

Research Article

Road to Malawi Defence Force International Peacekeeping and Other Expeditionary Deployments: Multiple Players with Multiple Interests

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Abstract

Misconceptions about the powers and procedures to deploy the military have lingered in the public domain owing to the secretive nature of military operations albeit in many countries such procedures and powers are enshrined in the Constitution; a public document of the basic principles and laws of a nation or social group that determine the powers and duties of the government and that guarantee certain rights to the people in it. Such misconceptions have not left out Malawi in her deployment of the Malawi Defence Forces. This paper seeks to explain the sources of power for the Malawi Defence Force deployments for international peacekeeping operations. The paper endeavours to enlighten many who posit that the Malawi Defence Force deployments do not go through democratic processes. Doctrinal analysis research methodology was employed to deep dive into documents such as the Constitution, the United Nations, the African Union, Southern Africa Development Community Charters and the Malawi Defence Force Act. The three-level analyses at macro, meso and macro domains and stakeholder holders' analysis were considered. The three-level and stakeholder analyses were reinforced by the type of government that informs procedures and powers of the government in handling national instruments of power. The findings revealed that the powers to deploy the Malawi Defence Force for peacekeeping operations are drawn from the international and national instruments with the executive branch playing a crucial role in such deployments. The study recommends the operationalization of the National Security Policy and a review of the current deployment process flow to chart a hybrid process fusing the presidential and parliamentary processes as well as blending the objective and subjective civilian control of the defence forces.

Keywords

Deployments, Doctrinal Analysis, Malawi Defence Force, Peacekeeping, Parliamentarism, Presidentialism, Responsibility to Protect

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1. Introduction

The Republic of Malawi is a state party to the United Nations Charter, Chapter 7, African Union Non-Aggression and Common Defence Pact and Southern Africa Development Community (SADC) protocols such as Mutual Defence Pact [7, 11, 12, 14, 21]. These instruments obligate the Republic of Malawi to intervene when called upon to do so, as dictated by the Republican Constitution through Section 13(k) (l) that underscores the need for rule of law, good governance and peaceful settlement of disputes to prevail in the international realm as well as read together with Chapter XVI, Section 161(d) that is to “perform such other duties outside the territory of Malawi as may be required of them by any treaty entered into by the Republic of Malawi in accordance with the prescriptions of international law” [11].

The Malawi Defence Force (MDF), then Malawi Army embarked on expeditionary Force endeavors from 1986 to 1992 with the deployment into Mozambique under a bilateral arrangement [13]. The operation was codenamed Operation KWAENI and Operation KONZANI. Operation KWAENI focused on securing of lines of communication whereas Operation KONZANI’s main effort was the rehabilitation of lines of communication.

The first multi-lateral deployment was under UN Mission to Rwanda (UNMIR) from 1994 to 1995. This multi-lateral deployment was followed by deployment to the Democratic Republic of the Congo from 2005 up to 2008 under the United Nations Mission in the Democratic Republic of the Congo (MONUC). The initial two deployments were of Infantry Company strong. However, in the year 2011 a battalion-sized deployment under the UN was made to Cote d’Ivoire. Subsequently, deployments to the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) as part of the Force Intervention Brigade (FIB) were made from the year 2013 to date [4, 9]. The Republic of Malawi is the 30th largest contributor of uniformed personnel to the UN peacekeeping. Currently, as MONUSCO is drawing down, Malawi has deployed a Battalion into the DRC under the aegis of the SADC. This mission is codenamed SAMIDRC representing SADC Mission in

the DRC. This additional deployment falls under the Republic of Malawi’s obligations under SADC Mutual Defence Pact. This paper explores and elucidates the MDF’s deployment mechanism for multilateral, bilateral and unilateral missions. A three level of analysis has been adopted for the endeavor.

2. Methodology

This cross-sectional study took a doctrinal analysis research methodology focusing on the analysis and interpretation of legal documents such as the Constitution of the Republic of Malawi, the Charters and Treaties and the Malawi Defence Force Act. Secondary data from the literature was analysed using critical thinking analysis [7, 11, 12, 14, 21]. In addition to the latter, the study used stakeholder analysis of the drivers of the deployments such as the executive, the military, the legislature and the international community. The stakeholder analysis was based on the needs, effects and key performance indicators of the drivers of the deployments [2]. The units of analysis comprised of macro, meso and micro levels synthesizing the sources of power for deployments at each level. The study was also an action research as the research fellows have deployment experience in peacekeeping operations with the Malawi Defence Force.

3. Powers to Deploy

Notionally, the responsibility to deploy the Defence Forces and Police Service is constitutionally vested in the Executive under Section 13(k) (l) of the Republican Constitution that “underscores the need for rule of law and good governance and peaceful settlement of disputes to prevail in the international realm”. Section 161 (d) further buttresses the deployment powers as the section entails “performance of such other duties outside the territory of Malawi as may be required of them by any treaty entered into by Malawi in accordance with the prescriptions of international law” [11, 12, 21].



President Bingu wa Mutharika Flagging Off the 1st Malawi Contingent to DRC on 5 September 2005 at Kamuzu Palace, Lilongwe. Major Percy Mitengo was the Contingent Commander
Source: Malawi Defence Force Public Information Office



President Bingu wa Mutharika Flagging Off the 1st Malawi Contingent to Cote d’Ivoire on 12 April 2011 at Kamuzu Palace, Lilongwe. Lieutenant Colonel Kondwani Kalino was the Contingent Commander
Source: Malawi Defence Force Public Information Office

Figure 1. Flagging Off Ceremonies.

Section 10 (1) of the Defence Act gives deployment powers to the President, in his or her capacity as Commander-in-Chief of the Defence Force, shall exercise such powers as are conferred on the President by the Constitution and the Defence Act. Section 10 (2) of the Defence Act declares that “without limiting the generality of subsection (1), the President may, on the recommendation of the Defence Council and in accordance with Section 161 (4) of the Constitution (a) “Order deployment of the Defence Force into active service”; and (b) Authorize the deployment of foreign forces in Malawi [11, 12, 21]. The President executes the deployment task through Flagging-Off Ceremony; the official ceremony signifying the beginning of a military operation where the President hands over a flag to the Contingent Commander

In addition to functions provided under Section 161 (4) of the Constitution, the Defence Council may (a) Formulate and monitor the implementation of the National Defence Policy; (d) Oversee the deployment and operations of the Defence Force in accordance with the Constitution and the Defence Force Act. Seemingly, Presidentialism plays a big role in deployment decision-making owing to the form of government the Republican Constitution adopted [11, 12, 21]. This thinking is in line with Linje's [9] study positing that the President, who is the Commander-in-chief of the MDF, has the final authority and responsibility for decisions to deploy troops abroad for peacekeeping and expeditionary operations according to Section 161 of the Constitution of the Republic of Malawi [11]. The MDF Commander is a key adviser and influencer in the process while the Defence Council and the Ministry of Defence have an oversight role. Other crucial players in getting Malawi a slot, in particular UN missions, are the country's lead negotiators on peacekeeping issues: its Permanent Representative to the UN and the Defence Adviser in New York, who act under the umbrella of the Ministry of Foreign Affairs.

However, there is paucity of information on what are the realistic procedures that are to be taken for a deployment to be considered constitutionally correct. This gap has resulted in entities considering approaches used by other states as “the norm” and to be applicable to Malawi. Furthermore, the political knowledge gap of the civil-military relations stakeholders such as the public, political elites, bureaucrats and the civil society has not helped in understanding the military deployments. The ensuing general lack of peacekeeping deployments benefits to the country, and lack of knowledge of the decision making process, the polity is not fully supportive of peacekeeping missions.

The wider polity seems to be involved in the decision making processes for deployment, however, the system of the government adopted by Malawi hinders such participation. However, such deployments are a matter of life and death such that involving the wider polity for deployments decision making would delay provision of security or take away the principle of the responsibility to protect. The ensuing para-

graphs discuss the climate for deployments at Macro, Meso and micro level.

3.1. Deployment at Macro Level

The MDF deployments at Macro level leverage the international treaties which the Republic of Malawi has entered as a state party. Central to the macro level deployment is the principle of “Responsibility to Protect (R2P)”, a “moral suasion” element attached to the circumstance at play. R2P is a political commitment made by United Nations Member States to protect populations from genocide, crimes against humanity, ethnic cleansing and war crimes. The concept emerged in response to the failure of the international community to adequately respond to mass atrocities committed in Rwanda and the former Yugoslavia during the 1990s [1, 18].

The Republic of Malawi as a state party to several treaties has also domesticated some of these treaties into Laws of Malawi as such, making it as ideally, obligatory. However, there is a cachet to this element of obligation as states are voluntarily invited to bid and be placed on the Ready to Deploy List (RDL) [20]. This process involves inspection of the offered force levels and their readiness to deploy status. The placement on RDL makes it obligatory to deploy when called upon as it is assumed that all internal/domestic procedures have been observed.

3.2. Deployment at Meso Level

These are deployments which can take place on bilateral arrangements under the following circumstances: -

- 1) Under Responsibility to Protect (R2P) after being invited by another state party.
- 2) Disaster relief operations.
- 3) Non-Combat Evacuation Operations (NEO) for example extraction of own nationals from a country whereby there is insecurity.
- 4) Securing of lines of communications.

These deployments are considered situational and accidental and normally will be time sensitive. As such it is most likely that the Command-in-Chief in consultation with the Defence Council can authorize these deployments before formalizing them *post facto*.

3.3. Deployment at Micro Level

Macro level deployments normally are undertaken in the national interests and are usually deliberate. An Expeditionary Force is deployed into a foreign territory pursuant to achievement of the deploying state's objectives which could be strategic, operational or tactical. These are kinetic deployments that leave a larger footprint and mobilization of national resources. As such it needs consultation with all key stakeholders and formal authorization.

4. Form of Government and Deployments

It is worthwhile to underscore the importance of a form of government in deployments decision-making processes. Malawi has a presidential government system than the parliamentary type of government. When a country follows the Presidential form of Government, it denotes that there is only one person as the head of the state and government, i.e. the President. The election of the President is made directly by the citizens of the country. As such Malawi's decision-making for deployments takes the presidential government approach. Key differences between presidential and parliamentary governments are abound to bring to bear the political decision-making processes. A study by Moran [10] revealed the following differences between the presidential and parliamentary governments:

The Parliamentary system of government is one in which there exists a harmonious relationship between the legislative and executive bodies, while the judiciary body works independently. As against this, in the Presidential form of government, the three organs of the government work independently of each other.

In the Parliamentary form of government, the executive is divided into two parts, i.e. the Head of the State (President) and the Head of the Government (Prime Minister). On the contrary, the President is the chief executive of the Presidential form of Government.

In the Parliamentary form of government, the executive body, i.e. the Council of Ministers is accountable to the Parliament for its acts. Conversely, in the Presidential form of Government, there is no such accountability, i.e. the executive body is not accountable to the Parliament for its acts.

Fusion of powers exists in the Parliamentary system, whereas the powers are separated in the Presidential system.

In Parliamentary form, appointment to a ministerial post (the cabinet-executive body) is restricted to members of Parliament. Unlike, in Presidential form, whereby persons other than those working in the legislature can be appointed as ministers.

5. Civilian Control of the Defence Force

Civilian control of the defence force is a prerequisite of democracy. There is objective and subjective control of the defence forces. The objective civilian control entails that the military's professional autonomy is preserved. It ensures that the unique outlook and ethical framework of the military influences all segments of civilian power. Objective control achieves this by leaving the military out of political debate. The military remains focused on its core responsibilities without direct interference from civilian politics. Objective control emphasizes professionalizing the armed forces [3, 6, 8].

Subjective civilian control entails that the military may be dominated or assimilated by specific civilian groups or political elites. Subjective control aligns the preferences of military and political elites, often at the expense of military professionalism. Subjective control involves legal and institutional restrictions on military autonomy [3, 6, 8].

Both objective and subjective civilian control of the military is evident in the Malawi Defence Force's deployments. Firstly, the military is left alone to prepare and train for the deployments. The lack of evidence to claim politicization of the pre-deployment training suggests the noninterference of political elites in the military deployments. Secondly, subjective control is also evident in the deployments of the Malawi Defence Force through the presidential form of the government where the MDF commander and the service commanders are appointed by the President as the Commander-in-Chief of the armed forces. The institutions such as the Parliament subjectively control the Malawi Defence Force through the appropriation of the budget. The Defence and Security Committee also play an oversight role by visiting troops in the mission area to appreciate the operating environment. In accordance with Chazema et al [5], the military, the executive, the judiciary and the legislature must harmoniously interplay on issues of national interest in the interest of national security and international obligations. Accordingly, there is a need to deliberately create an enabling environment for this harmonious coexistence. This can be achieved through Knowledge Markets that stimulate learning organizations [15]. Stewart [19] and Simard [16] have described Knowledge Markets as a mechanism for enabling, supporting, and facilitating the mobilization, sharing, or exchange of information and knowledge among providers and users [16, 19]. Through Knowledge Markets, stakeholders, for example, the Executive, the Judiciary, the Legislature, and Think Tanks will exploit their niche knowledge/expertise to enrich the discourse on issues of National Interest in order to achieve national mutual beneficitation through knowledge services. Knowledge services are defined as programs that provide content-based (data, information, knowledge) organizational outputs, for example, advice, answers, and facilitation to meet external user wants or needs.

6. Stakeholder Analysis of Drivers Deployments

The study identified key players in the deployment of the Malawi Defence Force as the executive headed by the Commander-in-Chief of the Armed Forces (the President), and the ministries of Defence and Foreign Affairs. The Defence Council, the military, the legislature, the judiciary and the local population. The local population includes civil society organisations, the media, think tanks, and opinion leaders who influence the agenda-setting and narrative creation on issues of national interest. The stakeholder analysis matrix below shows the stakes level on interests and influence of

each stakeholder on deployments and suggested solutions to keep the stakeholders together in the interest of national security. The study affirms that the multiple players in the Malawi Defence Force deployments have varied interests that need harmonization in the interest of keeping peace and security at individual, national, international and global levels.

Figure 2 shows that the Executive, the Ministry of Defence, the Ministry of Foreign Affairs, the Defence Council and the Malawi Defence Force have high power and interest in deployment. The interests and power relations conform to the entities' obligations and fulfilment of the Republican Constitution and the regional and supranational requirements to maintain global peace and security [7, 11, 12, 14, 21]. As such, other stakeholders have to establish close and good consultative relations to influence the thinking and decision-making of these stakeholders. Notwithstanding, the onus is on the nation's chief executive to create an enabling environment to create that ambience to create an internal knowledge service. St. Clair, et al., [17] describe internal knowledge services as a management approach that integrates information management, knowledge management, and strategic learning into an enterprise-wide function. It is imperative that the legislature should know its limitations and constraints when it comes to the deployment of the Malawi Defence Force.

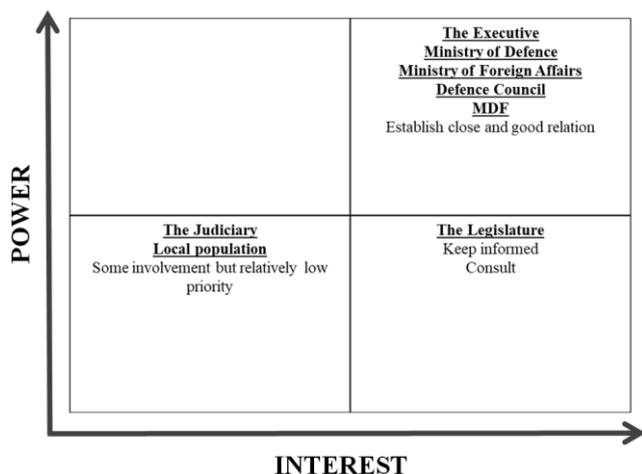


Figure 2. Stakeholder Analysis Matrix.

The Legislature has high interest and low power. The interest and power relation of the legislature is in high interest-low power quadrant because of the presidential type of democratic government the Republic of Malawi has. Presidentialism puts much power in the Executive. As such the legislature needs to be kept informed and consulted for the deployments of the Malawi Defence Force.

The Judiciary and the local population have less interest and power in the deployment of the Malawi Defence Force. This is so because the judiciary understands the powers and procedures taken to deploy the Force and hence, intervene when there are issues requiring judicial intervention. The

local population has less power and interest because they deem matters concerning the military to be state matters requiring formal processes, however, the media can play a great role in informing the population of the Force deployment in the maintenance of global peace and security.

7. Conclusion

The study has addressed the question of how Malawi deploys her troops to foreign missions through the use of legal instruments in which Malawi is a party. The presidential form of government adopted by Malawi vests the deployment powers in the Republican President. Malawi deploys its troops through national and international obligations enshrined in the Republican Constitution, the Defence Act, and regional and supranational agreements. However, gaps remain in the operationalization of the National Security Policy so that institutions are seen to be doing their required procedural deployment processes.

The inactivity of the National Security Policy institutions renders Presidentialism vulnerable as critics conclude that the executive yields more power for military deployments. In the slumber of the National Security Policy institutions to provide the prompt governance requirements without compromising the national interests, it would be necessary for the polity to chart a hybridized approach. However, the caveat would be governing the peacekeeping without compromising the swift deployments required for peacekeepers to protect civilians.

8. Recommendations

The study recommends:

- 1) Operationalization of the National Security Policy so that institutional drivers of military deployments are active.
- 2) A review of the current deployment process flow which is driven by the dictates of the presidential form of government might be worthwhile.
- 3) Creating a learning organization culture environment within the three arms of the government that will nurture new and expansive patterns of thinking, where collective aspiration is set free and where people are continually learning how to learn together through systems thinking, personal mastery, mental models, building a shared vision and Team learning in matters pertaining to the elements of power and military deployment.
- 4) Chart a hybrid form of government fusing parliamentary and presidential forms.
- 5) A further study to establish the merits and demerits of Parliamentarism on peacekeeping deployments.

Abbreviations

FIB Force Intervention Brigade

MDF	Malawi Defence Force
MONUSCO	United Nations Stabilization Mission in the Congo
NEO	Non-Combatant Evacuation Operations
R2P	Responsibility to Protect
RDL	Ready to Deploy List
SADC	Southern Africa Development Community
SAMIDRC	SADC Mission in the Democratic Republic of the Congo
UNMIR	United Nations Mission in Rwanda

Author Contributions

Thokozani Andrew Chazema: Conceptualization, Data curation, Formal Analysis, Funding acquisition, Investigation, Methodology, Project administration, Writing – original draft, Writing – review & editing

John Stanley Chaika: Formal Analysis, Investigation, Project administration, Resources, Validation, Writing – original draft, Writing – review & editing

Conflicts of Interest

Authors have declared that no competing interests exist.

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