



CITIZENS FOR

JUSTICE (CFJ)

“A Rights Based Approach towards, Governance, Economic, Environmental and Social Justice in Malawi”

Introduction

Malawi, in spite of 50 peaceful years since attaining political independence, suffers one of the greatest social and economic injustices in the world – poverty and human indignation. With an annual income per capita of 230 USD and approximately 50 percent of the population living below the national poverty line, Malawi has one of the poorest populations in the world. In 2010 over 70 percent of the country lived on less than 1.25 USD per day and in 2014 the Human Development Index (HDI) ranked Malawi 174th out of 187 countries. Malawi also remains one of the most unequal societies in the world and its HDI Score almost halves in value when accounting for inequality of the composite indicators of income, education and health (UNDP, 2014). Although Malawi has registered some progress in reducing inequality since the early 1990s (ODI, 2011), the official Gini coefficient has risen again between 2004 (at .39) and 2011 (at .452).

The biggest governance challenge facing the country part-originate from the unchecked concentration of power in the Presidency and Executive. This concentration creates ‘executive arrogance’ and is compounded by the limitations of other actors to act as effective checks and balances. Parliament rarely confronts the executive and parliamentary committees are purposely rendered financially and politically constrained. Other accountability institutions such as the National Audit Office or the Anti-Corruption Bureau are similarly constrained and subject to undue political interference, and obstructions by the executive.

Although Malawi’s judiciary is relatively independent from political interference, it has a weak self-regulating mechanism. There is poor transparency in judicial appointments, lacks performance measures and is often subject to executive curtailment of investigations and prosecution of politicians in office. The problem of checks and balances is further compounded by a weak civil society. While civil society is free to operate in Malawi, it has profound institutional capacity deficiencies, credibility limitations, is under-financed and concentrated in the few urban areas. Some CSOs leaders have been compromised and have joined partisan politics.

Background of CFJ

Citizens for Justice (CFJ) is a non-profit organization advocating for Good Governance, Environmental, Economic and Social Justice in Malawi. At the inception of CFJ in 2005, it was a focused pioneer in advancing the rights of communities affected by extractive industries in Malawi and lobbying for a win-win situation. However, that focus has shifted to include governance work in relation to judicial independence, anti-corruption efforts in Malawi, promoting access to justice and lobbying for the enjoyment and realization of social economic rights for Malawians.



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Where We Work

CFJ works throughout Malawi and in selected occasions in other parts of the region. Within Malawi CFJ covers the rural and peri-urban areas as primary geographies but where required it also work in the urban areas especially when conducting lobby and dialogue.

How We Work

CFJ believes in cooperation and collaboration over confrontation and contestation. Where necessary however CFJ confront authorities in both the public and private sector

Who We Work With

CFJ works with a variety of actors in the public, private and social sector within and outside Malawi. CFJ recognises the challenges of the international political economy to its work and has thus resolved to establish itself as both a national and regional player.

CFJ Beyond 2020

CFJ revised its five year strategic plan with a particular focus on popularising and localising citizen responsibilities to create credible voices and demand accountability. Apart from responding to the general decline in the integrity and effectiveness of the Malawian polity; the CFJ 2016 – 2020 Strategy also seeks to lobby for the institutionalisation of mechanism for enhancing accountability of the state through legislative and institutional reforms, and strengthening compliance and observance of the rule of law.

CFJ will pursue these goals in the wisdom of Section 12 of the Malawian Republican Constitution which provides and calls for horizontal accountability as well as within the framework of the Sustainable Development Goal number 16. In pursuing these goals CFJ will employ a consultative and cooperative approach, working with government, development partners, like-minded CSOs and CBOs and citizens within the confines of the Malawi constitution and universal laws.

Our Value Proposition

In a terrain where civil society has rapidly diminishing political and social capital from years of redundant and ineffectual agendas, CFJ occupies the space of a credible broker, facilitator and mediator, trusted by both duty bearers and rights holders. CFJ is accountable to both its constituents, its funders and government. It does so with a strict sense of value for money, sustainable development ethos and organizational dynamism that brings together a variety of thought leaders. CFJ will boldly invest in initiatives that speak to our vision, mission, theory of change and our corporate results frameworks.



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Where necessary, CFJ will apply the ‘Chatham House Rules’¹ to encourage the freedom of speech and flow of vital information. In summary, CFJ has set out to promote the social contract.

THEORY OF CHANGE

The following illustration demonstrates CFJ’s Theory of Change (ToC) for the next five years.

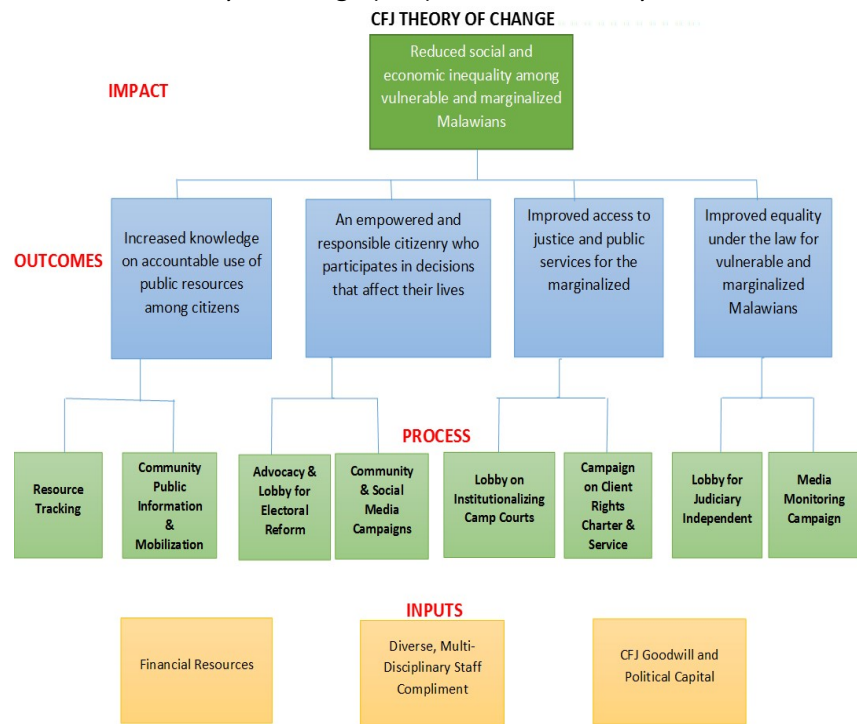
Assumptions

The CFJ ToC is based on assumptions derived from governance experiences in and outside Malawi, as well as a variety of sociological and psychological models about human behaviour.

Outcome to Impact Assumptions

The theory asserts that four preconditions are necessary to contribute to the reduction of economic and social inequality in Malawi. The first assumption is that when there is an increase

in knowledge on accountable use of public resources among citizens, they have greater interest and capability to hold governments to account leading to more efficient and equitable provision of services. It is this improvement in service provision that contributes to the reduction of economic and social injustices. The second assumption being made is that empowered and responsible citizens who participate in decision making can contribute to a reduction in economic and social inequality. Underlining the assumption here is that these citizens live in a society where there are sufficient skills needed to grow an economy. The third assumption is that improved access to justice reduces economic and social inequality because every individual has the right to seek recourse for discrimination and disenfranchisement. The assertion is on the assumption that Malawi has a sufficiently literate population that understands the significance of judicial review, and that they ultimately prefer such course over



¹A rule or principle according to which information disclosed during a meeting may be reported by those present, but the source of that information may not be explicitly or implicitly identified.



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traditional forms of redress. Finally, the last assumption is that by promoting equality under the law you create a level playing field in which the system protects everyone thereby opening opportunities that allow movement of people between income brackets and the social ladder. This movement ultimately reduces inequality.

Output to Outcome Assumptions:

The theory asserts that advocacy, public information campaign, lobbying and tracking or monitoring public policy and government commitment are interventions central to empowering citizens and holding government to account. The theory specifies areas of judicial and electoral reforms and resource tracking as key processes in this endeavour based on the assumption that government can enforce laws and penalties as consequences of default.

STRATEGY PILLARS

CFJ has developed new strategic pillars which are guided by International, Regional and National development frameworks. These include the UN Sustainable Development goals, AU Africa Union Agenda 2063 (AU), the SADC Regional Indicative Strategic development plan and Malawi Development Goals (MDGs). These frameworks each has specific policy proposals and targets that resonate with the mission of CFJ. Some of the specific instruments are SDG 16: Peace, stability, human rights and effective governance based on the rule of law are important conduits for sustainable development. The goals in SADC Protocol which CFJ is interested in are: Protocol against corruption 2001, protocol on mining 1997 and protocol on energy are also considered.

The following are the strategic pillar objectives.

1. To increase knowledge on accountable use of public resources among citizens;
2. To contribute to the empowerment of and creation of a responsible citizenry, participating in decisions that affect their lives;
3. To improve access to justice and public services for marginalized Malawians; and
4. To promote equality under the law for vulnerable and marginalized Malawians.