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## Fissions and fusions, foes and friends: Party-system re-structuring in Malawi in the 2004 general elections

Lise Rakner  
Lars Svåsand

**WP 2005: 6**



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*"Everybody wants to be president, which is not possible", NDA party member, cited in "The Nation", April 3-4, 2004.*

*"There's a time for everything. There's a time for joining parties. And there's time for quitting. And then there's a time for joining other parties", Ken Lipenga, Minister of information, cited in "The Nation", Feb. 17, 2005*

## Introduction

In sub-Saharan Africa, most of the 1990s' transitional constitutions have included provisions limiting the president to two consecutive terms. But as incumbent presidents have sought to alter the constitutions to allow themselves another term in office, in many sub-Saharan countries the so-called third term debates have come to dominate the political discourse around the third multiparty elections. While the issue of presidential term limits is emerging as an important political norm on the African continent<sup>1</sup>, the effects of the third term debates on the institutionalization of the party systems have so far not been properly accounted for. This article examines the development of the Malawian parties in the context of the May 20 2004 presidential and parliamentary elections. In these elections Malawi departed from the three-party system, anchored in regional strongholds, established in the two first multiparty elections.

van de Walle (2002) argues that the first multiparty elections in newly democratized African countries shape the nature of the emerging party system; whichever party that wins the first elections gains access to resources that enables it to hold on to power in the following elections. In pursuit of the benefits of office, politicians from the opposition will gravitate towards the incumbent party, further weakening the opposition. We argue that the *third* election also affects the party system, leading to party fragmentation (fissions) and party mergers (fusions). The third presidential election represents 'a window of opportunity' for politicians aspiring for the top position. Within the incumbent party, new aspirants await their chance to be nominated. Among opposition parties, the chances of winning the presidency may be perceived as greater as they are not running against an incumbent president. Only one candidate can be nominated for each party and only one candidate can win the presidency. This leads to a re-structuring of the party system in two phases: fissions before the elections, fusions in the post-election phase. We illustrate these processes with the case of the Malawian presidential and parliamentary elections in 2004.

We argue that politicians pursue an office seeking strategy, weakly connected to ideological or political priorities. There are few institutional barriers against new party formations, and the first-post-the-post electoral system, for the presidency as well as for parliamentary seats, encourages politicians to run alone rather than coalesce. We demonstrate that in Malawi the combination of leadership centered parties, executive dominance, and the institutional rules for presidential elections, encouraged such turbulence in the party system in the context of the third democratic elections. Before the elections, the party system fragmented, mainly in the form of fissions among the established parties, but also with attempts at coalition building. After the elections, fusions of parties and coalitions among parties became alternative strategies for winning office as some parties fused and new coalitions among former adversaries formed while new fissions have occurred in the governing parties. Thus,

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<sup>1</sup> See van de Walle (2002).

rather than institutionalizing over time, the Malawian party system appears to have crumbled into a fluid stream of fractionalized parties, new parties and short term political alliances.

The paper proceeds as follows. First, we place the Malawi 2004 elections in the context of third elections in sub-Saharan Africa. Second, we outline the incentives for party formation in political systems dominated by presidential powers. In the third section, we place Malawi's party system in the comparative perspective of party systems in new African democracies. We then analyze the fissions and fusions of the party system in the 2004 electoral process (section four). The final section discusses implications of these developments for the accountability of political elites in Africa's new democracies.

## 1. The significance of third elections in Sub-Saharan Africa

Between 1989 and 2000 sub-Saharan Africa witnessed 65 presidential elections involving more than one candidate. Over the same period, legislative elections involving at least two parties were held in at least 42 countries. Only Congo, Eritrea, Somalia, Swaziland, and Uganda refrained from multiparty elections (van de Walle 2003: 299). In the new millennium, many of sub-Saharan Africa's new democracies have conducted their third multi party elections. Yet, few of these political systems can claim to have consolidated as genuine democracies with effective instruments of horizontal and vertical accountability.<sup>2</sup> Despite the regularity of elections, the continued blurred distinctions between party and state finances, manipulation of voter registration, and monopoly of national media have meant that pluralist constitutional democracy has not challenged the hegemony of authoritarian leaders in sub-Saharan Africa's new democracies, many of which remain in what Carothers refers to as 'the grey zone' between authoritarian and democratic regimes (2002: 9).

Most of the 1990 transition-era constitutions in sub-Saharan Africa included provisions limiting the president to two consecutive terms. The advantages of the winning party in the *first* free competitive election have usually meant that it was easily re-elected for a *second* term. However, as the second term for the incumbent has come to an end, different scenarios have unfolded. In some cases the incumbent presidents have accepted the rule, stepped down and been replaced by a new candidate. President Jerry Rawlings in Ghana set a precedent in 2000 when he retired and his chosen successor lost the elections (Giymah-Boadi, 2001). Similarly, President Miguel Travoada of Sao Tome and Principe and Mali's President Konaré both retired after two presidential terms in 2002 and in Mozambique Armando Guebuza replaced Joaquim Chissano as FRELIMO's presidential candidate in 2004 and in Tanzania the incumbent party, CCM, has nominated the Foreign Affairs minister, Jakaya Kikwete as the successor candidate to President Mkapa, having served two terms in office.<sup>4</sup>

Other presidents have contested the term limits with varying degree of success. In Namibia, a constitutional amendment allowed Sam Nujoma a third five-year term in 1999.<sup>5</sup> However, in other countries the third election has been a critical and highly contested election as the incumbent president has tried (without success) to have the constitution changed either through parliament or through a popular referendum to allow themselves a third term in office. Faced with strong resistance from their own parties, civil society, the judiciary, and the donor community, Zambia's President Chiluba (2001)

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<sup>2</sup> "A is accountable to B when A is obliged to inform B about A's (past or future) actions and decisions, to justify them, and to suffer punishment in the case of eventual misconduct" (Schedler (1999: 17). An example of horizontal accountability is the relationship between the executive and the legislature, while the linkage between voters and elected representatives is an example of vertical accountability.

<sup>4</sup> The governing party, CCM, who holds 80 per cent of the Parliamentary seats, selected its new presidential candidate at the party's national convention 4-6 May 2005.

<sup>5</sup> For an account of third elections and the significance of governing party cohesion in Namibia, see Von Doepf (2003).



(see Rakner and Svåsand 2004) , Daniel Arap Moi in Kenya (2002) (see Anderson 2003) and Malawi's President Bakili Muluzi (2004) had to give up on their effort to change the constitution to allow themselves yet another term in office.<sup>6</sup> President Muluzi and his party, the United Democratic Front (UDF), first tried to amend the constitution and allow Muluzi an 'open term' in office in July 2002. This bill was, however, narrowly rejected by Parliament. In March 2003, UDF reintroduced the debate to extend the presidential terms of office by introducing a 'third term' bill in parliament. This bill was later withdrawn when it became clear that it would not muster the required 2/3 majority. In August 2003, President Muluzi announced Dr. Bingu wa Mutharika - a newcomer in the UDF party - as his successor and UDF's presidential candidate.

The first two multi party elections in Malawi (1994 and 1999) resulted in a three-party system, reflecting a regional distribution of support (Kaspin 1995). AFORD (Alliance for Democracy) dominated in the North, the old state carrying party, MCP (Malawi Congress Party), in the centre and UDF (United Democratic Front) in the South, the most populous region. Although UDF's candidate, Bakili Muluzi, won the presidency both in 1994 and in 1999, UDF did not win a majority of the seats in parliament in any of the two first parliamentary elections (table 3) although it became the largest party. During the 2004 pre-election period Malawi witnessed a process of party fragmentation, with a number of new party formations. In the period after the May 20 general elections the reverse process occurred as some parties merged while others who previously shunned each other, have joined in a coalition government. Finally, the fall-out from the election caused ruptures in the governing parties. These processes can be explained by the incentives politicians have for office-seeking and the strategies they employed in the pursuit of this aim.

## 2. Fissions and fusion: Incentives for party formation, party merger and coalition agreements

Across the world, winning elections is a major motive for politicians as well as for political parties (Schlesinger 1991, Strøm and Muller 2003). Winning electoral public offices is particularly important in societies with a weak civil society, weak private economy and weak local government structures.<sup>8</sup> In such societies, state institutions control the distribution of key resources. Publicly elected offices provide access to significant business opportunities and are, therefore, attractive to ambitious politicians. In Malawi, as in many other African political systems, access to office provides opportunities not only to decide and implement policies, public office also provides political career opportunities and financial means to reward individual supporters as well as their constituencies collectively.

As in most African democracies, the presidency is the most important elected office in Malawi (Meinhardt and Patel, 2003: 42). After three decades of one party rule<sup>9</sup>, and after considerable international pressure, Malawi returned to multiparty rule in 1993 through a national referendum. A new constitution was adopted in 1994 which gives extensive powers to the president. The president – and the vice-president - are elected for five years in a nation wide election. The candidate with the most votes win, no majority is needed.<sup>10</sup> The constitution allows for one re-election period. The

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<sup>6</sup> In Uganda the government submitted a bill to parliament in February 2005 proposing the removal of the constitutional term limitation. If implemented, President Museveni will be allowed to run for the presidency also in 2006.

<sup>8</sup> See for instance Salih (2003: 355ff), Chabal and Daloz (2001).

<sup>9</sup> Malawi became independent from British colonial rule in 1964. In 1966, the President (Dr. Hastings Kamuzu Banda) declared Malawi a one party state and Malawi Congress Party (MCP), the only legal party. Malawi under President Banda was an authoritarian regime with a poor human rights record and no meaningful political participation (Englund 2002; Meinhardt and Patel 2003).

<sup>10</sup> Constitutional amendment no. 31, 1994.

president selects and dismisses members of his cabinet. Cabinet members can also simultaneously serve as MPs.

The single-chamber parliament has currently 193 members, elected at the same time as the president in single member constituencies through simple plurality vote. Although parliament has no control over the appointment of the cabinet, the president needs parliamentary support to pass laws, pass the budget, and confirm the president's appointment of senior public officials. However, parliament's ability to constitute a check on the cabinet has in practice been curtailed. Parliament has few resources that MPs can draw on, the committee system is only partly functioning and the number of days the parliament meets is limited (Dulani and van Donge 2004). The rules that regulate how many days are needed to pass various bills are often ignored.<sup>11</sup>

There is also a lack of sub-national offices that can act as an independent power base for politicians. Elected local councils exist, but with few powers. There is no elected regional level government in Malawi. The presidency is therefore the most important office. Cabinet membership may provide control of some resources, but the type and length of appointment depends on the president's preferences. Typically, party leaders controlling groups of MPs that are needed to form a majority government, are in position to gain cabinet offices, and individual MPs may also be encouraged to defect from their party groups to join the cabinet. To be elected MP provides some security of tenure, but limited access to resources. Partly the individual MP has access to personal funds, partly he or she may lobby government ministers to prioritize his/hers constituency. Although the individual MP controls fewer resources directly than a cabinet minister, the MP's tenure is safer if he or she does not voluntarily defect to another party group during the electoral term.<sup>12</sup>

To become a presidential nominee or a parliamentary candidate, aspiring candidates must pass several hurdles. The presidency and the parliament can only be reached through elections, while cabinet positions depend on which institution in the constitution that is charged with the responsibility of forming government. In general, elections represent more real opportunities to achieve this goal. To be able to run for the presidency, a candidate may seek to be nominated by one of the existing political parties, which first involves being preferred over other prospective candidates. Alternatively, an aspirant may decide to form a new party, or decide to run as an independent. Both of these options remove the problem of the first hurdle, but the accessibility of this option depends on the regulations for party formation and candidate registration. The choice of the second option – forming new parties – is influenced by the formal structure of the political system and the perception of parties as instruments rather than 'communities'. Forming a new party has the advantage that people aspiring to parliamentary seats will seek to ally themselves with a presidential candidate. Thus, the party name links together parliamentary candidates and the presidential candidate. Being an independent candidate removes the problem of establishing a formal party, but on the other hand, voters are not able to associate the presidential candidacy with a group of parliamentary candidates running across the country in the individual constituencies.

In Malawi, the formal rules do not represent significant hurdles against new parties and the first-past-the post electoral system for the presidency may encourage many candidates to run. The political parties control the nomination of parliamentary candidates, and there is no standard procedure for this across parties. As witnessed in the 2004 party primary elections in Malawi (February 2004),

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<sup>11</sup> The impotence of the Parliament is illustrated by it being evicted from State House, where it used to meet under President Muluzi. The newly elected president, Bingu Mutharika, decided to make State House his official residence. Parliament was ordered to move to temporary quarters. The committee meetings are now taking place in hotels around the capitol, Lilongwe.

<sup>12</sup> The constitution (Section 65) specifies that an MP, elected on a party ticket, who chooses to defect to another party, has to re-contest his or her seat. This rule does not apply to cases where MPs are excluded from their party or when an MP declares him/herself as an independent. Neither does it prohibit MP's elected as independents from joining a party group.

procedures are not applied consistently within the parties. These processes may breed conflicts over nominations in the individual constituency, and may result in defections as losing candidates opt to run independently. In Malawi it is also possible for a candidate to pursue both options of running for the presidency and for a parliamentary seat at the same time.

Other events open additional possibilities of gaining access to office. By-elections provide a second chance for aspirants that were unsuccessful or did not run in the general elections. Cabinet reshuffling, or the formation of new cabinets, provides new opportunities to gain offices. To join cabinets may have several effects on the party system. It may result in temporary or even long term alliances between parties, such as patterns of coalition formation in some established democracies.<sup>14</sup> An alternative outcome is the merging of parties participating in a coalition. Both to join a coalition government and to merge parties may be contested internally in a party and lead to party splits and formation of new parties. Such divisions may occur either because of diverging policy preferences within the parties or because of dissatisfaction with the distribution of benefits. Party splits will be more attractive for the dissatisfied within parties. The lower the threshold for forming new parties is, the weaker the ideological commitment to the party. Conversely, the stronger ideological commitments to parties open for 'unexpected' coalitions. When political parties are not distinguished from each other in terms of political preferences, few barriers prevent politicians from changing parties or from engaging in various coalitions.

The conditions for party formations vary between countries, and it would be incorrect to argue that one particular 'African' party system has emerged. Before turning to the case of Malawi we outline some of the features of party system development in newly democratized African regimes.

### 3. Political party developments in sub-Saharan Africa

An axiom in political science is that modern democratic governance requires the development of a stable party system: "A strong party system able to negotiate the intrinsic tension between representation and governance is essential for building and sustaining stable democracies" (Mozaffar 1996).<sup>15</sup> The development of party systems in African democracies have in many cases resulted in weakly institutionalized parties (Randall and Svåsand 2002) and weakly institutionalized party systems (Kuenzi and Lambright 2001). Individual parties are characterized by poor organizational capacity. They often lack an organizational structure able to penetrate the national territory, have inadequate communication links between the central leadership and lower party units, dormant organization between elections and few, if any, bureaucratic resources. They also tend to be heavily dependent on particular leaders with few mechanisms for internal party democratic processes. Support for the parties is often synonymous with support for individual leaders and not an indicator of ideological orientation. A consequence of this is that groups within parties do not feel loyalty to the party as such, and therefore easily defect to other parties. As a result, the party systems are often weakly institutionalized. The type of parties that exists varies from one election to another, and parties change alliances rapidly, seemingly without policy considerations.

An exception to the weakly institutionalized parties is the emergence of dominant parties (Bogaards 2004, Gilliom and Simkins 1999). Once parties win control of the government, the boundaries between the state and the party becomes blurred. The incumbent party has access to valuable resources, such as patronage jobs, selective distribution of financial resources to reward districts supporting them, preferential treatment of individual supporters, control of, or strong influence over media institutions and uses of governmental structures and resources, such as vehicles and airplanes, during election campaigns. Thus, the opposition parties face a tilted playing field during elections.

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<sup>15</sup> See for example Sandbrook (1996) for Africa and Lipset (2000) for the general statement.

While the literature on democratization largely agrees on the above general description, there are nevertheless significant variations between countries in terms of the kind of party system that emerged after the transition to multiparty elections and variations within countries with respect to changes over time. First, there is significant variation in the number of parties that emerged during the democratization process, from two parties competing in the 1992 legislative election in Djibouti to 44 competing parties in Chad in 1997 and in Ethiopia in 1995 (de Walle 2003: appendix). The number of registered parties is even higher: Mali has more than 70 parties, Cote d'Ivoire 125 and Cameroon 159 (Amundsen 2002). Other countries, such as Ghana, Mozambique, Zambia, had considerably fewer, particularly during the first elections which were dominated by a few parties (Burnell 2001, Carbone 2003, Rakner and Svåsand 2004).<sup>16</sup> Second, because of weakly institutionalized parties, the structure of the party system in many countries has not remained fixed over time. The number of competing parties in Mauritius increased from 16 in 1992 to 43 in 2000, while in Madagascar it declined from 29 in 1993 to 10 in 1998 (de Walle 2003). As we will see, in the case of Malawi, the party system has evolved from a three party system established during the 1994 and 1996 elections, to a fractionalized party systems with a large number of new parties and short term political alliances. Rather than serving to institutionalize the party system<sup>17</sup>, as one would expect would happen over time, the third elections in Malawi have been associated with increased turbulence.

#### 4. Fragmentation of political parties in the 2004-elections in Malawi

As argued above, both the institutional environment and the nature of the Malawian parties are conducive to party formation, and the hierarchy of political offices provides a special incentive to pursue control of the presidency or if that is not possible, at least access to the government, by using the creation of political party as a 'vehicle'. This manifests itself in four types of party fragmentation across time:

- *formal fragmentation* takes place when an increasing number of parties are registered,
- *competitive fragmentation* takes place when more parties are able to nominate candidates in a number of constituencies,
- *electoral fragmentation* occurs when votes are spread more evenly across a large number of parties, and
- *parliamentary fragmentation* occurs when parliamentary seats are more evenly distributed across a large number of parties.

##### Formal fragmentation

The formation of political parties in Malawi is regulated in the Political Parties Registration and Regulation Bill, 1993. These rules are in a comparative perspective, extremely liberal, and do not represent a significant barrier towards new party initiatives.<sup>18</sup> In addition, once a party is registered, it remains registered even if it does not nominate candidate and take part in elections. This act has remained in effect without any changes since it was enacted. The Bill stipulates that to be registered a party must:

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<sup>16</sup> Mozaffar, Scarritt and Galaich (2003) attribute the variation in the structure of the party systems to the interaction between ethnopolitical cleavage patterns and institutional frameworks.

<sup>17</sup> On institutionalisation, see Randall and Svåsand (2001).

<sup>18</sup> The rules for registering as a candidate is simple, the nomination fees, Kwacha 10.000 for parliamentary candidates, 50.000 for presidential candidates, may exclude some people from running, but can not be said to constitute unreasonable hurdles.

1. Provide a list of names and addresses of no less than 100 registered members that are:
  - a. Citizens of Malawi
  - b. Have attained voting age of voters in parliamentary elections
2. Apply in writing to the Register for registration
3. The application for registration shall be signed by office bearers and be accompanied by
  - a. Two copies of the party constitution, rules and manifesto
  - b. List of names and addresses of office bearers of the party
4. The Registrar may reject an application of a political party if:
5. The application is not in conformity with this Act
6. The name of the party is (i) identical to the name of another registered party (ii) nearly resembles the name of registered party, (iii) is provocative or offends public decency; and
7. The purpose of the party is unlawful

The current party system emanates from the old state carrying party, the Malawi Congress Party (MCP). MCP assumed its present name in 1959, but its history goes back to 1944 when it was established as the Nyasaland African Congress. In 1966, two years after independence, Malawi became a one-party state and MCP was declared as the only legitimate party. It enjoyed a monopoly position for almost three decades until the 1994 transition reintroduced multiparty politics to Malawi. In addition to the MCP, two new parties were successful in the 1994 multiparty elections:

- Alliance for Democracy (AFORD) which dominated in the Northern region
- United Democratic Front (UDF) had its stronghold in the South.

Three additional parties also ran, but did not succeed in winning any seats:

- the Social Democratic Party (SDP)
- the Malawi Democratic Party (MDP)
- the Malawi Democratic Union (MDU)

Between the 1994 and 1999 elections, the number of registered parties increased to 18, but the five new parties that appeared on the ballot in 1999, the Congress for National Unity (CONU), Mass Movement for Young Democrats (MMYG), National Democratic Front (NDF), the United Party (UP), and the Sapitwa National Democratic Party (SNDP), were all unsuccessful.

In the run-up to the 2004 elections, the number of registered parties increased to 29, four times as many as at the start of the multiparty era. In reality the alternatives facing the voters were fewer, as some of the early formed parties had withered away but remained registered.<sup>19</sup> All of the established parties, MCP, UDF and AFORD experienced breakaways between the 1999 elections and 2004. A primary motive behind the fissions within the existing parties was dissatisfaction with coalition agreements and/or the jockeying for positions among politicians in which the candidature for the presidency played a leading role. Below we briefly outline how the three 'established' parties fissioned in the run-up to the 2004 elections.

### Malawi Congress Party and its splinters

During the last part of 2003 conflicts within the MCP caused two senior members to defect and form their own parties. In December the former MCP publicity secretary, Hetherwick Ntaba, registered his own party: New Congress for Democracy (NCD), and a few days into 2004, the vice-president of MCP, Gwanda Chakuamba, left the party and announced his party, the Republican Party (RP). Ntaba was followed by two other MCP MPs, while nine MPs announced their switch to the RP. These splits

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<sup>19</sup> The Party Registration Act does not contain any clause on de-registration of parties unless the party dissolves itself.

were rooted in the personal rivalries between three senior members of the party in a struggle for control of the party.

### United Democratic Front and its splinters

Several people defected, or were excluded, from the governing party, the UDF. Two new parties may be said to have originated from the UDF, although other activists were recruited to these parties from elsewhere as well:

- the National Democratic Alliance (NDA), started as a pressure group within the UDF, but registered as a party in January 2003. Its leader, B.J. Mpinganjira, had been a cabinet member in the UDF government but opposed to the attempt by President Muluzi to alter the constitution to allow for a third term.
- Other senior politicians, two of whom had served in the cabinet, defected or were pushed out and joined the new Peoples Progressive Movement (PPM) which was formerly registered in March 2003 (see below).
- On 1 January, 2004 the Malawian vice-president, Justin Malewezi, resigned from the UDF and later joined and became party vice-president in the PPM. He was subsequently expelled from the party after registering as an independent presidential candidate.

### Alliance for Democracy and its splinters

In 2003, the UDF government accepted the AFORD party as a coalition partner. This was controversial in the AFORD party and spurred the break out of some of its MPs opposed to the coalition. The 'third term' issue also played its part in splitting the party. AFORD's convention had asked the party not to support UDF on the third term issue, but the resolution was ignored by the party leadership. This provided the seeds that germinated into the Movement for Genuine Multiparty Democracy (MGODE). At least three other AFORD MPs resigned from the party during the last year of the sitting parliament, with one member joining the NDA and another joining the RP (see below).<sup>20</sup>

Apart from the fragmentation of the three established parties, other parties were formed as alliances between people from outside the parliamentary arena in combination with veteran politicians. *People's Progressive Movement* (PPM), a largely urban based party, was founded by a group of professionals who were disgruntled with the existing parties and who felt that the Malawi political scene in the run up to the 2004 elections needed principles of accountability and transparency. The party emerged during the spring and summer of 2003 and held its first convention in January 2004. They were later joined by two former cabinet ministers, Aleke Banda, and Jan Sonke. Aleke Banda was elected at the party's convention as party president.

*Malawi Forum for Unity and Development* (MAFUNDE) was registered as a party in October 2002. It was initiated by a group of business people, but it also attracted people from other parties, including the former secretary general of AFORD. The party proved to be a fragile construction. At the party's national convention in January 2004 a fraction in the party tried to nominate Malawi's vice-president Justin Malewezi as the party's presidential candidate, although he had already signed up with the PPM. When the proposal was defeated, the fraction broke out of the party and hinted at joining one of the other parties. Another party alternative that was formed at the same time as MAFUNDE was *People's Transformation Party* (PTP) (December 2002). Its main base is in the Northern region where it won a parliamentary seat.

Thus, of the 29 registered parties in 2004, 11 had not existed in the previous election, and five of the ten were directly linked to the struggle for leadership position in the parties, and by implication the candidacy for the presidency.

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<sup>20</sup> Daily Times Feb 3, 2004.

## Competitive fragmentation

Increase in the number of registered parties does not necessarily lead to increase in available political alternatives for the voters. For this to occur, the parties must have the capacity to nominate candidates in a number of constituencies. Thus, rules regulating the nomination present another hurdle in the development of new parties.

In Malawi the nomination of candidates for parliamentary office is regulated in the Parliamentary and Presidential Elections Act. To run for office a candidate must be a citizen above 21 years of age, registered as a voter in a constituency may be nominated and able to “speak the English language well enough and take an active part in the proceedings of Parliament”(Constitution 1994, section 1,i,b). Members of the defense and police forces cannot run for office.

Before of the election, the Malawi Electoral Commission (MEC) defines a date for the filing of nomination for candidates. The nomination application must be signed by ten registered voters in the constituency. The electoral commission sets a sum for a deposit to be paid by all nominees, and unless a candidate wins at least five percent of the votes, the deposit is not returned. *How* the parties nominate candidates is not regulated by national legislation, but left for the individual parties to decide.

**Table 1: Number of constituencies where parties nominated candidates**

Party	1994	1999	2004
Aford	159	75	40
UDF	177	191	164
MCP	177	187	167
CSU	6		
CONU		5	2
MDP	29	24	10
MDU	2	7	
MNDP	10		
UFDM	36		
MMYG		1	
NPF		4	
SDP		10	
SNDP		2	
MAFUNDE			21
PPM			112
MGODE			22
NDA			187
NSM			1
NUP			9
NCD			23
PFP			2
PETRA			18
RP			110
Independents	12	114	373
Total (candidates)	608	668	1268
Total (constituencies)	177	193	193

Source: Malawi Electoral Commission: Parliamentary election candidates 1994, 1999 and 2004.

As witnessed in Table 1, in the first multiparty elections in 1994 UDF, AFORD and MCP nominated a total of 513 parliamentary candidates, 84 percent of all candidates running. By 1999 several new party initiatives had been taken, but the formal party fragmentation did not necessarily translate into

competitive fragmentation as some parties were able to nominate only a few parliamentary candidates and even fewer made a bid for the presidency. Ten parties nominated parliamentary candidates, but of the new parties, the largest, MDU, did not contest in more than 24 constituencies. Most of these parties had been launched outside of the three large parties. A further fragmentation of the party system occurred during the 1999-2004 electoral period, triggered by conflicts within the alliance of UDF and AFORD and within the MCP. Fifteen parties nominated candidates for the 2004 parliamentary elections and three of these, NDA, PPM and RP had candidates in more than 100 constituencies. In addition, the 2004 elections saw an increase in 'Independent candidates' from 114 in 1999 to 327. The record number of independent candidates is associated with internal conflicts in the parties, primarily with the UDF. Many candidates who lost their bid for nomination in one of the parties declared themselves as independent candidates. Thus, in the 2004 parliamentary election there were twice as many candidates running for office as in 1994 and the 'old' three parties' share of all candidacies had declined to 30 percent. This change represents a major expansion of the number of political alternatives for the voters. However, as argued above, this does not necessarily mean that voters' choice among policy alternatives increased to any significant degree.

## Electoral fragmentation

As indicated by Table 2, there was little change in the major parties' support from the first (1994) to the second multiparty election (1999) and Malawi appeared to have arrived at a stable three party system, based on regional variations: AFORD enjoying exclusivity in the Northern region, MCP dominating in the central region and UDF capturing the majority in the Southern region. The major change in 1999 was the increase in support for independent candidates. However, the fragmentation of the party system before of the 2004 elections had a marked impact on the distribution of the votes. Three of the new parties pulled a substantial share of the votes, as did the number of independent candidates. Independent candidates constitute the largest 'group' of new MPs. For AFORD the election was a catastrophe, and both MCP and UDF suffered from their pre-election splintering. While the number of effective electoral parties (Laakso-Taagepera index) in 1994 and 1999 were only 2.70 and 2.71, respectively, the fragmentation index increased to 5.0 in 2004, if we count 'independents' as a group. The electoral results for the three parliamentary elections are displayed in the table below.

**Table 2. Percentage of votes for the major party alternatives**

	MCP	UDF	Aford	Ind.	RP	PPM	NDA	Mgode	Petra	CONU
1994	33.7	46.4	19.0	0						
1999	34.8	47.3	10.6	7.1						
2004	24.9	25.2	3.6	24.2	7.3	3.1	8.2	1.7	0.7	0.2

## Parliamentary fragmentation

As indicated by Table 3, the parliamentary fragmentation also increased with the index jumping from 2.66 in 1999 to 4.6 in 2004.<sup>21</sup> The highly fragmented parliament emerging after the 2004 elections meant that the ruling coalition of UDF, AFORD (and NCD) lacked a parliamentary majority. This situation provided the various opposition parties with a 'blackmail potential' in Sartori's term (Sartori 1976: 123-124) and created new possibilities for access to office. Lacking an 'institutional historical baggage' like older large parties like the MCP, the small and new parties proved more tempted to exploit this situation.

<sup>21</sup> Compared to an average of 2.04 for seven cases of plurality type elections in established democracies (Lijphart 1994: 97).



**Table 3. Percentage of seats for the major party alternatives**

	MCP	UDF	Aford	Ind.	RP	PPM	NDA	Mgode	Petra	CONU
1994	31.6	48.0	20.3	0						
1999	34.2	48.7	15.0	2.1						
2004	31.5	26.7	3.2	20.9	8.0	3.7	4.3	1.6	0.5	0.5

## Attempts at damage control: Party coalitions in the run-up to the 2004 elections

Naturally, the political actors in Malawi were aware of the negative consequences of party fragmentation and of the winner-take-all nature of Malawi's political institutional arrangements. For those that risked losing elections, alliances provided alternative courses of action. Already in 1999, AFORD and MCP joined forces in an attempt to unseat the UDF. However, during the election period, in 2002, AFORD decided to join the UDF in a coalition government. As we have seen, this led to a division within AFORD and together with new party initiatives, the opposition looked more fragmented than ever before the 2004 elections, thus increasing the potential for a continuation of UDF rule. The party leaders were well aware of the experience of the Zambian opposition parties in the 2001 election<sup>23</sup>, in which the governing party was returned to the presidency with less than 30% of the votes, and also of the successful (from the opposition's point of view) case of Kenya where the incumbent party lost to a joint opposition candidate in 2000. As a result, both civil society and the opposition parties took various initiatives in the run-up to the elections to avoid a splintering of the votes for the presidency.<sup>24</sup> It was primarily the different Christian churches that took the initiative to bring the opposition parties together, initiating a process of dialogue and negotiations among opposition parties with the objective of arriving at a joint presidential candidate.<sup>25</sup> This coalition became known as Mgwirizano (Unity). Originally, nine parties, NDA, MCP, Mafunde, Mgode, Republican, PPM, NUP, Petra, and MDP took part in the deliberations. Of these, only the MCP had seats in parliament won in the 1999 elections, while the NDA, Mgode, Republican and the PPM had de facto MPs since some representatives had defected from, or been forced out, of the parties they had represented. NDA, Mafunde, Mgode, PPM, Petra and the Republican Party, were led by people defecting from other parties. NUP and MDP had unsuccessfully run in 1999.

The motivations for joining the coalition talks appear quite diverse. For smaller parties like NUP and MDP joining powerful figures offered a chance to emerge from political obscurity. For the larger parties coalitions presented an opportunity to dominate the negotiation and enjoy the support of smaller parties.<sup>26</sup> On Friday 23 January, the negotiating parties were to sign a Memorandum of

<sup>23</sup> In the 2001 Zambian elections, Patrick L. Mwanawasa of MMD won the most closely contested elections witnessed in the country, beating his main rival, Anderson Mazoka with 1.9 per cent of the votes cast. 71 per cent of the voters voted in favour of an opposition party. But due to the fragmented opposition MMD's presidential candidate won the presidency with only 29 per cent of the votes (Rakner and Svåsand 2005). The Zambian experience was brought up in interviews with most party representatives interviewed in Malawi.

<sup>24</sup> Interviews with the leaders of NDA and PPM, Lilongwe Nov. 5, 2004. Also, the Public Affairs Committee, an alliance of different religious organizations and churches, had advocated for cooperation among the opposition parties.

<sup>25</sup> Interview with Bishop Tengananga, Blantyre Feb. 1, 9 2004. See also Ross (2004).

<sup>26</sup> Also the NCD applied to join the coalition, but was rejected: "We were informed by our sources that the New Congress For Democracy was created as an organ that was to assist the UDF to win the elections, that is why we rejected Ntaba's application. We did not want to have any UDF spies in our midst," declared Kholiwe Mkandawire, spokesperson for the Coalition. It is alleged that Ntaba was in cahoots with the ruling party during the second attempt to push for an amendment to the term limit to allow President Muluzi to remain in power beyond the two five year terms as provided for in the Malawi Constitution, The Chronicle Newspaper (Lilongwe) February 24, 2004 .

<http://allafrica.com/stories/printable/200402240198.html>

Understanding (MOU), but two parties, NDA, MCP, declined participation and the signing of the MOU. MCP, the only party with strong grass-root foundation, chose not to take part. NDA defected during the talks (NDA), while one of the splinter parties from the MCP, the NCD, was denied access to the deliberations. Shortly before the election, Ntuba (NCD) withdrew his candidature and was soon appointed to a cabinet position in the UDF/AFORD government – becoming the 48<sup>th</sup> member of the cabinet.

After long negotiations, the Mgwirizano (Unity) coalition finally nominated the founder - and president - of the Republican Party, Gwanda Chakuamba, as the coalition's candidate, with the president of PPM, Aleke Banda as running mate. The Malawian Vice-president, Justin Malewezi, had been elected vice-president of the PPM, but as soon as the coalition's presidential and vice-presidential candidates had been nominated, he declared himself an independent candidate. (He was subsequently expelled from the party). NDA, which had already left from the talks, nominated its own president, B. J. Mpinganjira, as their candidate. The president of MCP, John Tembo ran as his party's candidate. The AFORD leadership seemed content to have the second vice-presidential position<sup>27</sup> – a decision that greatly affected party cohesion before and after the 2004 elections.

In Zambia's 2001 election, the incumbent party was returned to office with slightly more than 28% of the votes in a disputed election, and without a parliamentary majority for the president's party.<sup>28</sup> This scenario was repeated in Malawi's 2004 elections. The incumbent party's candidate won with slightly more than one third of the votes, but with only 30% of the seats. Also similar to Zambia, the legitimacy of the electoral process was questioned by the opposition candidates – at least for some time.

**Table 4. Presidential candidates and per cent of votes**

Bingu wa Mutharika – United Democratic Front	35.9
John Tembo - Malawi Congress Party	27.1
Gwanda Chakuamba – Republican Party/Coalition	25.7
Brown Mpinganjira - National Democratic Alliance	8.7
Justin Chimera Malewezi - Independent	2.5

Source: Malawi Electoral Commission: Gazetted results, August 2004

Almost immediately after the announcement of the electoral result, the Unity-coalition parties, together with MCP and NDA, petitioned the courts, claiming the elections had not been fair. The plaintiffs argued that UDF's victory was not real, but manufactured by the UDF and the Malawi Electoral Commission (Rakner et al. 2004). The losing candidates argued that UDF had rigged the elections and demanded that they should be annulled.

## Post- election fusions - and fission

In theory, a common front among opposition parties could have constituted a parliamentary majority, but the incentives for each party to join the UDF government have proven much stronger. Soon after the new parliament met, UDF succeeded in re-integrating most of the independently elected MPs. Many of these were, as previously mentioned, dissatisfied UDF members who challenged the leadership's deal with AFORD or did not accept that they lost their primary elections within the

<sup>27</sup> The constitution was amended in 2001 to create the position of 'Second Vice-president' in order to bring AFORD into government with UDF.

<sup>28</sup> See Rakner and Svåsand 2004.

party.<sup>29</sup> UDF also succeeded in attracting the RP, MGOODE and the NDA into the government. NDA decided to merge with the UDF, from which it originally had splintered and dissolved itself as a separate organization.<sup>30</sup> However, the decision to merge with UDF seems to have been made by the party leader alone, and was rejected by the seven other MPs elected on the NDA ticket to parliament.<sup>31</sup>

Within months after the May 2004 elections, rifts appeared within the governing party, UDF. The frictions within UDF became public when President Mutharika embarked on an anti-corruption campaign in which several former cabinet ministers were arrested. The previous president, Baliki Muluzi, was still party president. Inside the UDF, two factions emerged, one supporting Muluzi and one supporting Mutharika. The rift split the party organization as well as the parliamentary group. Individuals loyal to Mutharika were dismissed from various leadership positions in the UDF and replaced by NDA leaders (see below). Both factions fielded candidates in a parliamentary by-election on 11 January, 2005. UDF dissolved all its regional branches.<sup>32</sup> On 5 February, 2005 President Bingu Mutharika resigned from the UDF, pre-empting a national executive committee meeting in which he most likely would have been expelled. He subsequently launched a new party, *Democratic Progressive Party* (DPP) on Feb. 28, 2005. The chairman of RP, Gwanda Chakuamba, who had run as the presidential candidate of the opposition alliance, was elected interim chairman of DPP and sought to dissolve the RP. However, this initiative was stopped by a court injunction from people opposed to the merging of RP and the president's new party.

RP and MGOODE had both been party to the court case, disputing the conduct of the 20 May, 2004 presidential election. They now withdrew from the case, leaving only the MCP to fight for an annulment of the election result. The alliance against UDF appears therefore to have had only one purpose, defeating the UDF. When this did not succeed, there seems to have been no politically motivated reasons for not joining the government.<sup>33</sup>

AFORD's poor electoral conduct triggered a new split in the party. Contrary to the party leadership's stated expectations<sup>34</sup> the party chairman, Chihana, was not re-appointed 2. vice-president by the newly elected president, but retained membership in the cabinet until February, when he was replaced by Chakuamba of the RP. On January 30<sup>th</sup>, the national executive committee of the AFORD voted to suspend Chihana from the party arguing among other things that he had "...a clandestine plan to kill

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<sup>29</sup> <http://www.nationmalawi.com/articles.asp?articleID=10421>. UDF's poor handling of the party's primary elections in February 2004, was also cited as the main reason for large number of independent candidates and the decline of UDF seats from the 1999 to the 2004 elections by UDF's party leadership. Interview UDF General Secretary Kennedy Makwangwala, Blantyre, July 14, 2004.

<sup>30</sup> Defending his decision to re-join the UDF the (previous) NDA leader, Mpingajira said: "Is there any need to strengthen the opposition? We do not need a strong opposition and I will encourage the government" (Cited in Nation Online, Aug. 23, 2004. (<http://www.nationmalawi.com/print.asp?articleID=8806>). However, in his party's election manifesto Mpingajira claimed that "I do not believe that citizens of this country can afford to vote the UDF back into power and continue to be subjected to the failed UDF policies Bingu wa Mutharika has pledged to continue, nor is any Malawian prepared to have more of the mismanagement, the gross incompetence and the consequential failures and blunders that, as stated above, will continue to come our way if the UDF is left in charge" (NDA Manifesto 2004: President's foreword.)

<sup>31</sup> The rejection of joining UDF may also have been caused by the clause preventing MPs from 'crossing the floor' during the electoral term, more than by unwillingness to follow the party leader.

<sup>32</sup> UN IRIN News Jan 31, 2005 (<http://allafrica.com/stories/printable/200501310587.html>)

<sup>33</sup> A third coalition party, MDP (Malawi Democratic Party) withdrew from the coalition on October 27, claiming it had been ignored by the other coalition partners (Nation Online 27.October 2004 (<http://www.nationmalawi.com/print.asp?articleID=9265>, accessed 15.Nov. 2004.

<sup>34</sup> Interviews with Aford's regional secretary, Central Region made it clear that this was the expectation of the party and that they assumed that this would make people vote for UDF's candidate in the presidential elections. Interview, L. Gibson, Lilongwe May 15, 2004.

the identity of AFORD by systematically dragging the party towards a merger with the UDF for unknown personal motives".<sup>35</sup>

The rapid turnaround from opposition party to governing party, and from opposition candidate to new party merger - even before the new party had a formal structure or a political program- could be explained in several ways. If the political distance, in ideological terms, between parties is minimal, new coalitions may be expected. The party fusions witnessed in Malawi illustrate a general pattern in African party systems in terms of low ideological salience and program homogeneity.<sup>37</sup> NDA's leader, as well as the PPM leadership, expressed dissatisfaction with the way UDF had handled government responsibility during its watch, but that they basically thought the UDF's program was acceptable.<sup>38</sup> Several party representatives were not able to formulate clearly what kind of policies they would insist on as a condition for taking part in government.<sup>39</sup> None of the observed cases of fissions or mergers reported any conflicts over policy direction or ideology. Rapidly shifting positions may also be explained by the nature of the Malawian parties themselves. Rapid shifts from one standpoint to another are made possible by the dominant position of the leadership. Several of the parties were created over night by individual entrepreneurs, who for a variety of reasons chose to leave parties they belonged to. Establishing their own party ensured their nomination as presidential candidate and as such they became attractive negotiating partners.

One strategy for the incumbent party is to offer positions in the government in return for a candidate to withdraw from the competition, as in the case of Ntaba's NCD, who withdrew shortly before the election before joining the government. An alternative strategy is to co-opt opposition parties *after* they had proven their strength in the election, by offering seats in the government. This is of course typical of any form of coalition government, in which the coalition is formed as a consequence of the election result, rather than the election being fought as a battle between coalition alternatives. But Malawi deviates from the coalition formation pattern in established democracies in the marked absence of ideological or political priorities as the driving factor behind coalition formation. The main mechanism behind coalition formation appears to be the dominance of the leadership in the parties. Because of the 'ownership nature' of the parties, a small group of people can negotiate on behalf of the whole party, and apparently also make decisions, on behalf of the party.<sup>40</sup> The best way to influence such processes is to be a leader, or a member of the leadership, of a party. Hence, in a context like Malawi's 2004 elections with no incumbent running for re-election, ambitious politicians may perceive 'the window of opportunity' to be more attractive than in situations with an incumbent seeking re-election. This reasoning may of course also apply to others that decide to join parties. But if parties are primarily seen as vehicles for political advancement rather than as communities of ideologically like-minded individuals, the threshold for leaving them may be as low as the threshold for joining them in the first place. Party splits may therefore be inevitable, stimulated or at least not hindered, by the

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<sup>35</sup> Nation Online Jan. 28, and Jan 31. 2005 (<http://www.nationmalawi.com>). The conflict persisted through May 2005 when Chihana's supporters broke up the AFORD convention. A court ordered Chihana to pay the full costs of the convention. <http://www.nationmalawi.com/articles.asp?articleID=10421>

<sup>37</sup> For a discussion of the general pattern witnessed, see, van de Walle 2003: 304. This factor is also witnessed in the case of Zambia (Rakner and Svåsand 2004).

<sup>38</sup> Interview with NDA and PPM in November 5, 2003. Added to this, the parties' election manifestos did not reveal any major political or ideological distance between the parties.

<sup>39</sup> On the contrary, one AFORD representative was sorry that the alliance with the UDF had not been formed earlier. If it had, "this fellow", pointing to his party colleague, "could have been an ambassador long time ago". (Interview with AFORD representatives, Lilongwe, May 14, 2004).

<sup>40</sup> It is quite common for party members to vent their frustration over the lack of internal consultation: "...Chihana makes decisions on his own" (an AFORD constituency chair (Nation Online Aug. 9, 2004 (<http://www.nationmalawi.com/print.asp?articleID=8698>), "Our leaders (NDA) said they had made wide consultations before joining UDF but the supporters only heard of this from newspapers and the radio"(an NDA national executive member) (<http://www.nationmalawi.com/print.asp?articleID=8387>), and "...decisions in the party (Mgode) are made without consulting the executive members and... only a small group of party gurus meet and act" (an executive group member of Mgode). (<http://www.nationmalawi.com/print.asp?articleID=8590>)

institutional rules for forming parties, nominating candidates or winning elections. In this perspective mergers appear as an option if the attempt to succeed on your own fails. Since ideological motivations were not the prime motive leading to new parties, it is easy to abandon the new party if it proves unsuccessful. The parties that experience the splits do not seem to punish those that defected. On the contrary, as witnessed in the ongoing post-election fusions, they are welcomed back as they can bring back more voters.<sup>41</sup>

## 5. Elections, party developments and implications for democratic accountability

As we have seen, the third multiparty elections in Malawi in 2004 have been associated with increased, not decreased, party system turbulence, indicating lack of institutionalization. Rather than institutionalize, the Malawian party system appears fractionalized after the third consecutive multiparty election. We argue that the combination of leadership centered parties, absence of ideological salience, executive dominance, and the institutional rules for presidential elections have encouraged such turbulence in the party system in the context of the third democratic elections.

The fissions and fusions in and of the Malawian parties rest on the absence of ideological contrasts between parties and leadership dominance stimulated by rent-seeking behavior among the political elite. The Malawian case appears to confirm a generally established pattern for African party systems where the combination of presidentialism and clientism offer incentives for individuals to maintain small, personalized parties rather than consolidating strong opposition parties (van de Walle 2003). Yet, while it is difficult to avoid the conclusion that rent-seeking may be an important motive when seeking office<sup>42</sup>, rent-seeking may also be stimulated by the actors' perceptions of representation. Representing the constituency may take priority over other types of representation, such as representing a particular party. This view is expressed strongly by elected MPs in Malawi (Nandini and Tostensen 2004). Rent-seeking behavior may therefore not be exclusively for personal benefit, but also rooted in the perception of what representation means. The structure of the Malawian electoral system promotes such perception, hence the resistance against adopting proportional representation.<sup>43</sup>

To what extent do the turbulence in the party system, its fragmentation and the rapidly shifting position from opposition party to governing party, matter to the overall quality of democracy and the Malawian parties' ability to advance democratic accountability? The appearance of new parties may be regarded as a positive aspect of democracy. It demonstrates that it is possible to challenge an established party system and that freedom to form parties is a real option, not just a formulation in the constitution. As we have seen, the formal barriers against forming new parties in Malawi are low. Although there is turbulence in the sense of party splitting and formation of new parties, there is also continuity. Malawian voters have on three occasions faced the same three parties. Thus, a central feature of accountability, that the voters should have an opportunity to evaluate past performance before casting their vote, is established. But, the Malawian voters have limited opportunities to compare what the party platforms promised in the previous elections with actual policies promoted and implemented during the electoral term. Although some of the party leaders have participated in several elections, they do so under different party labels from one election to another. Such tendencies hamper vertical accountability and may breed voter apathy and cynicism. Thus, in the

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<sup>41</sup> This is illustrated by the MP who defected from MCP to join the RP, but lost his primary, and then rejoined MCP - all during one week. (The Nation, Feb. 17. 2004).

<sup>42</sup> On disappointment among Mgone members in spite of the coalition with UDF: "The Mgone official said trouble is looming because most of the members are frustrated since they thought they would get positions from the government. "There was an agreement that some officials would be sent to diplomatic missions and we have waited in vain." (Nation Online, July 27, 2004. (<http://www.nationmalawi.com/print.asp?articleID=8590>). On benefits for MPs, see Nandini and Tostensen 2004, appendix 1.

<sup>43</sup> Following its disastrous parliamentary election result, AFORD has now proposed changing to proportional representation (<http://www.nationmalawi.com/print.asp?articleID=9633>).

case of Malawi it may be argued that it is not party turbulence as such that negatively impacts on accountability, but leadership maneuvering between parties and between opposition and government in the pursuit of the benefits of office.

## APPENDIX: List of registered parties as of May 18 2004-05-19

<b>Party</b>	<b>Registered</b>
1. AFORD: Alliance for Democracy	21.07.93
2. UDF: United Democratic Front	27.07.93
3. UMPD: United Front for Multiparty Democracy	27.07.93
4. MDP: Malawi Democratic Party	05.08.93
5. MNDP: Malawi National Democratic Party	11.08.93
6. MCP: Malawi Congress Party	19.08.93
7. MDU: Malawi Democratic Union	20.10.93
8. UCSRM: Union Congress for the Second Republic of Malawi	18.02.94
9. CDP: Christian Democratic Party, (changed to: SDP: Social Democratic Party)	15.02.95
10. NUP: National Unity Party	31.07.95
11. NPF: National Patriotic Front	24.05.95
12. MFP: Malawi Freedom Party	26.01.96
13. LP: Labor Party	29.05.97
14. SNDP: Sapatwa National Democratic Party	29.10.97
15. FP: The Forum Party	11.11.97
16. MMYG: Mass Movement for the Young Generation	19.08.98
17. NSP: National Solidarity Party	17.02.99
18. CNU: Congress for National Unity	17.03.99
19. MFUD: Malawi Forum for Unity and Development (changed to Mafunde)	Na
20. PFP: Pamodzi Freedom Party	21.10.02
21. PTP: Peoples Transformation Party	16.12.02
22. NDA: National Democratic Alliance	31.01.03
23. NDAP: New Dawn for Africa Party	13.02.03
24. PPM: Peoples Progressive Movement	20.03.03
25. MGODE: Movement for Genuine Democratic Change	06.10.03
26. PPF: Peoples Popular Front	06.10.03
27. MUP: Mtendere Ufulu Party	06.01.04
28. RP: The Republican Party	09.01.04
29. NCD: New Congress for Democracy	Na

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## SUMMARY

The issue of presidential term limits is emerging as an important political norm on the African continent, but the effects of the third term debates on the institutionalization of the party systems have so far not been analyzed. We argue that the third presidential election represents 'a window of opportunity' for politicians aspiring for the top position, leading to party fragmentation (fissions) and party mergers (fusions). Politicians pursue an office seeking strategy, weakly connected to ideological or political priorities. We demonstrate that the combination of leadership centered parties, executive dominance, and the institutional rules for presidential elections, encourage turbulence in the party system in the context of the third democratic elections. We illustrate these processes with the case of the 2004 Malawian presidential and parliamentary elections. In Malawi, the third elections after the reintroduction of multiparty politics in 1994 led to a number of new party formations. After the elections, fusions of parties and coalitions among parties became alternative strategies for winning office. Thus, rather than having institutionalized over time, the Malawian party system appears to have fragmented.

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