Constitution)?

2. Can the president play other roles in the public policymaking apart from the one mentioned in 1? If yes, what are those roles?

3. There are arguments that Bingu wa Mutharika during his second term in office formulated some policies through speeches. How true is this allegation?

4. If true, were those policies formulated by the president through presidential speeches effective to the entire country or the selected few people? Explain your answer in details.

5. In your thinking, do you think presidential speeches play a role in policy formulation in Malawi?

6. If yes to the above, what do you think are the roles?

7. What do you think are the challenges that can arise due to policies that may be formulated through presidential speeches only?

Thank you for sparing your precious time to participate in this study.

Appendix 4: In-depth interview guide for the Judiciary (Judges between 2009 and 2012)

Introduction

This research, *“The role of presidential speeches on public policy formulation in Malawi from 2009 to 2012”*, is being conducted by Jonas Wamapalo Msukwa, a student of the University of Malawi. This study is for the partial fulfillment of the requirements for the award of Master of Arts in Political Science. You are therefore requested to participate in this study by truthfully answering to the questions herein and many others that may be posed to you in the course of the interview. Information collected in this interview is solely for academic purpose and confidentiality will be observed throughout this study by among others concealing your identity and keeping information safe by not communicating it to anyone. Your cooperation is greatly appreciated.

A. Introductory information

1. Which branch of government did you work for?

(a) Executive (b) Legislature (c) Judiciary
2. What position were you holding in the branch?
3. For how long did you hold that position?
4. Briefly explain the meaning of public policy in your own understanding?
5. Do you know how the public policy is made in Malawi? If yes, explain in details?

6. Who are the main stakeholders in the public policymaking in Malawi and what are their roles?

B. To examine factors contributing to presidential speech based policy making in Malawi

1. As judiciary, did you have any role in the public policymaking process during Bingu wa Mutharika's second term of office as president?

2. If yes, what were these roles and how did you perform them?

3. If yes, was it necessary for you to have a role in the public policymaking process?

4. If not, do you think you deserved a role in the public policymaking process? Explain.

6. As judiciary, it is argued that your role in the public policymaking is to check on the legality of the executive and legislature actions? How true is this?

7. If true, how did you do it during Bingu wa Mutharika's second term of office as president?

8. There is a concern that in the past years some presidents like Bingu wa Mutharika formulated public policies through presidential speeches. Are you aware of this?

9. If yes to the above question, what do you think are the contributing factors to this act?

Thank you for sparing your precious time to participate in this study.

Appendix 5: In-depth interview guide for Senior Government Employees between 2009 and 2012)

Introduction

This research, *“The role of presidential speeches on public policy formulation in Malawi from 2009 to 2012”*, is being conducted by Jonas Wamapalo Msukwa, a student of the University of Malawi. This study is for the partial fulfillment of the requirements for the award of Master of Arts in Political Science. You are therefore requested to participate in this study by truthfully answering to the questions herein and many others that may be posed to you in the course of the interview. Information collected in this interview is solely for academic purpose and confidentiality will be observed throughout this study by among others concealing your identity and keeping information safe by not communicating it to anyone. Your cooperation is greatly appreciated.

A. Introductory information

1. Which department of government were you working for?
2. What position were you holding in that department?
3. For how long did you hold that position?
4. Briefly explain the meaning of public policy in your own understanding?
5. Do you know how the public policy is made in Malawi? If yes, explain in details?
6. Who are the main stakeholders in the public policymaking in Malawi and what are their roles?

B. To assess the impact of presidential speeches on policy formulation in Malawi.

1. Some people have argued that your role in the public policymaking process was the implementation of the policies. How true is this?
2. If true, where exactly did you get instructions and resources to fulfill the implementation of these public policies?
3. What is the role of the president in the public policymaking process (Malawi Constitution)?
4. There are arguments that claim that Bingu wa Mutharika in his second term as president singlehandedly made public policies through speeches. How true is this?
5. If true, were you implementing these policies differently to those formulated by parliamentarians? Please explain in details.
6. Did you at any point witness challenges in the implementation/outcome of policies formulated through presidential speeches? If yes, what were these challenges? Explain in details.

Thank you for sparing your precious time to participate in this study.

Appendix 6: In-depth interview guide for Civil Society Organizations' Leadership of between 2009 and 2012)

Introduction

This research, *“The role of presidential speeches on public policy formulation in Malawi from 2009 to 2012”*, is being conducted by Jonas Wamapalo Msukwa, a student of the University of Malawi. This study is for the partial fulfillment of the requirements for the award of Master of Arts in Political Science. You are therefore requested to participate in this study by truthfully answering to the questions herein and many others that may be posed to you in the course of the interview. Information collected in this interview is solely for academic purpose and confidentiality will be observed throughout this study by among others concealing your identity and keeping information safe by not communicating it to anyone. Your cooperation is greatly appreciated.

A. Introductory information

1. Which CSO were you representing or working for?
2. What position were you holding at the CSO?
3. For how long did you hold that position?
4. Briefly explain the meaning of public policy in your own understanding?
5. Do you know how the public policy is made in Malawi? If yes, explain in details?
6. Who are the main stakeholders in the public policymaking in Malawi and what are their roles?

B. To assess the impact of presidential speeches on policy formulation in Malawi.

1. As a Civil Society Organization, did you have any role in the public policy making process? If yes, what was this role?
2. What is the role of the president in the public policymaking process (Malawi Constitution)?
3. There are arguments that Bingu wa Mutharika during his second term in office formulated some policies through speeches, how true is this allegation?
4. There are further arguments that points that some Civil Society Organizations were not happy with Bingu wa Mutharika's second term regime. Were you among those Civil Society Organizations?
5. It is further argued that most Civil Society Organizations expressed their anger on Bingu wa Mutharika's second term regime by organizing country wide demonstrations. Was your organization among the organizers of those demonstrations?
6. If yes, what were you specifically demonstrating against?
7. If given space, do you have anything to offer to the president against continuing with the tendency?
8. In your thinking, do you think presidential speeches play a role in policy formulation in Malawi?
9. If yes to the above, what do you think are the roles?

10. What do you think are the challenges that can arise due to policies that may be formulated through presidential speeches only?

Thank you for sparing your precious time to participate in this study.