AN ASSESSMENT OF THE MALAWI – TANZANIA BORDER DISPUTE SINCE 2012 AND ITS EFFECTS ON THE PEOPLE OF MALAWI

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LEGGON
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DECLARATION

I hereby declare that this Dissertation is the result of an original research conducted by me under the supervision of Dr. Vladimir Antwi-Danso and that no part of it has been submitted anywhere else for any other purpose.

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2016
DEDICATION

I dedicate this work to my wife, Charity and son Rowland, for enduring my academic absence for one year.
ACKNOWLEDGEMENTS

Firstly, I am indebted to my research supervisor, Dr. Vladimir Antwi-Danso for his unwavering support and guidance towards the accomplishment of this study despite his ever busy schedule.

Special thanks to my wife, Charity, for her love, support and guidance, encouragement during my one year of study. I would also like to thank my dear son Rowland, for the encouragement.

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My gratitude should also go to the Commander, Malawi Defence Force (MDF), General Henry Odillo, for nominating me to attend the Senior Staff Course at Ghana Command and Staff College which enabled me to pursue this Master in International Affairs programme.

Most importantly, I thank and praise the Lord Almighty for being on my side for the entire period of my study.
### LIST OF ACRONYMS

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>ACCORD</td>
<td>African Centre for the Constructive Resolution of Disputes.</td>
</tr>
<tr>
<td>AVEGA</td>
<td>Association of Genocide Widows</td>
</tr>
<tr>
<td>AU</td>
<td>African Union</td>
</tr>
<tr>
<td>CIA</td>
<td>Central Intelligence Agency</td>
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<tr>
<td>CIJ</td>
<td>Court of International Justice</td>
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<tr>
<td>DFID</td>
<td>Department of International Development</td>
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<tr>
<td>DRC</td>
<td>Democratic Republic of Congo</td>
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<tr>
<td>HIV</td>
<td>Human Immuno-Deficiency Virus</td>
</tr>
<tr>
<td>ICJ</td>
<td>International Court of Justice</td>
</tr>
<tr>
<td>REC</td>
<td>Regional Economic Cooperation</td>
</tr>
<tr>
<td>SADC</td>
<td>Southern African Development Committee</td>
</tr>
<tr>
<td>SSDCA</td>
<td>Security, Stability, Development and Cooperation</td>
</tr>
<tr>
<td>UK</td>
<td>United Kingdom</td>
</tr>
<tr>
<td>UN</td>
<td>United Nations</td>
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<tr>
<td>UNCHR</td>
<td>United Nations Commissioner for Human Rights</td>
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<tr>
<td>UNDP</td>
<td>United Nations Development Programme</td>
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<tr>
<td>UXO</td>
<td>Unexploded Ordinance</td>
</tr>
</tbody>
</table>
# TABLE OF CONTENTS

DECLARATION … … … … … … … … … … i
DEDICATION … … … … … … … … … … ii
ACKNOWLEDGEMENTS … … … … … … … … … iii
LIST OF ACRONYMS … … … … … … … … … iv
TABLE OF CONTENTS … … … … … … … … … v
LIST OF TABLES AND FIGURES … … … … … … … … ix
ABSTRACT … … … … … … … … … … xi

## CHAPTER ONE: INTRODUCTION

1.1 Background of the Study … … … … … … … … … 1
1.2 Problem Statement … … … … … … … … … … 3
1.3 Research Questions … … … … … … … … … … 4
1.4 Objectives of the Study … … … … … … … … … 5
1.5 Scope of the Study … … … … … … … … … … 5
1.6 Rationale of the Study … … … … … … … … … … 5
1.7 Hypothesis of the Study … … … … … … … … … 6
1.8 Theoretical Framework … … … … … … … … … 6
1.9 Review of Existing Literature … … … … … … … … 10
  1.9.1 Causes of Conflicts … … … … … … … … … 10
  1.9.2 Boundaries and Contested Lands … … … … … 11
  1.9.3 Socio-Economic Effects of Boundary Disputes … … … 14
  1.9.4 Resolving Boundary Disputes … … … … … … 19
  1.9.5 Geopolitics in Boundary Issues … … … … … 20
1.10 Sources of Data … … … … … … … … … … 21
CHAPTER TWO:
THE MALAWI-TANZANIA BORDER DISPUTE

2.0 Introduction ... ... ... ... ... ... ... ... 27

2.1 The Area of the Dispute ... ... ... ... ... ... ... ... 27

2.2 Causes of the Dispute ... ... ... ... ... ... ... ... 29

2.2.1 The Anglo-German Agreement (Heligoland-Zanzibar Treaty) of 1890: The Origin of Controversy ... ... ... ... ... ... ... ... 34

2.2.2 Inconsistent Evidence Regarding the Border ... ... ... ... ... ... 35

2.2.3 The Role of the Oil and Natural Gas Potential in the Dispute ... 36

2.3 The Malawi-Tanzania Border Challenge ... ... ... ... ... ... ... ... 36

2.4 The Consequences of the Border Dispute between Malawi and Tanzania ... 39

2.5 Political History of Cooperation between Malawi -Tanzania ... ... ... ... 41

2.5.1 Settlement Efforts ... ... ... ... ... ... ... ... 41

2.5.2 International Law and Lake Delimitation ... ... ... ... ... ... ... 41

2.5.3 Prospects ... ... ... ... ... ... ... ... 42
CHAPTER THREE:
THE SOCIO- ECONOMIC AND POLITICAL EFFECTS OF THE DISPUTE

3.0 Introduction ... ... ... ... ... ... ... ... 48
3.1 Demographic Characteristics of Respondents ... ... ... ... ... 48
  3.1.1 Age and Sex of Respondents ... ... ... ... ... ... 48
  3.1.2 Economic Activities of Respondents ... ... ... ... ... 49
3.2 Human Capital ... ... ... ... ... ... ... ... 50
  3.2.1 Declining health ... ... ... ... ... ... ... ... 50
  3.2.2 Declining nutrition ... ... ... ... ... ... ... ... 53
  3.2.3 Interrupted Education ... ... ... ... ... ... ... ... 55
3.3 Financial capital ... ... ... ... ... ... ... ... 58
3.4 Physical capital ... ... ... ... ... ... ... ... 59
3.5 Natural capital ... ... ... ... ... ... ... ... 60
3.6 Political capital ... ... ... ... ... ... ... ... 61
3.7 Social capital ... ... ... ... ... ... ... ... 62
3.8 Suffering of the People ... ... ... ... ... ... ... ... 64
3.9 Breakdown of Social Order ... ... ... ... ... ... ... ... 64
3.10 Economic Hardship ... ... ... ... ... ... ... ... 65
3.11 Direct effects of the dispute on ordinary citizens ... ... ... ... ... 65
  3.11.1 Destruction of assets ... ... ... ... ... ... ... ... 66
  3.11.2 Forced displacements ... ... ... ... ... ... ... ... 66
3.12 Indirect effects of the dispute on citizens’ welfare ... ... ... ... 67
   3.12.1 Institutional changes ... ... ... ... ... ... ... 67
   3.12.2 Social networks ... ... ... ... ... ... ... 67
   3.12.3 Economic growth effects ... ... ... ... ... ... ... 68
   3.12.4 Distributional channels ... ... ... ... ... ... ... 69
3.13 Responses of Ordinary Citizens to the dispute ... ... ... ... ... ... ... 70
   3.13.1 Savings and buffer stock in conflict settings ... ... ... ... ... ... ... 71
3.14 Intra-household reallocation of labour ... ... ... ... ... ... ... ... 71
3.15 Conclusion ... ... ... ... ... ... ... ... ... ... ... ... ... 72
Endnotes ... ... ... ... ... ... ... ... ... ... ... ... ... 73

CHAPTER FOUR:
SUMMARY, CONCLUSION AND RECOMMENDATIONS

4.1 Summary ... ... ... ... ... ... ... ... ... ... ... ... ... 74
4.2 Conclusion ... ... ... ... ... ... ... ... ... ... ... ... ... 75
4.3 Recommendations ... ... ... ... ... ... ... ... ... ... ... ... ... 75
BIBLIOGRAPHY ... ... ... ... ... ... ... ... ... ... ... ... ... 77
LIST OF TABLES AND FIGURES

TABLES

Table 1: A Sustainable livelihoods framework in situations of conflict and political insatiability ... ... ... ... ... ... 10
Table 2: Changing Water Levels in Lake Malawi/Nyasa and Land Use Changes in the Mount Livingstone Area (%) (Source: Nindi, 2007) ... ... 39
Table 3: Age Group by sex respondents ... ... ... ... ... 48
Table 4: Economic activities of respondents by sex ... ... ... ... ... 49
Table 5: The effect of the dispute on human capital per respondents’ indicators 50
Table 6: Interruption on School attendance ... ... ... ... ... 55
Table 7: Employment Status of Respondents ... ... ... ... ... 58
Table 8: Effect of the dispute on Physical capital per respondents’ view ... 59
Table 9: Effect of dispute on natural capital ... ... ... ... ... 60
Table 10: Effect of dispute on social capital per respondents’ view ... 62
FIGURES

Figure 1: Lake Malawi/Nyasa Source: Fisheries and Aquaculture Department, Food and Agriculture Organization of the United Nations 29

Figure 2: Map of British East Africa (Railways, Towns and Products) Source: Probert Encyclopaedia 32

Figure 3: Tanzania Boundary with Neighbouring Countries (Source: Airlieamb.org) 33

Figure 4: Disability statuses of respondents 51

Figure 5: Respondents’ view on effect of the dispute on impairment of citizen 52

Figure 6: Political impact of the dispute per respondents’ view 61

Figure 7: Effect of dislocation on farm labour 71
ABSTRACT

Since mid-2012, Malawi and Tanzania have been engaged on a border dispute in which both countries contest over the position of their border in Lake Malawi/Nyasa that acts as a frontier between the two neighbouring countries. While Malawi lays claim to the whole water body, Tanzania argues that the line should be in the middle of the northern part of the lake. The survey employed the Sustainable Livelihood Framework used by Sarah Collinson as an analytical tool to analyse, assess and better understand the effect of the Malawi – Tanzania border dispute on the ordinary people of Malawi. The study was conducted at the Malawi-Tanzania border in Karonga district. The study concludes that the Malawi – Tanzania border dispute has negatively affected ordinary Malawians living around the contested border area. The negative effects are in the areas of human, financial, physical, natural, political and social capital of the ordinary people. In order to respond to the negative effects of the dispute, ordinary people have adopted some strategies. Some of the strategies include savings, cultivation of low return crops and intra-household allocation of labour.
CHAPTER ONE

INTRODUCTION

1.1 Background of the Study

Despite the rise of globalisation and an increasingly, interdependent economy where borders seem to matter less, the persistence of dozens of active territorial disputes worldwide suggest that territory still matters (Ruggie, 1993). International boundaries in oceanic space are often complex and disputed, especially in areas that abound in hydrocarbons. Boundaries that extend across lakes are usually less contentious and complicated, but that is not always the case. In Africa, after many countries obtained independence, artificial and poorly demarcated borders of many African countries were considered to be the most potent source of conflict and political instability.

Similarly, around mid-2012 there were media reports on the dispute in which Malawi and Tanzania are engaged over the position of their border in the lake that acts as a frontier between the two neighbouring countries. The tensions came to the fore following Malawi’s commissioning of oil and gas exploration on what is known as ‘Lake Malawi’ to Malawians and ‘Lake Nyasa’ to Tanzania. Tanzania told Malawi to call off the search for oil and gas reserves, pending talks on where the borderline should be. While Malawi lays claim to the whole water body, Tanzania argues that the line should be in the middle of the northern part of the lake.

Tanzania backs its claim to half of the water mass by referring to international customary law, developed in the 1960s, on equitable sharing of water bodies, while Malawi on the other hand cites the 1890 Heligoland Treaty which handed sole ownership of the lake to Malawi, as well as the Anglo-Portuguese Treaty which came into effect around the same time.
Since independence, Malawi and Tanzania have been in a border dispute over Lake Malawi/Nyasa. Tensions however, re-emerged in mid-2012 when Malawi awarded an exploration licence to a UK-based company, Surestream Petroleum to search for oil in the disputed northern area. This conflict poses a threat to peace and security between the two countries. In addition, the border dispute creates instability, slows the already inadequate socio-political and economic developments of both countries, and prevents policy paradigms for sustainable development in the region.

According to a political scientist Jorge Dominguez, statistical studies illustrate that, “Territorial border disputes increased the probability of war and have higher probability of leading states to war than other kinds of disputes.” Mandel asserts that boundary disagreements, which escalate to war, generally involve two neighbouring countries that are underdeveloped. Nindi, Gledinisch, and Guo claim resource scarcity generates hostility between neighbouring nations more than any other causes. In essence, rivalry over limited resources, coupled with a population explosion, could escalate a border dispute into an armed conflict. The trio argues that the situation calls for the pragmatic management of resources in areas with border disputes. Both Shah and Anyu argue that the effects of colonialism, specifically the creation of African states’ borders, have created prolonged border disputes. Furthermore, in a 2007 study, Anyu claims that a majority of the 103 ethnic and interstate conflicts in Africa were the result of artificial boundaries drawn by colonial powers during the Scramble for Africa in the mid-1880s. Prescott and Triggs confirm that interstate boundaries in Africa are the prominent raison d'être for conflicts in the region because their delimitation lacked important information about Africa’s inhabitants and geographical data. Literature abounds regarding the basis of interstate border conflicts; however, there is meagre, if any literature that discusses explicitly the effects of the border disputes on ordinary citizens of Malawi.
This study, therefore, sets out to establish the socio-economic effect that the dispute between Malawi and Tanzania has on ordinary citizens of Malawi. An address of this problem through social policy advocacy may benefit not only the state but a number of individuals whose livelihoods are hinged on the peace and stability in both the rural and urban areas. It is on the basis of this scenario that the researcher feels compelled to establish the effect of the Malawi-Tanzania border dispute on ordinary citizens of Malawi.

1.2 Problem Statement

Border disputes in Africa are among the most basic sources of bitter struggle. They cause relentless strife, loss of lives, destruction of property, displacement of people including refugee problems, small arms proliferation, organized crime, and other regional instabilities. Even when armed conflict does not occur, the negative peace of an enduring dispute is quite distinct from the positive peace between states that have no dispute. Border disputes are very common in contemporary times mainly because populations are increasing rapidly, while resources are dwindling, which creates hotbeds of conflict in the milieu.

The Malawi-Tanzania border dispute is linked to the arbitrary demarcation of the border along the Lake Malawi, which was created by the Anglo-Germany Treaty of July 1, 1890 which stipulates: “To the south by the line that starts on the coast of the northern border of Mozambique Province and follows the course of the Rovuma River to the point where the Messinge flows into the Rovuma. From here the line runs westward on the parallel of latitude to the shore of Lake Nyasa. Turning north, it continues along the eastern, northern, and western shores of the lake until it reaches the northern bank of the mouth of the Songwe River.”

The problem with disputes is that it undermines the fundamental qualities that enable human co-existence. Border disputes trigger a myriad of social decays and a host of other socio-economic challenges. Resolution of the Malawi-Tanzania border dispute has dragged on for a
long time due to different priorities and divergent policies of the two countries. In view of this predicament, there are fears that the effect of the dispute is being felt by ordinary people within and around the disputed northern border areas of Malawi. In this context ordinary people are those that are not employed but settle for society’s expectations and do whatever means to earn a living. This trend of events if not properly handled poses a threat to the development of the two nations and can thwart economic advancement.

Despite the pervasiveness of the Malawi-Tanzania border dispute, its effects on the individual ordinary citizens of Malawi have been silently overlooked. Studies have revealed that individuals are affected during conflicts. But there appears to be a dearth in professional writings on the effect of this dispute on ordinary citizens of Malawi. Also, research has not been able to clearly come up with solid objective information on the extent, role and effect of disputes on ordinary citizens of Malawi social security. Studies to date also have not established viable and sustainable measures that can be put in place to ensure ordinary citizens of Malawi survive within the areas affected by the dispute. Therefore, this study was best fitting because it is an under-researched area that the researcher sought to pioneer. The research investigated into the effect of the Malawi-Tanzania border dispute on ordinary citizens of Malawi.

1.3 Research Questions

- What are the socio-economic effects of the Malawi-Tanzania border dispute on the ordinary people’s basic needs and income?
- What is the scale of ordinary Malawians affected by the Malawi-Tanzania border dispute?
- What mitigation measures have been put in place by the ordinary people to adapt-survive within the areas affected by the border disputes?
• What mitigation measures should the government put in place to ensure that ordinary Malawians survive within the area affected by the border disputes?

1.4 Objectives of the Study

General Objective

The main objective of the study is to evaluate the socio-economic effects of the Malawi-Tanzania border dispute on ordinary people of Malawi within the disputed areas.

Specific Objectives

• To examine the socio-economic effects of the dispute on ordinary people’s basic needs and people’s income.
• To ascertain the scale of ordinary Malawians affected by the dispute.
• To establish mitigation measures put in place by ordinary Malawians to adapt/survive within the area.
• To establish mitigation measures that government can put in place to ensure that ordinary Malawians survive within the area.

1.5 Scope of the Study

The research focused on the Malawi-Tanzania border dispute since 2012 and its effects on ordinary Malawians living within and around the disputed border areas. The work was conducted at the Malawi-Tanzania border in Karonga district (Malawi).

1.6 Rationale of the Study

The significance of this study is that it will enlighten policy makers about the effects of the Malawi-Tanzania border dispute, not only to the ordinary people of Malawi but also to the
Malawi economy at large. It will also suggest the mitigation measures that ordinary people living in the disputed areas and government can adopt and suggest the way forward.

1.7 Hypothesis of the Study

The uncertainty over the duration in the settlement of the Malawi-Tanzania border dispute has led to the decreased socio-economic activities along the contested border area.

1.8 Theoretical Framework

This research is underpinned by the theory of realism. In international relations realism is one of the positivist’s theories and has been a dominant theory since the conception of International Relations discipline. The theory bases its arguments upon the ancient tradition of thought such as Thucydides. Realism emerged after the outbreak of World War II where realists saw deficiencies of idealistic thinking. Various stands of modern day realist thinking exist but the main strategies of the theory have been defined as statism, self-help and survival. In statism, realists consider nation state as the main player in international politics. In survival, they view the international system as one being ruled by anarchy where no central authority exits, hence international politics is a battle for power between self-interested states. The theory understands that states are egoists and that they only act under their own interests; an interest that is defined by Hans Morgenthau “in terms of power.” Realists believe in self help and that no other nation can be trusted to guarantee the survival of the state. This explains why states do whatever they can to ensure their survival. The dispute between Malawi and Tanzania is about possession of resources to ensure their survival. Additionally, realism theory emphasizes that all states coexist in a system so-called “international” where the main characteristic is the “eternal fight for power” because states only seek their own goals. States reflect this struggle for power in their
external policies where diplomacy becomes an important manner to resolve conflicts as well as signatures of alliances.

Realists analyse International Relations with several assumptions. Firstly that states are unitary and that they act in a geographical boundary in an international system ruled by anarchy with no authority to regulate relationships between states. Secondly, they assume that states are the key actors in the international system. This means that states act as rational autonomy in search of their own self-interests with the main focus being to ensure its security and survival. Realists believe that as states pursue their interests, they will try to amass resources, and that interactions between states are determined by their relative of power. Since the discovery of oil and gas in Lake Malawi, tensions between Malawi and Tanzania have escalated. Both countries will try all they can to secure the oil resources in the lake. State level of power is influenced by its military and economic capabilities. There are offensive realists who believe that states are inwardly aggressive and that enlargement of territorial boundaries is prevented by opposing powers. On the other hand, there are defensive realists who believe in state obsession of security and state existence continuation.

However, the theory of realism has been criticised of lacking precision and rigour (Elman 1996). On one side, states and their leaders act in terms of interests with a definition of power. But on the other hand, citizens are encouraged to practice prudence and self-control as well as to acknowledge the legitimate interests of other states. Power plays a key role in realism but the correlation between power balance and political output is not compelling, calling for an enrichment of other variables in the analysis of international system. Focus on the issue of war and peace in realism is by no means misguided, and this is according to proponents of global society, interdependence, and institutionalism theories.

The research is further underpinned by the concept of human security. Human Security is an emerging security concept. Human security can be said to have two main aspects. It
means, first, safety from such chronic threats as hunger, disease and repression. And second, it means protection from sudden and hurtful disruptions in the patterns of daily life – whether in homes, in jobs or in communities. Such threats can exist at all levels of national income and development. The list of threats to human security is long, but most can be considered under several main categories: Economic, food, health, environmental, personal, community and political security.9

Similarly, the sustainable rural livelihoods frame is a way of thinking about the scope, objectives and priorities of development that is promoted by the DFID.10 An important strength of the livelihoods frame compared to earlier approaches is that it emphasises people’s potential in a holistic way rather than stressing on their problems, constraints and needs. It understands that livelihoods and institutions that influence and shape livelihoods are dynamic.

According to DFID, a livelihood comprises the capabilities, assets (including both material and social resources) and activities required for a means of living. A livelihood is sustainable when it can cope with, and recover from, stresses and maintain or enhance its capabilities and assets both now and in the future, while not undermining the natural resource base.11

While DFID (1999) employs the framework to derive sustainable means of fighting rural poverty in an environmentally sustainable way, the present study uses the livelihood systems frame as an analytical tool to observe, analyse and better understand the effect of conflict taking into consideration the Malawi-Tanzania border dispute on communities.

The livelihood systems frame (Figure 1.2) is thus a way of looking and analysing the system of a household’s internal and external factors that affect its socio-economic survival. It looks into livelihood strategies of people in a given vulnerability context (the frame conditions). People have access to six forms of capital assets (natural, physical, human, social, political, and financial). These are the resources, which people can make use of and combine in
order to carry out livelihood strategies and achieve certain outcomes. The livelihood system is affected when human security is threatened or suppressed. As an external factor acting on the livelihood framework, Human Security has significant bearing on socio-economic livelihoods of people. These mutually affected links are between livelihood assets of particular groups, structures and processes responsible for transformation and livelihoods. In light of these acute difficulties, dealing the socio-economic effects of dispute needs to be informed by the principle of human security since it helps capture the needs of volatile, dispute affected societies. Human security also stresses the importance of accommodating root causes of conflict in the process of peace-building, an approach that ultimately helps us understand the importance of conflict-sensitive development and capacity building. This research thus seeks to understand the shocks that the threat or suppression of human security has on sustainable livelihoods on ordinary people affected by the Lake Malawi/Nyasa dispute.
1.9 Review of Existing Literature

1.9.1 Causes of Conflicts

The literature available regarding causes of conflict often indicates how leading scholars influence the perception and, subsequently, shape policies. They attempt to explain the factors leading to conflicts. Scholars such as Kaplan, perceived the African continent as wild and backward. Huntington on the other hand, explained conflicts as being due to the interaction of different cultures leading to clashes, radicalisation and fundamentalism.
addition, Chabal and Daloz can be under the same umbrella by viewing Africa of the Post-Cold War as the ‘way it works’. These explanations of conflicts tend to generalise and stereotype conflicts as irrational. Therefore, it is important to enhance the research by looking at the question of rationality.

Collier and Hoeffler explained the notion of rationality, which will be useful in the analytical explanation of the return to conflict. In other words, they see the rationale driven by economic grievances creating new types of war, as argued by Mary Kaldor’s (2006) ‘new wars and old wars. Although, this notion is broader than former scholars mentioned, it remains a narrow explanation of the causes of violence and conflict only from an economic perspective neglecting other factors i.e. political power, self-determination and external actors’ implications. Additionally, conflicts due to geographical situation are increasingly significant in the literature. Indeed, Clare (2001) explained this phenomenon to be influenced by vital interests and contested resources zones. Territories and boundaries, especially, in Africa, have been subject to controversy and thus, the literature on this subject is important to assess.

1.9.2 Boundaries and Contested Lands

Although there exists a lot of literature on territorial disputes, their escalation, repercussion and resolution, comparatively little has been written about their origins. The field has barely begun to study why some neighbouring states dispute their common border and why often only some parts of these borders are contested. Huth, offers the most systematic data and analysis on these questions, by means of an original global dataset of territorial disputes. He finds that the strategic value of territory and political unification (when the population of the challenger and target state share ties of a common language and ethnicity) play an important role in the initiation of a territorial dispute, while the economic value of the territory (the presence of natural resources with export value within/proximate to bordering territory, or
access to a port outlet) had the third largest effect. Surprisingly, whether bordering minority
groups within the target share ties of language and ethnicity with the population of the
challenger did not significantly affect territorial dispute initiation.

A number of studies examined border disputes in the restricted domain of Africa (e.g.,
Widstrand; Touval; Boyd; Englebert et al), which is also our main focus. Of these, the most
comprehensive is Touval, who qualitatively examines all of Africa’s borders. Unfortunately,
he has little to say about the non-disputed borders or border segments. Indeed, selection on the
dependent variable, through a focus solely on cases with disputes, occurs frequently in the
qualitative literature. In the analysis of a dataset that does include the full population of cases;
Englebert et al. offer the most sophisticated quantitative analysis of African border disputes to
date. They find that the proportion of the dyad’s populations partitioned by borders
significantly increases the risk of conflict. In addition, they find some evidence that borders
along straight lines, interpreted as an indicator of arbitrariness, increase the risk of conflict.
While valuable, prior quantitative tests have shortcomings due to their use of the dyad, or pair
of neighbouring states, as the unit of analysis. Their dependent variables measure whether or
not those states were engaged in a dispute anywhere along their border; as such it ignores how
much of the border or which portions were contested.

Similarly, Englebert et al. employ an indicator to measure whether a boundary contains
any straight lines and find it positively associated with the risk of conflict. However, in cases
where the border contains a mix of straight and non-straight segments, it cannot be established
that the straight portions of the border were actually contested. Huth partially addresses this
problem by identifying the disputed regions and coding independent variables - such as the
presence of natural resources as they apply to that region. However, he cannot do the same
for the null cases: dyads with no dispute and dyads which some dispute, but not all, of their
border. For the former cases, the independent variables reflect aggregates along the entire
border; for the latter, uncontested portions of otherwise contested borders provide no information. Thus, to the extent that features relevant to dispute status vary along the length of a border, dyadic level analyses exhibit significant limitations. Most prominently, typical dyadic level analysis makes it difficult, if not impossible, to answer why some areas and sections of the border are contested while others are not.

The quote that “Frontiers are indeed the razor’s edge on which hang suspended the modern issues of war and peace (Curzon 1907:7 cited in Prescott 1987:5) is an interesting one and important in understanding borders in creating conflicts or cooperation.” Conflicts in post-Cold War era are, generally, explained as being internal. Nonetheless, according to the case study, the importance of inter-state boundary disputes will be primordial to focus on through a political perspective in understanding the tensions over boundaries. Prescott (1987), Donnan and Wilson (2001), Cohen (2009), Flint (2006) and Gavrilis (2008) are some of the leading scholars in explaining what leads to territorial disputes. Flint (2006) and Prescott (1987) shared similar explanations of border as the region proximate to the boundary while borderland defines both sides of the boundary and frontier is mostly used in media or as generalised terms (Prescott 1987). However, the literature is a matter of interpretation as authors such as Anderson (1996a) refers to frontier as synonym to borders and as both institutional and a process showing the limit of a state’s sovereignty, simultaneously, being an instrument of its policy and also “markers of identity” (cited in Donnan & Wilson 2001).

Contested lands are delicate situations, which can escalate or be resolved. They are important to consider and many organisations, internationally and regionally, carefully examine the body of work on this matter. Bose explained well this concept as being due to the “fixation with the control of territory” although we live in an interconnected world, which is a contradiction especially concerning inter-state conflict over contested lands. Scholars
such as Cohen will often be used in understanding the causes of contestation, concerning the African continent; he explained it as being the result of never clearly demarcated territories.\textsuperscript{25} He stressed that border conflicts are due to dynamics of multiple disputes such as “control of natural resources, access to the sea and reunification of peoples.”\textsuperscript{26} Many mechanisms in solving boundaries disputes are mainstreams of international community and its organisations, which further will be examined in the next section.

1.9.3 Socio-Economic Effects of Boundary Disputes

There exists a much narrower literature addressing the impact of political conflict, trade diversion, and borders. Scholars have suggested that mutually recognized borders can provide joint-gains that incentivize the resolution of border disputes (Schultz, 2015; Simmons, 1999), but there is a lack of empirical work testing how territorial conflict impacts the economic relations of both disputing and non-disputing countries.\textsuperscript{27}

Many studies have focused on the zero-sum or negative-sum nature of territorial disputes by emphasizing the perceived indivisibility of territory, the strategic value of territory, and the relative-gains concerns for states seeking to divide lands (Carter, 2010; Hassner, 2003; Toft, 2002, 2006). Scholars have not only emphasized the importance of territory for military and economic power (Billon, 2001; Carter, 2010), but also the psychological and emotional importance of territory to the populations of states (Hassner, 2003; Kaufman, 2009).\textsuperscript{28} In this tradition, when states initiate territorial conflicts, disputes tend to last longer, drain state coffers and are far bloodier than non-territorial disputes (Hensel, 1996).

States use international borders as the lines that demarcate the rules of the international system, which coordinate beliefs of both domestic and international actors (Carter and Goemans, 2011). “Understood this way, international borders not only provide physical security and resources but also order national and transnational economic and social life” (Simmons, 2005,
826). In this manner, borders are the demarcations that define the geographic boundaries of sovereignty, explicating the environment in which the norms and procedures for state behaviour in the international system apply. Based on this conceptualization of borders, they can be meaningfully described and analysed as international institutions.

International borders provide clear demarcations where the domestic law of one state ends and the next begins. At these points, economic agents engaged in international trade must transition from compliance with one set of laws to another. These transitions are potentially challenging and costly (Schultz, 2015, 134), and are made more difficult for economic actors if they are governed by unpredictable border institutions. On the other hand, if borders are stable, mutually recognized, and uncontested, economic actors can easily navigate the transition from one country to another and the costs of cross-border international business transactions are minimized, especially when actors on both sides of the border are well coordinated (Gavrilis, 2008). Borders such as those in Western Europe or between the United States and Canada are obvious examples of well-defined, mutually recognized borders across which it is relatively easy to conduct business. In general, “[t]he most permeable political boundaries in the world are those that are taken for granted by both of the bordering political authorities, by other governments in the region, and by private economic agents” (Simmons, 2005, 843).

The importance of international borders to economic agents is a function of the ease and reliability with which economic agents and their goods travel between countries. Mutually recognized, stable border institutions facilitate international trade flows by reducing jurisdictional and policy uncertainty (Simmons, 2005). Jurisdictional uncertainty occurs when agents face questions of whose laws to follow and what protections they are afforded in a given space or territory (Simmons, 2005). If jurisdictional uncertainty is high, economic agents will face greater risks and higher transaction costs, which lead to decreased cross-border trade flows. For example, a recent case of jurisdictional uncertainty caused significant political and economic
tensions between Nicaragua and Costa Rica. The two countries disagreed over rights to remote swamp lands, adding to tensions that had simmered over jurisdictional authority of the San Juan River for over 150 years (Miller and Rogers, 2010). The President of the Inter-American Dialogue, Michael Shifter, noted that “‘[t]hese small situations can become much more complicated. There is the trade question, the immigration question, the connections between both societies. All that could suffer.’” (Miller and Roger, 2010).

Even in the absence of military conflict, border disputes, such as the one between Nicaragua and Costa Rica, jeopardize the stability of the border institution and create jurisdictional uncertainty, which we argue increases the risk to economic actors and undermines the ease with which trade can flow between the countries hence affecting the welfare of ordinary people.

Ordinary people also face policy uncertainty when a border is disputed. Policy uncertainty results from the unpredictable nature of government policies over a disputed border (Simmons, 2005, 828). When contesting a border, a government is more likely to close the border, restrict trade flows, increase tariffs, or otherwise alters the status quo, than if it was an uncontested border. For example, a recent study of risk factors for the shipping industry in Asia concluded that political risks are the greatest concern for shipping companies with operations in the Taiwan Strait (Ding, Tseng, and Hsu, 2014). For those conducting business across a contested border, they face an increased probability that their transactions will be delayed or stopped, or that the costs of doing business will increase. Francisco Villagran Kramer, the former Vice President of Guatemala and international trade and legal scholar, highlighted this point when discussing the border disputes between El Salvador and Honduras, and Honduras and Nicaragua in 2001. Kramer noted that border crossings between the disputing countries “take forever” (Elton, 2001). In contrast to the disputed borders, Kramer emphasized that
“Guatemala and El Salvador don’t have a border dispute, and they have put in place mechanisms so that people and merchandise can move across the border quickly and easily” (Elton, 2001). Another effect of the impact on business can be seen in the Colombia – Venezuela border conflict in 2015. Business leaders in Tachira say the area lost some $60 million in the first 20 days of the conflict adding strain to the region, last year Maduro suspended remittances to Colombia, which cut off some $500 million in income to Colombia per year.29 Venezuela is Colombia’s fourth largest destination for exports, after the United States, the European Union, and Andean Community countries. An estimated four-fifths of all Colombia-Venezuela trade takes place by land, and provides some 50,000 jobs directly and another 250,000 indirectly. In 2009, Venezuela sold some 4.5 million gallons of gas per month to Colombia at prices in between the international and domestic rates. After the closing of the Paraguachon border crossing, the price of gas in Colombia effectively doubled overnight. Legal trade aside, illicit commerce is big business at the border as well, where the common practice is to smuggle subsidized Venezuelan oil and food across the border at a substantial profit. A gallon of gas, for example, typically costs pennies in Venezuela, but sells for a couple dollars across the border. Tachira officials estimate that a significant portion of state-subsidized foodstuffs end up in Colombia.

These Latin American cases demonstrate the importance of stable borders to economic flows. The unpredictable nature of border policies during a dispute raise the risk to economic agents conducting business across the disputed border and act as a motivation for the agents to pursue alternative economic opportunities. The most obvious consequence of war is that it kills people. Conflict impacts on human well-being, reducing quality of life, the capabilities of people to live the kinds of lives they value, and the real choices they have. It results in the loss of lives, livelihoods and opportunity, as well as of human dignity and fundamental human rights.
Livelihoods are directly affected through decreased access to land, and inadequate access to natural resources, as a result of exclusion, displacement and the loss of biodiversity. Disputes can set in motion a cycle of degradation and human vulnerability. Human vulnerability refers not only to the exposure to negative environmental change, but also to the ability to cope with such change through either adaptation or mitigation. Disputes contribute to the breakdown of social cohesion and the disruption of local governance systems; this in turn may result in established safety nets becoming unavailable. The increase in social and economic vulnerability, as result of conflict, may in the face of environmental and land degradation, trigger new tensions and conflict over critical resources, such as water or food (Homer-Dixon and Blitt 1998). The incidence of poverty may increase, not only through the loss of livelihoods but also as a result of a growing inability of people to cope with change. This loss of resilience is also directly linked to diminished access to public services, resulting in, for example, an increasing incidence of ill health, a contraction in formal employment opportunities, the destruction of subsistence livelihoods, and other entitlements failures which affect consumption and nutrition, as well as the weakening of social cohesion and heightening insecurity (Luckham and et al 2001).

In examining the effects of border disputes on the socio-economic activities of ordinary people, existing literature is extended by providing a more comprehensive examination of the impact of border disputes on ordinary people. The approach is to examine how border disputes affect relations between the disputing countries, while also extending the argument to assess how border disputes affect socio-economic well-being of ordinary people. The purpose of such an analysis is to isolate the effects of border disputes on ordinary Malawians and evaluate what the state can do to cope with the opportunity costs of the international dispute.
1.9.4 Resolving Boundary Disputes

The literature on boundary disputes, contested lands and sovereignty as explained earlier, are important mechanisms to prevent such disputes and how to bring an end to such conflicts are mainstreams of policy makers. Therefore, the use of sources from the UN and the AU, will be enhanced on their effectiveness on border conflicts and how warring parties respond to third party implication in mediation and peace agreements. Thus, the amount of resources on the approaches to conflict, violence and the solution in preventing it were highlighted and often generalised or universalised norms being applied in different areas in terms of historical facts, causes and effects.

Scholars such as Blay (1994), Gen (2003), Goulding (1999), Lotze (2008), Prescott (1987) often repeat notions of peace building, peace-making and conflict resolution, which became one of the main focuses of the UN and the wider international community. The latter, since the end of the Cold War, uses regional powers or organisations such as the AU to respect these principles. There are different solutions argued in literature on how to deal with conflict and prevent further diplomatic fallout. Plus, preventive diplomacy that Gen, regarding ex-Yugoslavia, made interesting points on how short and long term processes are important in the prevention of conflict. In fact, this practice is in use by the international community and the UN Charter also refers to it as the main policy. Solving boundary disputes is, according to Lotze, a question of coordination and even the ACCORD acknowledges its importance in peace building. Nonetheless, the literature focuses more on the legal aspect and seems to be a mechanical method to prevent conflict, and often fails to admit the importance of looking at case-by-case causes to find solutions in lasting peace.

Moreover, most sources do not particularly focus on the case of the Eritrean-Ethiopian border conflict but on the African continent such as Goulding (1999) and his article The United Nations and Conflict in Africa since the Cold War, or to more famously recognised conflicts
such as the study by Bose (2007). Certainly, resolving territorial disputes require the acknowledgment of external or interests-driven and spill over effect in the region prone to dispute.

1.9.5 Geopolitics in Boundary Issues

Boundaries are product and process of geopolitical agency. Understanding why some parts of the world see borders, as markers of identities, have to be examined as Anderson 1996a highlighted (cited in Donnan & Wilson 2001:5). Violence and conflicts are not sudden event but slow process, hiding many tactical strategies from both domestic and international politics. Henceforth, geopolitically driven boundary issues will be important to research accordingly. Some authors look at the question of power and the effect of regional and international implications in such conflicts. For instance, Donnan and Wilson (2001) argued that borders are “sites and symbols of power” (2001:1). The remaining significance of territorial sovereignty is common mainly in newly independent or less developed states.

Boundary changes will be indications of a shift in the balance of forces caused either by an increase in driving force on one side of the frontier (boundary) or by a decrease in resistance on the other. Another important concept is critical geopolitics that Ó Thuathail explained and which, relates to power relations and the multiple practices to gain it. Indeed, the notion of geopolitics will also be combined with the principle of power and realism. Accordingly, Myers (1999) would be used as a reference on questions of national interests, the geopolitics is interlinked with, and he calls, the ‘political realism’. Donnan and Wilson (2001) will also be looked at in terms of the dynamic structures in power relations between states (2001:45).
1.10 Sources of Data

To better understand the effect of the Malawi-Tanzania border dispute on ordinary people in Malawi, an empirical study that is both qualitative and quantitative in nature was carried out. Primary data collected involved the researcher going into the field to collect the necessary data from respondents. To obtain primary data, the researcher specifically designed and used questionnaires and interviews as data collecting tools. For secondary data the researcher consulted relevant statistical documents such as books, related documents, journals articles, magazines, daily and weekly newspapers.

The combination of the two research approaches (qualitative and quantitative) added value to the data collection process. The need to triangulate was because no research method can exclusively disregard the other. According to Creswell, the concept of triangulation is based on the assumption that any bias inherent in a particular data source, investigator and method would be neutralized when used in conjunction with other data sources, investigators and methods.

1.11 Research Methodology

1.11.1 Research Techniques and Data Collection Methods

The researcher specifically designed and used questionnaires and interviews as data collecting instruments in carrying out the study. The data collecting instruments had two sections, section A and B comprising the questionnaire and the interview guide respectively. The questionnaires were formatted in the form of written questions which provided excellent strategies for maximizing the goals or objectives of collecting data. In order to allow the participants to gradually adjust to the pattern of the interview schedule, questions were arranged from simple to complex and from broad to more specific.
Clear and brief questions were asked. Open-ended questions which allowed room for respondents to respond in their own terms were also asked. Issues and dimensions of effect of border disputes on people that are pertinent to the community but not basically obvious to the researcher were revealed through the use of open ended questions. The recording process involved the researcher jotting down some notes when respondents were answering questionnaires.

The survey employed personally administered questionnaires which the participants completed and the researcher was available to answer questions where clarification was needed. A structured questionnaire was used.

1.11.2 Population and Sample Size

The area has a population of approximately 10,000. The population from which a representative sample was drawn was that of ordinary people at the Malawi-Tanzania border in Karonga district. A sample of three hundred and fifty respondents, which is a subset of the population having the properties that make it representative of the population, was purposefully selected. From the survey most of the respondents (27.71%) were between ages 40-49 followed by the age group 30-39 which constitutes 22.9% of respondents. Those within age group 10-19 were the least of the respondents. More respondents constituting 272 people were males whilst only 78 were females. This implies that it was an in-depth study hence a lot of information was obtained from a small sample of respondents.

1.11.3 Sampling Procedure

Interviewing particularly ordinary people at the Malawi-Tanzania border in Karonga district was a purposeful sampling which involved selecting individuals who had stayed in the area for at least a period of three years. This procedure dominates sampling strategies in
qualitative research. The majority of people in this area are engaged in small scale agriculture including fishing. The sampling procedure targeted people who have lived at the Malawi-Tanzania border in Karonga district for quite some time, thus those who had been there from three years and above. The motive behind this reasoning was that the effect of border disputes is a complex issue, which cannot be measured within a short period of time. Purposeful sampling uses the maximum variation technique described by Patton as the method that ‘involves purposefully picking a wide range of variation on dimensions of interest.’

1.11.4  Pilot Study

In order to test the validity and the reliability of the data collection tools, the researcher conducted a pilot study. The researcher administered a questionnaire to total of ten households. This acted as a pre-test before applying the final version in a hypothesis testing situation.

1.11.5  Data Analysis Procedure

Data recorded from questionnaires was collated using MS Excel and analysed using the Statistical Package for Social Sciences (SPSS version 16.0 for windows) to derive patterns through descriptive statistics. Bar graphs were used to represent percentage data and the essential feature being that the size of the bar is proportional to the size of the variable.” Pie charts are much better for depicting multiple replies on many sources, when the intent is to reveal the proportion of each relative to the whole.

All primary qualitative data underwent a content analysis. Qualitative data analysis according to Bogdan and Biklenentails “working with data, organizing it, breaking it into manageable units, synthesizing it, searching for patterns, discovering what is important and what is to be learned” and deciding what to put in the report. This implies that
qualitative analysis requires inventiveness for the researcher to face the challenge of placing data into logical meaningful categories to examine it and present it a holistic fashion. Data was interpreted and presented using frequency charts, tables and graphs.

1.11.6 Delimitations of the Study

In every research project bias cannot be ruled out as some respondents give biased or construed responses that are meant to please the researcher. Inadequate information by respondents posed challenges to the fieldwork processes. There was the possibility of fear of being spied on; hence feared victimization due to the border dispute. However, to overcome these challenges, the research objectives were clearly stated to the respondents so that they could understand the vital importance of their unbiased contributions.

The English language was used to design the questionnaire and the interview guide, which is a second language to most if not all of the respondents. This also posed some challenges in expressing oneself. To curb this problem the contents of the questionnaire were made as simple and clear as possible. The researcher also encouraged the respondents to answer in their local Language so that the respondent could express themselves clearly.

1.11.7 Research Ethics

Every document consulted and cited was acknowledged. The confidentiality and anonymity of all respondents was guaranteed as none of the respondents filled their names. The contents of the filled questionnaires would never be discussed with anyone to ensure confidentiality. No respondent participated in the research process without informed consent.
1.11.8 **Arrangement of Chapters**

The study is organized into four chapters. Chapter One outlines the Research Design. Chapter Two is an overview of the Malawi – Tanzania border dispute. Chapter Three looks at data analysis, findings and presentation. Chapter Four consist of summary of findings, conclusions and recommendations.
END NOTES


10 DFID, 1999.


18 Huth, Paul, 1996. ‘Enduring Rivalries and Territorial Disputes’


21 Ibid.

22 Huth, P., op. cit.


34 Bailey, Kenneth., 1982. Methods of Social Research

35 Patton, M. O., (1990). Qualitative evaluation and Research Methods (2nd ed.).

CHAPTER TWO

THE MALAWI-TANZANIA BORDER DISPUTE

2.0 Introduction

The Malawi-Tanzania border dispute re-emerged in 2012 when the Malawi government awarded an exploration license to a British firm Surestream Petroleum to search for oil and gas in Lake Malawi/Nyasa. Since the award of the licence, tensions between the two neighbouring states have escalated.

The chapter discusses the genesis of the Malawi – Tanzania border dispute, the causes of the Malawi – Tanzania border dispute such as the Heligoland Treaty, the inconsistent evidence regarding the border and the role of oil and natural gas potential in the dispute. The chapter also discusses the Malawi – Tanzania border challenge, the consequences of the border dispute, the political history between Malawi and Tanzania by looking at the settlement efforts and what the international law say about the delimitation of an international lake which borders multiple states.

2.1 The Area of the Dispute

When the 'Scramble for Africa' took place, and the continent was divided by colonialists, boundaries were created by geographical markers such as mountains or rivers, with the result that several ethnic groups who were living on these mountains or along these rivers, were divided and now live in two and sometimes even three or more different countries.

Lake Malawi borders three countries: Malawi in the west, Tanzania in the east, and Mozambique in the south. It is the third largest lake in Africa after Lake Victoria and Lake Tanganyika. It was known as Lake Nyasa until Malawi changed its name to Lake Malawi in 1967. However, it is still known as Lake Nyasa in Tanzania. According to Bootmaan and
Jorgensen, the lake is the most species-rich lake in the world containing an estimated 500 to 1000 species. It has provided a livelihood to fishermen living alongside the lake on both sides, as well as water for irrigation, transportation, and hydroelectric generation. The lake is also a tourist attraction. Several major rivers, including the Songwe River, which separate Malawi and Tanzania in the north, and the Rovuma River, which forms the border between Tanzania and Mozambique, flow into the lake, but only the Shire River drains the lake water to the sea (the Indian Ocean).

The Lake Malawi/Nyasa border dispute confirms Brownlie’s claim that the concept of a dispute involves a disagreement between two states on a point of law or fact, which disagreement is normally manifested by the making of a claim or protest. Tanzania and Malawi have disagreed on their border in Lake Malawi/Nyasa since the Tanzanian government, in 1967, formally questioned the border. According to Malawi, the Tanzanian shore of the lake is the border. According to Tanzania, however, the median line of the lake, not the shore, forms the border. While Malawi bases its claim on the 1890 Anglo-German Agreement, Tanzania relates its claim to the customary state practice of using the median line of a body of water as the border, and the historical evidence it possesses.
2.2 Causes of the Dispute

On 30 July, 2012, Tanzania asked Malawi to stop oil and gas exploration activities in Lake Malawi until the border dispute between the two countries involving the lake was resolved. In September 2012, the government of Malawi awarded an exploration license to a British firm Surestream Petroleum to search for oil and gas in the giant lake.

The root of the Malawi-Tanzania border dispute dates back to complex European colonialism in East Africa. The Portuguese were the first Europeans who explored East Africa.
They controlled most of the East African coast by 1506 and ruled Zanzibar, off the coast of Tanganyika (present-day mainland Tanzania), for about 200 years from the early 15\textsuperscript{th} century until they were ousted in the late 17th century by Omani Arabs.\textsuperscript{6} Other Europeans followed suit, and the European competition in East Africa began, only intensifying after the Berlin Conference. In 1884, Germany claimed Zanzibar as its protectorate, but it remained under the rule of the Sultan of Zanzibar.\textsuperscript{7} In 1885, Tanganyika became a part of German East Africa, which encompassed present-day Rwanda, Burundi, and Tanzania. With the incorporation of those Great Lakes territories, the German conquest in East Africa was complete.\textsuperscript{8} The Anglo-German Partition Agreement of 1886 and the German-Portuguese Agreement of 1886 then fixed the boundaries of the German protectorate in East Africa.\textsuperscript{9} Shortly afterwards in 1891, Britain established the Nyasaland and District Protectorate (present-day Malawi). The name of the protectorate changed to the British Central Africa Protectorate in 1893, and then to the Nyasaland Protectorate in 1907.\textsuperscript{10} Nyasaland was part of the Federation of Rhodesia and Nyasaland for the period 1953-1963.\textsuperscript{11}

Germany lost its colonial possessions after its defeat in World War I by Article 119 of the 1919 Treaty of Versailles.\textsuperscript{12} Britain and Belgium, whose troops occupied German East Africa during the war, took over the German colonies in East Africa under the League of Nations mandate system.\textsuperscript{13} Specifically, Belgium got Rwanda and Burundi, while Britain was awarded Tanganyika. Britain’s role as the administering power of Tanganyika officially began in 1922. Due to this change, Tanganyika’s border with Nyasaland became an internal administrative division like the administrative divisions in French West Africa (eight French colonies) and French Equatorial Africa (four French colonies). After World War II, Tanganyika became a trustee territory of the UN, which inherited the territories under the League’s mandate system. Tanganyika and Zanzibar became independent from Britain in 1961 and 1963 respectively. They united in 1964 and became the United Republic of Tanzania. The Nyasaland
Protectorate changed its name to Malawi when it became a self-governing protectorate in 1963, and became independent in 1964 as Malawi. When Tanganyika and Malawi became independent, the internal administrative division under British rule transformed back to an international border.

A recent study on the East African region by political scientist F. Wafula Okumu has brought to the forefront both the growing frontier disputes over resources and the fast population growth in the area. Okumu describes chronological and modern reasons that impact the problem, arguing that, “...each of the countries in Eastern Africa has had at least one border dispute with a neighbour, mainly over territorial claims, mostly over lack of clearly defined and marked boundaries, the availability of trans-boundary resources, and security-related matters.”

Furthermore, he asserts that Belgium, Germany, Great Britain, Italy, and Portugal drew the East African boundaries to further their strategic colonial interests. Ironically, about a century ago, rival colonial powers, Britain and Germany, shared the lake.

Germany lost its colony in East Africa after its defeat in the WWI. The UK held on to Malawi and, at the same time, the League of Nations Mandate, entrusted Britain with the management of Tanganyika Territory, the former German East Africa colony. Britain could have solved the border dispute between Malawi and Tanzania like it did during the dispute between Malawi and Mozambique. However, Britain did not pay suitable attention to the issue on the Tanzanian side. Furthermore the British maps used while ruling both countries were ambiguous. Even today, maps are not reliable, some of them designate the boundary at the Eastern side of Lake Nyasa while others designate it at the lakes’ midline as depicted in the 1937 map shown in Figure 1.
Since 1967, the border dispute between Malawi and Tanzania has remained unresolved, critically impairing the livelihood and basic needs of the Malawi-Tanzanian citizens living along the lake’s shores. The border dispute is further aggravated by a scarcity of resources in that area amidst rapid population growth. By contrast, Lake Victoria in the North and Lake Tanganyika in the West of Tanzania are shared by respective neighbouring countries. In addition, the problem between Malawi and Mozambique over the boundary in Lake Nyasa was resolved in November 1954 by an agreement endorsed by Britain and Portugal. The boundaries along the lakes in the Great Lakes Region of Africa are shown in Figure 2.
Malawi claims the boundary line should pass along the Eastern border (as shown in Figure 2), while Tanzania insists it should pass along the median line as depicted in Figure 1 similar to the international boundary between Malawi and Mozambique as indicated in both maps. According to Ewan Anderson, “The entire section of the boundary along the shoreline of Lake Nyasa is under dispute. Tanzania claims that, from the mouth of River Songwe, the boundary should follow the lake’s median line to a tri-point with Mozambique which should be on the median line.”

Tanzania maintains that three riparian states, Malawi, Mozambique and itself, should share the lake. On the other hand, Malawi claims the whole body of water, except a certain part of the lake that falls into Mozambique. The name of the lake is also not clear-cut; Malawi alleges the lake is “Lake Malawi,” while Tanzania and the main stream internationally
made maps refer to the historic name, “Lake Nyasa.”

Currently, resources from the lake constitute the livelihood for the inhabitants dwelling in the background; however, they are thinning out at an alarming rate. Furthermore, the problem is exacerbated by high population growth and the destruction of water catchments in the surrounding highlands, which decreases water levels in the lake. Additionally, overfishing, sediment loading, and several other climatic changes have multiplied the problem. Unquestionably, this situation creates instability in the region. This security threat needs to be addressed for the mutual benefits of both Malawi and Tanzania.

2.2.1 The Anglo-German Agreement (Heligoland-Zanzibar Treaty) of 1890: The Origin of Controversy

The Anglo-German Agreement of 1890 also known as the Heligoland-Zanzibar Treaty defined the spheres of influence of Britain and Germany in East Africa (Articles I & II), Southwest Africa (Article III), and West Africa (Article IV). Germany agreed to withdraw its claims to Zanzibar and offered Britain Lake Nyasa, Malawi’s Northern Province, and Uganda in exchange for Britain’s concession of Heligoland in the North Sea. As a result, Zanzibar became a British protectorate in 1890. The agreement was signed by the two governments in Berlin in 1890. This is the agreement that delimited the border between Nyasaland and Tanganyika to the eastern shore of the lake, which Tanzania disputes. Specifically, Article I (2) of the agreement demarcates the area as running “To the south by the line that starts on the coast of the northern border of Mozambique Province and follows the course of the Rovuma River to the point where the Messinge flows into the Nyasa. Turning north, it continues along the eastern, northern, and western shores of the lake until it reaches the northern bank of the mouth of the Songwe River.” However, the agreement also includes some room for future adjustments of the border. Article VI states, “Any correction of the demarcation lines described in Articles 1 to IV that becomes necessary due to local requirements may be undertaken by agreement between the
two powers.” To support their respective positions, Malawi and Tanzania have each singled out a different provision of the treaty. While Malawi has used Article I (2) to keep the eastern shore line border, Tanzania has emphasized Article VI to move the border to the median line through negotiations with Malawi.

2.2.2 Inconsistent Evidence Regarding the Border

While the 1890 Anglo-German Agreement leaves no doubt about the eastern shoreline border, historical documents and maps issued afterwards are inconsistent about the border. While some indicate the median line, others indicate the eastern shoreline of the lake as the boundary between the two territories. For example, according to Day, “official British sources for the period 1916-1934 showed the western border of the Tanganyika territory as being the median line through Lake Nyasa.” However, “British annual reports to the UN General Assembly and Trusteeship Council issued between 1947 and 1961 for Tanganyika and Nyasaland generally abandoned the median-line alignment and showed the boundary between the two territories as being the eastern shore of Lake Nyasa in accordance with the 1890 Anglo-German Agreement.”

Thus, as Brownlie succinctly states, “The evidence certainly does not point unequivocally in one direction.”

Malawi and Tanzania have utilized different evidence, respectively, that can suit their positions. Particularly, they have based their claims on different maps. However, according to legal scholars and the ICJ, the role of maps in settling boundary disputes is limited, due mainly to the lack of clarity. The ICJ (1986), concerning the territorial dispute between Burkina Faso and Mali in 1986, noted that “in frontier delimitations, maps merely constitute information, and never constitute territorial titles in themselves alone. They are merely extrinsic evidence which may be used, along with other evidence, to establish the real facts. Their value depends on their
technical reliability and their neutrality in relation to the dispute and the parties to that dispute; they cannot effect any reversal of the onus of proof.”

2.2.3 The Role of the Oil and Natural Gas Potential in the Dispute

The dispute over the lake-border had been relatively calm for years. However, the oil and natural gas potential in the lake and Malawi’s decision to explore those M. Yoon Colonialism and Border Disputes in Africa 83 resources have intensified the dispute in recent years by elevating the value of the lake. The Malawi Geological Survey of 1970 indicated that sedimentary rocks which could bear hydrocarbon formation and accumulations are present in the northern Lake Malawi area and the lower Shire Valley in the southern region. Subsequent geological investigations by various sources have supported these findings. In addition, the discovery of oil in nearby Kenya and Lake Albert of Uganda has led Malawi to believe that Lake Malawi might also have oil. To prospect for oil and gas, Malawi awarded a license to a British Company Surestream Petroleum in 2011 and to a subsidiary of the South African firm Sac Oil in 2012. Both Malawi and Tanzania are listed among the UN’s “least developed countries.” According to the World Bank (2013), the 2012 gross national income per capita in Malawi and Tanzania was $320 and $570, respectively. In addition, both countries import oil. Thus, if the prospect of oil becomes a reality, the oil and gas in the lake would significantly benefit the lake’s owner. This potential economic benefit has raised the stakes of the dispute, and has strengthened the position of each disputant.

2.3 The Malawi-Tanzania Border Challenge

The setting in Africa has improved, and the continent is going through a positive transformation, though security was still delicate. Instability is still a threat to peace in the region. Africa must now come to terms with the reality that, after an average of 40 years of
independence, Africa cannot keep on blaming colonial powers for all its woes. Indeed, border disputes still pose a real security threat in the region. Burundi and Rwanda quarrel over sections of their border along the Akanyaru/Kanyaru and Kagera/Nyabarongo Rivers. The DRC and Uganda dispute Rukwanzi Island in Lake Albert and other areas of Semliki River.\(^\text{27}\) Kenya and Uganda wrangle about Misingo Island in Lake Victoria.\(^\text{28}\) Tanzania and Mozambique contest the 1936-37 agreement between Britain and Portugal along the Ruvuma River. It stipulates that, “The boundary should go along the Thalweg in the places where there are no islands; and in case of disagreement consultation should be made with the Permanent Court of International Justice (CIJ).”\(^\text{29}\) Another disputed border is the Songwe River that forms the boundary between Malawi and Tanzania and shifts from one country to another due to flooding during the rainy season.\(^\text{30}\) Additionally, Malawi and Zambia have been arguing about their 600-kilometer border for decades. In May 2005, the two countries met to discuss the issue, and today the subject is still unresolved.\(^\text{31}\) While the above situations are all serious dilemmas, Tanzanian has no disagreement with Kenya and Uganda. The three neighbouring countries harmoniously share Lake Victoria.\(^\text{32}\) However, in 1978 the Ugandan Leader Idi Amin claimed the Kagera Salient West of Lake Nyanza as part of Uganda.\(^\text{33}\) The Ugandan leader invaded Tanzania in October 1978, and Tanzania waged war with Uganda from October 9, 1978 to June 3, 1979. This war cost Tanzania 373 soldiers, 1,500 civilians, and considerable financial loss and associated collateral damages.\(^\text{34}\) The western boundary with the DRC, Burundi and Rwanda has been stable in this regard, while the southern border with Mozambique, Malawi and Zambia has remained insecure, especially the border with Malawi. Territory stands at the very heart of statehood; therefore, any least indication of encroachment or harm to a county’s geographical area and privileges is painstakingly analysed and such actions are fended off at all costs.\(^\text{35}\)
The sovereignty of a territory is a nation’s most treasured identity and is equally defended as well. Consequently, Lake Malawi border dispute is the basis for tension between Malawi and Tanzania and may subsequently lead to undesired confrontations. The stance is deleterious for both countries, and their respective national interests are at stake. The International Boundary Study No. 37 also recognizes the drawbacks of the Malawi-Tanzania boundary, “Future economic activity in the area might require that additional attention be given to the boundary because of problems that may start over water rights and transportation needs. Equally, a detailed delimitation of the shore boundary of Lake Nyasa might be necessary because of the large fluctuations of the water levels of the lake.”

Yet, International Law recognizes, “The sovereignty of a state extends to its recognized land boundaries and to the border of air space above them. Sovereignty over bodies of water is regulated by four separate 1958 conventions.” These conventions call for a bilateral treaty to safeguard the riparian rights for neighbouring countries. Regarding lakes, Emerson articulates a number of privileges and regulations for landowner: rights to fish, to harvest ice, to build docks, to anchor booms, to build mills, to land boats and many others. Moreover, the riparian proprietor owns the bed and the right of the water resting thereon and should the lake lie between two states or nations the boundary line between them would be the centre line of the lake, and each would have title to such centreline.

Furthermore, Strong states, “Rights associated with water that is not flowing are called littoral. Generally land beneath non-sovereign lakes are owned by the surrounding upland owners. When all the deeds call to the lake, each owner has title to a centre point.” In addition, riparian proprietors should jointly address problems such as sediment loading and loss of biodiversity. Failure to understand all of this has resulted in the failure to manage Lake Malawi’s/Lake Nyasa’s resources and the deprivation of rights for both Malawian and Tanzanian citizens residing along the lake. Julius Nyerere, the first Tanganyika Prime Minister
recognized the riparian rights of the country and prepared a policy document for implementation after independence. The Secretary General of the UN was informed: As regards bilateral treaties validly concluded by the UK on behalf of the territory of Tanganyika, or validly applied or extended by the former to the territory latter, the Government of Tanganyika is willing to continue to apply within the territory, on a basis of reciprocity, the terms of all such treaties for a period of 2 years from the date of independence [i.e. until 8 December 1963] unless abrogated or modified by mutual consent. At the expiry of that period, the government of Tanganyika will regard such of these treaties, which could not by the application of the customary international law be regarded as otherwise surviving, as having terminated. As a result, Tanzania did recognize the ambiguous treaties when Malawi attained its independence on 6 July 1964.

2.4 The Consequences of the Border Dispute between Malawi and Tanzania

Three countries namely, Malawi, Mozambique, and Tanzania share Lake Nyasa and its natural resources, yet those assets are dwindling at an alarming rate. A study by Nindi (2007) on management and the level of quality of life of peoples residing in the locality confirmed the negative trend as depicted below.

Table 2: Changing Water Levels in Lake Malawi/Nyasa and Land Use Changes in the Mount Livingstone Catchment Area (%)

<table>
<thead>
<tr>
<th>Periods</th>
<th>Deep water (Lake Nyasa)</th>
<th>Shallow water (Lake Nyasa)</th>
<th>Grassland/fields</th>
<th>Forest</th>
<th>Shrubs</th>
<th>Scattered trees</th>
</tr>
</thead>
<tbody>
<tr>
<td>1884</td>
<td>41.13</td>
<td>2.83</td>
<td>16.96</td>
<td>11.47</td>
<td>13.82</td>
<td>3.15</td>
</tr>
<tr>
<td>1994</td>
<td>23.54</td>
<td>20.39</td>
<td>9.84</td>
<td>16.63</td>
<td>14.31</td>
<td>4.31</td>
</tr>
<tr>
<td>2000</td>
<td>24.09</td>
<td>20.11</td>
<td>8.16</td>
<td>14.92</td>
<td>15.29</td>
<td>6.73</td>
</tr>
</tbody>
</table>

(Source: Nindi, 2007).
Declining fish levels have compelled natives to consume inferior types of fish. Moreover, to catch sufficient fish, natives resort to bad or unlawful fishing practices and use prohibited fishing nets. In addition, farming practices around the lake significantly affect water catchment areas and the lake’s ecosystem. These problems increase the chance of clashes over resources in the future. Klare describes wars over resources: Many key resources or deposits of these materials are shared by two or more nations, or lie in contested border areas or offshore economic zones. Normally as these supplies became exhausted governments will naturally seek to maximize their access to the contested and offshore deposits, thereby producing an increased risk of conflict with neighbouring states as in the case of many countries in Africa and the Middle East. Crocker confirms that insufficient affluence worsens the plight of weak nations; that is, clashes among states increase with a fast population growth that requires greater resources and depletes materials. Payan notes that recently the U.S. and Mexico border situation improved, but still lacks two basic ingredients: the political will on both sides to tackle the problem and a lack of vision in executive branches to resolve the problem at the border. He argues that the affluence of the two neighbouring countries is mutually dependent and failure to comprehend this is problematic. Spector confirms the above assertions: Trans boundary issues hold the potential for unleashing interstate conflict and regional instability, but if conditions are ripe and the political willingness and technological capacity is available, they also offer opportunity for conflict prevention or mitigation through cooperative mechanism such as negotiation. Axelrod indicates the way forward by illustrating the power of collaboration to foster world safety among humankind. He argues that security is the life stream for sustainable global development. Security is enabled by a requisite discourse in geopolitics and international relations. Furthermore, security can only be achieved through capable leadership imbued with the necessary charisma to build strong governments coupled
with the will to establish sound and binding bilateral and multilateral relations between and among nations.\textsuperscript{44} To reinforce this idea, Ghani and Iyer note that clashes hold back local and global development, and their mitigation is the only qualification for sustainable growth strategies.\textsuperscript{45} Consequently, the sooner Malawi and Tanzania resolve the impasse over the border dispute the better.

\section*{2.5 Political History of Cooperation between Malawi – Tanzania}

\subsection*{2.5.1 Settlement Efforts}

A series of bilateral meetings have been held to review the facts associated with the dispute and to find mutually acceptable solutions. Though the dispute has strained the relationship between the two countries, neither party has expressed an intention to use force to settle it, despite harsh rhetoric from both parties. As their bilateral negotiations reached a deadlock, the two countries asked, in January 2013, the Forum of Former African Heads of State and Government of SADC to mediate the dispute. The chairperson of the forum, Joaquim Chissano of Mozambique, created a mediation team, which consists of Thabo Mbeki of South Africa, Festus Mogae of Botswana, and Chissano himself. Both countries are members of SADC, and decided to utilize the dispute settlement mechanism of the organization before considering taking the case to the ICJ. In June 2013, the forum laid down steps for its mediation.\textsuperscript{46} Both parties of the dispute have submitted their respective evidence to the forum to make their cases.

\subsection*{2.5.2 International Law and Lake Delimitation}

What does international law say about the delimitation of an international lake like Lake Malawi/Nyasa, which borders multiple states? There is no convention like the UNCLOS III of 1982 concerning international lakes.\textsuperscript{47} As Vinogradov and Wouters elaborate, “the delimitation
of international lakes is not at present governed by an established set of rules, nor is there universally accepted customary norms based on uniform state practice.”\(^{48}\) At present, only specific treaties form the basis for delimiting international lake borders. Therefore, a shared ownership of an international lake is not automatic unless specified by a treaty.\(^{49}\)

One may question whether UNCLOS III, then, can be applicable to the Lake Malawi/Nyasa case. In fact, Tanzanian government officials, according to Tanzanian media sources, have related the convention which provides an equitable solution for delimitation of the ocean areas between states with opposite or adjacent coasts to the Tanzanian claim to the median line border. However, the equitable solution rule is not applicable to this dispute, because Lake Malawi/Nyasa is not a sea. The convention provides rules delimiting the territorial sea,\(^{50}\) the exclusive economic zone,\(^{51}\) and the continental shelf,\(^{52}\) but has no provision for delimiting lakes between states opposite or adjacent to each other. There are various ways to delimit international lakes, and state practices for doing so have varied: the middle of the water, the Thalweg, the banks of the lake, or no particular way.\(^{53}\) Of these ways, the middle-line method has been most frequently practiced.\(^{54}\) Due, perhaps, to its frequency, Tanzania views the middle-line method as customary, though it has never been codified to a multilateral treaty like UNCLOS III. Therefore, Tanzania’s claim to the median-line border in Lake Malawi/Nyasa based on international law appears to be baseless.

### 2.5.3 Prospects

Considering Malawi’s unflinching stance on the shoreline border, a border adjustment to the median line is unlikely to materialize through current mediation. On July 1, 2013, the then Malawi Minister of Information, Moses Kunkuyu, reiterated his country’s position by stating that Tanzania owns no part of the lake, and that the oil explorations would proceed despite Tanzania’s protests.\(^{55}\) Why, then, has Malawi participated in negotiations with Tanzania?
According to the government spokesperson of Malawi, the country’s acceptance of negotiation does not mean its acknowledgement of the validity of Tanzania’s claim. Rather, the country is more resolute than ever before to settle this long drawn-out dispute once and for all to prevent Tanzania from making the same claim in the future. If the current mediation fails, the dispute is likely to move forward to the ICJ, as Malawi’s former President, Joyce Banda, repeatedly mentioned. If that is the case, this study cautiously predicts, the court is likely to affirm Malawi’s sovereignty over the lake based on the principle of *uti possidetis* unless the (unrevealed) historical evidence Tanzania possesses has legal significance, and can legally supersede the Anglo-German Agreement of 1890, which granted Malawi a title to Lake Malawi/Nyasa. This prediction is drawn from the outcome of the Nigeria-Cameroon dispute over the Bakassi Peninsula. Nigeria, like Tanzania, did not accept the validity of the delimitation treaty between Britain and Germany, which colonized Nigeria and Cameroon, respectively. The ICJ awarded the peninsula to Cameroon in 2002 based on the Anglo-German Treaty of March 11, 1913, which placed the peninsula on the German side. By the principle of *uti possidetis*, Cameroon inherited the peninsula. The principle, which has played such a large role in settling border issues in decolonized areas, is not absolute, however. As Ratner states, “It is not a norm of *jus cogens*, and precludes states neither from altering their borders nor even from creating new states by mutual consent.” In other words, states can change their inherited borders by mutual agreement. However, in the absence of agreement between disputants, no matter how poorly defined the inherited borders in Africa might be, colonial delimitation treaties are still binding to this day based on the principle of *uti possidetis*. Therefore, while ICJ adjudication is a more favourable settlement option to Malawi, bilateral negotiation or third-party mediation, if successful, is a better option for Tanzania to achieve its desired outcomes.

In the case of ICJ adjudication, even if the court affirms Malawi’s sovereignty over the lake, it is likely to rule that the lake’s water resources be shared by both countries. As Tanzania
argues, much of the lake’s water comes from Tanzania’s rivers. In addition, other international lakes in East Africa are shared. For example, Lake Tanganyika is shared by Tanzania and the DRC. Lake Victoria is shared by Tanzania, Kenya and Uganda, though not evenly. Lake Jipe is shared by Tanzania and Kenya. Above all, the lake communities in both countries have earned their livelihood from the lake. Map 1 shows that while Malawi has sovereignty over the entire northern part of the lake, it shares the southern part of the same lake with Mozambique.

The middle of the lake is the border between Malawi and Mozambique until the middle line reaches the Southern Region, which Malawi owns. One may question why there is such a difference between Malawi’s two borders in the same lake. Portugal which ruled Mozambique until 1975 and Britain had readjusted the Nyasaland-Mozambique boundary multiple times through treaties since the initial Anglo-Portuguese Treaty of 1891, which defined their spheres of influence in Africa. The initial treaty defined the eastern shore of Lake Nyasa, known as Lago Niassa in Mozambique, as the border between Nyasaland and Mozambique. The Anglo-Portuguese Agreement of 1954, however, moved the border “from the eastern shore to the median line annexing 2,471 square miles of water surface to Mozambique.”

In the case of Tanzania, due to the German loss of Tanganyika after World War I, its colonial power, responsible for the 1890 delimitation agreement with Britain, was no longer a legitimate party to make any adjustment, as provided by Article VI of the 1890 agreement. Commissioners of the two signatories of the 1890 Anglo-German Agreement had never met to undertake such a task. Some evidence suggests that before Tanganyika became a British protectorate in 1922, Germany had exercised its sovereignty up to the median line of Lake Nyasa. Thus, one could assume that if Germany had not lost Tanganyika, it might have adjusted Tanganyika’s boundary with Nyasaland. Britain, which replaced Germany in Tanganyika, only produced inconsistent evidence of the border between the two territories, as
addressed above. Perhaps, Britain did not see any need to adjust the border, considering that the lake had been used by both sides without restriction.

2.6 Conclusion

The contested area is the border between Malawi and Tanzania in Lake Malawi/Nyasa. According to Malawi, the Tanzanian shore of the lake is the border while Tanzania claims the median line of the lake is the border and not the shore. Malawi’s claim is based on the Anglo-German Treaty of 1890 while Tanzania relates its claim to the customary state practice of using the median line of the body of water as the border. The dispute had been relatively calm over the years. However, the oil and natural gas potential in the lake have intensified the dispute in recent years.

A series of bilateral meetings have been held to try and settle the dispute amicably. Although the dispute has strained the relations between the two countries, neither party has expressed an intention to use force to settle it, despite the harsh rhetoric from both parties. Currently, the dispute is being mediated by the Forum of Former Heads of State of SADC but there are indications that it might be taken to the ICJ if the forum fails to resolve it.
END NOTES

3. Ibid., p. 259.
18. Anglo-German Treaty, 1890.
21. Anglo-German Treaty, 1890, op. cit.,
22. Ibid.
36 International Boundary Study No. 37 - October 26, 1964, Malawi - Tanzania (Tanganyika and Zanzibar) Boundary (Country Codes MI: TZ),” Department of State - United States of America.


46 Chikoko, 2013.


50 UNCLOS III, Article 15.

51 Ibid, Article 74.

52 Ibid, Article 83.

53 Janusz, op. cit., p. 4.

54 Ibid.


56 Ibid.


59 Ibid.

60 Brownlie, I., op. cit, p. 959.
CHAPTER THREE
THE SOCIO-ECONOMIC AND POLITICAL EFFECTS OF THE DISPUTE

3.0 Introduction

Border disputes in Africa are among the most basic sources of bitter struggle. Even when an armed conflict does not occur, the negative peace of an enduring dispute is quiet distinct from the positive peace between two states that have no dispute. This chapter therefore seeks to assess the effect of the Malawi–Tanzania border dispute on the ordinary people of Malawi. The survey employed the Sustainable Livelihoods Framework used by Sarah Collinson to analyse the damage caused by disputes or conflicts. The framework was used to conceptualize the effects of the dispute on human, financial, physical, natural, political and social capital.

3.1 Demographic Characteristics of Respondents
3.1.1 Age and Sex of Respondents

Table 3: Age group by sex of respondents

<table>
<thead>
<tr>
<th>Age group</th>
<th>Both Sexes</th>
<th></th>
<th>Male</th>
<th></th>
<th>Female</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>%</td>
<td>Number</td>
<td>%</td>
<td>Number</td>
<td>%</td>
</tr>
<tr>
<td>10-19</td>
<td>17</td>
<td>4.86</td>
<td>12</td>
<td>4.41</td>
<td>5</td>
<td>6.41</td>
</tr>
<tr>
<td>20-29</td>
<td>49</td>
<td>14</td>
<td>35</td>
<td>12.87</td>
<td>14</td>
<td>17.95</td>
</tr>
<tr>
<td>30-39</td>
<td>78</td>
<td>22.9</td>
<td>61</td>
<td>22.43</td>
<td>17</td>
<td>21.79</td>
</tr>
<tr>
<td>40-49</td>
<td>97</td>
<td>27.71</td>
<td>73</td>
<td>26.84</td>
<td>24</td>
<td>30.77</td>
</tr>
<tr>
<td>50-59</td>
<td>65</td>
<td>18.57</td>
<td>54</td>
<td>19.85</td>
<td>11</td>
<td>14.10</td>
</tr>
<tr>
<td>60+</td>
<td>44</td>
<td>12.57</td>
<td>37</td>
<td>13.60</td>
<td>7</td>
<td>8.97</td>
</tr>
<tr>
<td>Total</td>
<td>350</td>
<td>100</td>
<td>272</td>
<td>100</td>
<td>78</td>
<td>100</td>
</tr>
</tbody>
</table>
A total of 350 respondents were interviewed. From the survey most of the respondents (27.71%) were between ages 40-49 followed by the age group 30-39 which constitutes 22.9% of respondents. Those within age group 10-19 were the least of the respondents. More respondents constituting 272 people were males whilst only 78 were females.

3.1.2 Economic Activities of Respondents

Table 4: Economic activities of respondents by sex

<table>
<thead>
<tr>
<th>Age group</th>
<th>Both Sexes</th>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>%</td>
<td>Number</td>
</tr>
<tr>
<td>Agriculture (forestry, crop and fishing)</td>
<td>230</td>
<td>65.71</td>
<td>206</td>
</tr>
<tr>
<td>Construction</td>
<td>11</td>
<td>3.14</td>
<td>11</td>
</tr>
<tr>
<td>Transportation and storage</td>
<td>12</td>
<td>3.43</td>
<td>7</td>
</tr>
<tr>
<td>Education</td>
<td>13</td>
<td>3.17</td>
<td>9</td>
</tr>
<tr>
<td>Human health and social work activity</td>
<td>5</td>
<td>1.43</td>
<td>4</td>
</tr>
<tr>
<td>Accommodation and food service activity</td>
<td>18</td>
<td>5.14</td>
<td>3</td>
</tr>
<tr>
<td>Security</td>
<td>7</td>
<td>2.00</td>
<td>7</td>
</tr>
<tr>
<td>Traders</td>
<td>32</td>
<td>9.14</td>
<td>13</td>
</tr>
<tr>
<td>Not employed</td>
<td>22</td>
<td>6.29</td>
<td>12</td>
</tr>
<tr>
<td>Total</td>
<td>350</td>
<td>100</td>
<td>272</td>
</tr>
</tbody>
</table>

From table 4, which represents economic activities of respondents, 6 out of 10 respondents were into agricultural activities (forestry, crop and fishing). The majority of the respondents were males (75.74%) whilst females constituted 30.77%. This shows the agrarian
nature of the occupation of the people in the communities surveyed. More females work in the accommodation and food service/trading sector (43.59%) as compared to their male counterparts who only had 5.88%.

3.2 Human Capital

Although the border dispute between Malawi and Tanzania had not turned into an armed conflict, at the time of the survey, the psychological trauma of the fright of the amplification of the conflict was vivid in the faces of the respondents. According to 64% of the respondents, when disputes escalate into an armed conflict, they can impact on human capital by causing physical and mental impairment, declines in health and nutritional status, educational and training opportunities, which in turn drive individuals and households into poverty. Declines in health and well-being can hinder an individual’s capacity to work, thus constraining the ability to earn an income both in the short-term and long-term.

3.2.1 Declining health

Table 5: The effect of the dispute on human capital per respondent’s indicators

<table>
<thead>
<tr>
<th>Respondents Indicators</th>
<th>Both Sexes</th>
<th></th>
<th>Male</th>
<th></th>
<th>Female</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>%</td>
<td>Number</td>
<td>%</td>
<td>Number</td>
<td>%</td>
</tr>
<tr>
<td>Possibility of physical and mental</td>
<td>210</td>
<td>60</td>
<td>158</td>
<td>58.09</td>
<td>52</td>
<td>66.67</td>
</tr>
<tr>
<td>impairment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Decline in health and nutritional</td>
<td>76</td>
<td>21.71</td>
<td>61</td>
<td>22.43</td>
<td>15</td>
<td>19.23</td>
</tr>
<tr>
<td>status</td>
<td>(18 know</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a rape</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>victim)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Decline in education and training</td>
<td>64</td>
<td>18.29</td>
<td>53</td>
<td>19.49</td>
<td>11</td>
<td>14.10</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>350</td>
<td>100</td>
<td>272</td>
<td>100</td>
<td>78</td>
<td>100</td>
</tr>
</tbody>
</table>

From the survey conducted, 60% responded that the threat of physical impairment during conflict is an issue that the ordinary people fear the most. One respondent confirmed this by stating: “Physical impairment of civilians and combatants in times of conflict is one of the terrors we fear most, it will be better to die than to be left without your limbs and with no one to
take care for you especially after the conflict when economic hardship becomes unbearable and scarce means of sustenance becoming another cause of conflict”. Children are often more vulnerable to conflict driven impairment than adults:

Figure 4: Disability statuses of respondents

Impairment can become a disability when stigma and exclusion are experienced. For those civilians who were already disabled during the survey (5%), they were of the view that the dispute could also exacerbate the disadvantages experienced by the disabled in more stable settings due to declining state services which will result from the escalation of the dispute. The lack of health services contributes to further disability, like the elderly, the disabled are most vulnerable to external shocks. They are the least able to move in the event of violent conflict or to find gainful employment. They are also likely to have a greater dependence on basic social services than other sections of the population. Therefore the dispute can both cause disability and exacerbate the vulnerability of the already disabled due to breakdowns in basic social services as a consequence of conflict.
Disputes also erode human capital by causing mental impairment and permanent psychological trauma as indicated by 35.7% of the respondents. Mental impairment can result from malnutrition, which can have repercussions for the economic growth of the individual: Children whose cognitive development has been impaired in their early years may find learning more difficult, both at school and in terms of important life skills. Where this leads to difficulties in obtaining skills or qualifications, their future labour market opportunities and thus earning prospects may be constrained. One type of mental impairment directly linked to the dispute in question is permanent psychological trauma caused by the exposure to life threatening situations, rape or loss of family properties. Post-traumatic stress has various effects ranging from reduced quality of life; poorer mental and physical health, increased violent behaviour to family problems and greater difficulties in work and education. The majority of the respondents who stressed on mental impairment as an effect of the dispute also indicated that most of the children who might take part in hostilities during the conflict will
find it difficult to disengage from the idea that violence is a legitimate means of achieving their goals, particularly when they still suffer the frustrations of poverty and injustice.

3.2.2 Declining nutrition

Declines in health and nutritional status are common consequences of war which is of great concern as indicated by about two out of five of the respondents (Refer to Table 3.2). In Mozambique, daily calorie intake per person dropped during the conflict, from 1,953 in 1980 to 1,680 in 1992. A total number of 76 respondents (Refer to Table 3.2) supported the fact that poor health and nutrition can be triggered by the dispute. The majority of the respondents noted that some people had started to take advantage of the tension between Malawi and Tanzania to perpetrate various kinds of atrocities in the communities.

The upsurge of rape cases within the communities is of great concern. Among the respondents interviewed, eighteen responded that they knew someone who has been a victim of rape or had witnessed a rape case before, while 3 females were victims of rape (Refer to Table 3.2) and attributed it to the likelihood of an armed conflict between the two nations over the Lake. This dispute can also increase the spread of HIV/AIDS through rape as a weapon of war. For instance, tens of thousands of women were raped in Rwanda during the genocide. In a survey of 1,125 Rwandan rape survivors carried out by AVEGA, it was found that some 80% remain severely traumatized and about 70% of them have tested HIV positive.

In addition to impaired earning capacity from protracted poor health, HIV infection of parents may result in mother to child transmission and orphanhood with children being raised by grandparents or other relatives if they are lucky, and left to fend for themselves. One direct effect is that the dependency ratio in families worsens. In addition to the health effect, “rape has poverty implications for women who may be ostracized by their society.” The spread of diseases could worsen during the conflict. Diseases such as tuberculosis, measles, malaria and
cholera can reach epidemic proportions during wartime, especially among refugee populations. For instance in Rwanda, as “society collapsed completely: the infrastructure was purposefully destroyed, and government operations, including legal, educational, and health activities completely dissolved.” 8 59.2% of the chronically poor households that country had one or more ill or injured members that did not consult a medical practitioner, 9 with long-term implications for morbidity and mortality from untreated illnesses and injuries.

There is a strong relationship between war and famine. For instance, most of the people interviewed reported to be experienced lower harvests as they were afraid of cultivating due to the prospects of an armed conflict between the two countries.

Child and maternal nutrition and health status are often cited alongside the timing of shocks and interventions as the critical factors in determining the irreversibility of poverty transfers. 10 Harper, Marcus and Moore demonstrate how early childhood malnutrition can have a long-term effect on productivity, educational attainment and poverty: “The consequences of the disputes via nutrition can begin in the uterus, as the child of a malnourished mother is likely to grow less rapidly than that of an adequately nourished mother.” 11 The incidence of infant mortality and childhood stunting is much greater among low birth weight babies, with long-term implications. “Stunting is largely irreversible” 12 and can impair children’s “ability to fight disease and thus increase their chances of ill-health and death in the early years and possibly in later life.” 13

Malnourishment can also hinder a child’s cognitive development if this occurs before the age of two and the impairment may be irreversible regardless of a later improvement in their nutrition and circumstances. 14 In addition, girls who grow up with inadequate nutrition face greater health risks during pregnancy, thus completing the cycle of maternal and child malnourishment and mortality. Stunted girls “are more likely to be underdeveloped for childbirth, and face higher risks of low birth weight and stunting among their own children.” 15
In a long-term panel study Alderman, Hoddinott and Kinsey found that pre-school malnutrition in rural Zimbabwe impacted on human capital formation. Malnutrition caused stunting, delayed schooling and reduced work experience opportunities which led to “a loss of lifetime earnings of about 14 per cent such estimates are likely to be lower bounds of the true losses.”

3.2.3 Interrupted Education

A significant number of the respondents (64) constituting 18.29% of respondents (Refer to Table 3.2) indicated that the dispute had contributed to the decline in educational and training opportunities which had in turn depleted human capital formation among the younger generations. One-fourth (25%) of the respondents that indicated a decline in education and training as an effect of the dispute also indicated that they decided to suspend their children from attending school because of possible instability that could arise from the recent rise of the dispute whilst six of the respondents in that category also indicated that their children refused to go to school and related it to the escalation of the dispute. “You can force them to school but later found out that they do not attend” as stated one of the respondents.

Table 6: Interruption on school attendance

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Both Sexes</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>%</td>
<td>Number</td>
<td>%</td>
<td>Number</td>
</tr>
<tr>
<td>Suspended ward from attending school by parent</td>
<td>35</td>
<td>76.31</td>
<td>16</td>
<td>45.71</td>
<td>19</td>
</tr>
<tr>
<td>Children boycott school attendance</td>
<td>17</td>
<td>32.69</td>
<td>5</td>
<td>29.41</td>
<td>12</td>
</tr>
<tr>
<td>Total</td>
<td>52</td>
<td>100</td>
<td>21</td>
<td>40</td>
<td>31</td>
</tr>
</tbody>
</table>
A total number of 52 school going children had stopped attending school. This comprise 35 children who were stopped from attending school by their parents or guardians and had eventually dropped out of school, while 17 of children of respondents refused to attend school even when forced to. This according to the respondents was as a result of the fear of the risks brought by instability. Interrupted education reduces children’s future earning capacity, thus increasing the likelihood that children will remain in poverty. It is important to note here that the extent of the impact of loss of education opportunities and schooling will depend on the quality of education provided. If the school system is of low quality, loss of education will have less effect on future earnings prospects than the loss of good quality education. The former prevails especially in rural areas of Malawi and Tanzania.

For instance in Mozambique, 60% of primary schools were destroyed across the country during the civil war. Primary school enrolment dropped from 99 per cent in 1980 to 67 per cent in 1992. In Rwanda, 34.1% of chronically poor households have one member who has never attended primary school, and 40.8% have one or more school-aged members who are currently not attending primary school. In the same country, education played a key role in preventing households falling into hardship as opposed to providing them with an opportunity to escape.

Therefore interruption to the education system during conflict can leave households more vulnerable. It is important to note that the same factors that affect the interruption to the education system during conflict also affect the employment market. Such interruption is not only likely to trap people into poverty by reducing potential income earnings as an adult, but also reversing the time and resources invested in education, also make it harder for young people to find employment.

Interruptions to education can be gendered. About a little than half (54.29%) of children that were suspended from attending school by parents/guardians were females while only about
two out of five were males (45.71%). Again only about three out of ten children (29.41%) who refused to attend school were males whilst seven out of ten (70.59) were females. More females stopped going to school on their own or were suspended from going to school by parents/guardians because of the fear of being rape victims as a consequence of the escalation of the dispute which respondents feared could turn violent. This claim is supported by Shemyakina’s regression results that suggested that: exposure to the conflict in Tajikistan from 1992 to 1998 had “a significant negative effect on the enrolment of girls of ages 14 - 16, and, little or, no effect on enrolment of boys and younger children.” Shemyakina interpreted her findings “as indicating that households viewed older girls as more vulnerable to danger and/or harassment during the conflict or the return on investment in education of girls was lower in the war affected areas. It appears that the households in the condition of uncertainty were more inclined to invest in the education of boys.”

De Sousa notes how in Mozambique, the interruption to education was prolonged beyond the duration of the conflict, even with the rebuilding of schools and increased supply of education. The opportunity cost of education is too high for poor households, whose main priority is to rebuild livelihoods which are heavily labour intensive. Her conclusion that demand for education will increase in line with income growth in households means that chronically poor households will suffer extended periods of interrupted education, which are very difficult to break. Maternal education is significant as well, both in terms of making appropriate nutrition decisions for children as well as impacting on the timing of childbearing.

Education “is demonstrated to be a significant pathway for the breaking of poverty cycles, and potentially for the ‘catching-up’ of bad starts in life due to poverty.” However, Tilman Brück argues, based on his research in Mozambique, that “in the immediate post-war period, rural households are likely to have a low demand for education. Instead, government and donor policies should aim to create markets destroyed by the war and lower transaction costs in
the rural economy.” It is hoped that it is not an either-or situation and that the provision of education does not only depend on demand generated by impoverished households. That a lack of access to education can impair children’s future prospects of escaping poverty remains true, even if it is not prioritized by their households in a post-conflict context.

3.3 Financial capital

Table 7: Employment status of respondents

<table>
<thead>
<tr>
<th>Employment Status</th>
<th>Both Sexes</th>
<th></th>
<th>Male</th>
<th></th>
<th>Female</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>%</td>
<td>Number</td>
<td>%</td>
<td>Number</td>
<td>%</td>
</tr>
<tr>
<td>Employed</td>
<td>328</td>
<td>93.71</td>
<td>260</td>
<td>95.59</td>
<td>68</td>
<td>95.59</td>
</tr>
<tr>
<td>Not Employed</td>
<td>22</td>
<td>6.29</td>
<td>12</td>
<td>4.41</td>
<td>10</td>
<td>4.41</td>
</tr>
<tr>
<td>Total</td>
<td>350</td>
<td>100</td>
<td>272</td>
<td>100</td>
<td>68</td>
<td>100</td>
</tr>
</tbody>
</table>

A number of respondents representing 6.29% had lost their jobs and were not employed as at the time of the survey as a result of closure of various businesses because of the fear of the escalation of the Malawi-Tanzania border conflict into an armed conflict. The respondents noted that this was because individuals migrated out of the supposed flash points notable the towns along the lake. The rise in tension between the two countries impacts on financial capital by causing economic distortion at both a macro and micro level, damaging war-time financial capitals as well as affecting post-war growth. Issues such as capital flight, falling investment level, and loss of credit, savings and transfers, such as pensions, bridge the macro/ micro divide. “The greater part of the human costs of war does not result directly from battle deaths and injuries, but rather ‘indirectly’ from the loss of livelihoods caused by the dislocation of economy and society resulting from conflict.” Markets can fail due to insecurity, uncertainty and scarcity of information, leading to reduced trading opportunities, higher transaction costs, efficiency losses and reduced incentives to invest for the
future. In terms of engagement in the labour force, about 16% of respondents who were farmers suspended their farming activities. Employment opportunities were declining due to state and commercial farm closures, while the “collapse in rural purchasing power” continued to cripple the market for small-scale entrepreneurs.\(^{30}\) In some cases as also reflected in the economy of the communities in the study area, individuals would develop alternative livelihoods, variously referred to as “barefoot entrepreneurs” and the “grass-roots war economy”\(^{31}\) such as petty trading of basic survival foods, cooked foods, household utensils from scrap metal, second-hand clothes as well as sex work, piracy and slavery.\(^{32}\)

### 3.4 Physical capital

Table 8: Effect of the dispute on physical capital per respondents view

<table>
<thead>
<tr>
<th>Physical Capital</th>
<th>Respondents</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>%</td>
</tr>
<tr>
<td>Destruction of Assets</td>
<td>197</td>
<td>56.29</td>
</tr>
<tr>
<td>(\text{(Loss of livestock’s)})</td>
<td>(35)</td>
<td>(10)</td>
</tr>
<tr>
<td>(\text{(Destruction of farms)})</td>
<td>(17)</td>
<td>(4.86)</td>
</tr>
<tr>
<td>Break down of investment in public infrastructure</td>
<td>88</td>
<td>25.14</td>
</tr>
<tr>
<td>Destruction of other infrastructure</td>
<td>65</td>
<td>18.57</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>350</td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

The surveyed community has experienced destruction of assets during the dispute impacting significantly on livelihoods. Some people were taking advantage of the dispute to attack livestock and crop farms of individuals. Destruction of properties was of great concern to respondents constituting 56.29%. A number of these respondents constituting 10% reported being victims of attacks on their livestock while 17% reported attack on their crop farms. The loss of cattle and difficulties in accessing agricultural inputs will lead to a severe contraction in smallholder output. Households that possessed a greater number of tools per capita and other
assets at the end of the conflict will have a higher income and greater household welfare than those with fewer assets. The escalation of the dispute would have a lasting impact on marketing systems of agricultural inputs, thereby decreasing farm outputs particularly in remote areas. Respondents (25.14%) raised concern on the possible breakdown or shrinking investment in public infrastructure and services that further diminishes physical capital. Social services such as hospitals, clinics and schools can deteriorate due to reductions in government expenditure on infrastructure. The impact on health will be felt greatly. Other types of infrastructure may also be targeted during conflicts, such as communications, transportation and energy as coined by eighteen per cent of respondents. This destruction thereby disrupts social, economic and political relations and increases transaction costs of travelling to the markets and other public places.

3.5 Natural capital

Table 9: Effect of dispute on natural capital

<table>
<thead>
<tr>
<th>Natural Capital</th>
<th>Respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
</tr>
<tr>
<td>Break down of customary right and values</td>
<td>19</td>
</tr>
<tr>
<td>Resource depletion and degradation</td>
<td>26</td>
</tr>
<tr>
<td>Lack of management of natural resources</td>
<td>15</td>
</tr>
<tr>
<td>Land expropriation</td>
<td>48</td>
</tr>
<tr>
<td>Increases use of marginal natural resources</td>
<td>37</td>
</tr>
<tr>
<td>Fishing activities disruption</td>
<td>98</td>
</tr>
<tr>
<td>Seed production and preservation disruption</td>
<td>107</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>350</strong></td>
</tr>
</tbody>
</table>

The fear among the people of the possibility of the escalation of Malawi-Tanzania dispute had an impact on the natural capital by reducing access to land and the lake.
Respondents coined that factors attributed to that include the breakdown of customary rights and values of usage (5.43%), resource depletion and degradation (7.43%), lack of management of natural resources (4.29%), land expropriation (13.71%) and increased use of marginal natural resources (10.57%) which has been the norm of the society in recent times. Also, twenty-eight per cent of respondents indicated disruption of fishing activities while, 30.86% indicated that seed production and preservation activities had been disrupted all of which had led to a decline in agricultural output by smallholder farmers.

Respondents were of the view that the destruction or loss of agricultural land due to looting, dislocation and landmines had severely limited a household’s ability to produce. Landmines will “destroy lives and keep the land useless for years after the ceasefire, extending the war uncertainty way beyond the end of the formal conflict.”

Land deprivation as an asset loss is what drives already poor people into deeper and more intractable poverty.

3.6 Political capital

Figure 5: Political impact of the dispute per respondents view
Respondents constituting 39.43% stated that the state was on the brink of losing its monopoly on force as a result of the dispute; “Many conflict-prone states are unwilling or unable to provide security, creating opportunities for non-state actors to fill the security space.” The state can struggle to legally protect vulnerable people from violence, exploitation and discrimination if the state has the power and political will to do so. However, state interventions may be targeted to favoured groups. Power, representation and inclusion in society are often determined by ethnic or political identity and affiliation. Furthermore as stated by 60.57% of respondent, combatants may target specific communities and class groups. Thus it can transpire that people’s political or social status which can make them vulnerable.

3.7 Social capital

<table>
<thead>
<tr>
<th>Social Capital</th>
<th>Respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
</tr>
<tr>
<td>Disruption of social networks</td>
<td>13</td>
</tr>
<tr>
<td>Disruption of group membership</td>
<td>11</td>
</tr>
<tr>
<td>Disruption of relationships of trust</td>
<td>78</td>
</tr>
<tr>
<td>Disruption of access to institutions</td>
<td>45</td>
</tr>
<tr>
<td>Dislocation</td>
<td>171</td>
</tr>
<tr>
<td>Change in household composition</td>
<td>32</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>350</strong></td>
</tr>
</tbody>
</table>

Out of the total number of people that were interviewed, about 3.71% were concerned with the impact of the disputes in disrupting social networks, while 3.14% expressed their concern on disruption of group memberships. To other respondents (22.29%) disruption of relationships of trust is of great concern. About 13% were quick to indicate that disruption of access to wider institutions of society was a deficit to social capital. As Brück notes in his
analysis of post-conflict Mozambique, “war directly undermines social capital as war dislocates people and institutions thus depreciating contacts, trust, and other components of social capital. This will lead to a further, war-induced reduction in output and thus welfare. Dislocation can occur through the displacement of migratory workers or refugees. A significant number of respondents, 171 (48.86%) stated dislocation as an effect of disruption of social capital as a result of the dispute. The respondents with this view at least knew an individual or a family that had relocated out of the country due to the rise in tensions between the two countries. The dislocation has resulted in human capital deprivation associated with loss of access to normal food sources and exposure to hazardous environments, new disease vectors, lack of shelter and use of unsafe water. “Anything is possible; you don’t know who will give you away; to survive, it’s better not to trust even yourself; as of now we don’t know what the two governments will do, everyone is tensed up and unsure of anything”: these were the exact words of a respondent who was part of 22.29 per cent of respondents. Trust operates as the foundation for all civic actions, including market transaction. The complete loss of trust at the local level can lead to the destruction of horizontal forms of exchange, mutual assistance, and reciprocity including the protection of the vulnerable. When combined with the breakdown in state service provision, vulnerable individuals and households who are dependent on local or family networks can be left with no support networks at all.

The changing composition of households directly attributable to the recent escalation of the dispute between Malawi and Tanzania has caused the nuclear family to fail to a degree, impairing parenting capacity and destroying the most important support network and protection for those in chronic poverty. About one out of ten of the respondents indicated that the dispute had also eroded social capital through changes in household composition, particularly the increase in women-headed households. All respondents who were of such view prior to the escalation of the dispute had male headed households but were now living under female headed
households because the male head had migrated to neighbouring countries to settle down and prepare a place for a possible asylum.

3.8 Suffering of the People

The border dispute has led to loss of lives and the displacement of various groups of people. Majority of the people affected were the elderly, women, and children. According to the former UN Secretary-General Layashi Yaker in 1994, about 80% of displaced people and refugees in Africa were women and children. Violations of the fundamental rights of women and girls are widespread in times of war and civil strife. These include crimes such as rape, torture, murder, mistreatment, and neglect. In some cases women can be left in situations whereby they can hardly make ends meet, with little or no basic resources at their disposal.

A respondent who worked for a local NGO stated that “the current state of affairs is affecting implementation of various NGO programmes.”

The often wanton destruction of life and property and the use of terror in all its manifestations will tend to undermine people’s sense of value, dignity, and harmony. There had been instances whereby some Malawian fishermen were reportedly chased in the disputed Tanzanians. It should be noted that a climate of peace is a prerequisite for the respect and enjoyment of human rights, and for sustainable socioeconomic development. Malawi-Tanzania should not be an exception to this rule.

3.9 Breakdown of Social Order

The author found out that the youth are structurally available, ready for mobilization, and are thirsty to work for the highest bidder. According to one respondent “the risks are more than the benefits but they better take it to make ends meet.” Youths who feel most excluded from the social, economic, and political order of the society are submissive and easily manipulated. Their
appropriation for violence by others has had a serious effect on the traditional hierarchy in the society. Traditionally elders were expected to have some moderating influence over the activities of the most aggressive youth, but they no longer seem to have that control. Almost all the respondents indicated that issues of social disorder started when the border dispute between Malawi and Tanzania began to escalate in 2012. The inability of the two countries to resolve the dispute over the lake for more than a decade had particularly upset the youths. In the long run this state of affairs would lead them to try to form groups which eventually would lead to further disorder perpetrated by warlords or businessmen with political support.

3.10 Economic Hardship

It is not a coincidence that there was petty looting of livestock and destruction of property in communities among factions of the two states during the period that the dispute began to escalate. A number of respondents constituting 10% reported being victims of attacks on their livestock by unknown people who took advantage of the dispute while 17% had their farms destroyed (refer to Table 3.5). Most people were in a state of despair. Thus, social and economic differentiation has become more pronounced. The communities will be left with no options of survival and have little choice but to continue to try to exploit key environmental resources to provide food and income for their survival.

3.11 Direct effects of the dispute on ordinary citizens

Some of the direct effects of the Malawi-Tanzania border dispute include destruction of assets such as land, livestock and houses among others. The dispute had also contributed to forced displacements.
3.11.1 Destruction of assets

The recent escalation of the dispute resulted in the destruction of assets through looting. These include houses, land, labour, utensils, cattle, livestock and other productive assets. The very poor are likely to be the worst affected. For instance, 10% (refer to Table 3.5) recorded a decrease in cattle stock which was attributed to the rise of the Malawi/Tanzania border dispute. The dispute has significantly affected the efficiency of farm holdings due to the disruption of rural labour markets.

The destruction of assets, in addition to making for unstable economic, social and political environments, will impact significantly on the ability of affected households to recover their economic and social position in post-dispute settings. On the other hand, disputes usually take place because there is something worth fighting for, implying that some groups and individuals will benefit from the dispute through looting, redistribution of assets during the conflict, and privileged access to market and political institutions. These effects are as important in understanding processes of dispute as the more negative effects of fighting as both will have significant bearing on the sustainability of peace during the post-dispute period.

3.11.2 Forced displacements

The foresight of the negative effects of the dispute on ordinary citizens has led to some citizens out-migrating. About 48.86% of respondents knew someone or a relative who had travelled out of their communities to other countries to set-up a place for a possible asylum.

In 2002, almost 35 million people across the world were forced to seek asylum in another country or within the national borders due to violent conflicts.\textsuperscript{40} 25 million people were displaced in 2004,\textsuperscript{41} many within their own country.

By cutting off a large number of people from economic opportunities, the dispute has led to a vicious cycle of displacements and household poverty from which it is difficult to escape.
The forced displacements entailed significant asset losses, limited the ability of households to generate new sources of income, disrupted risk-sharing mechanisms amongst affected communities, and forced households to rely on costly strategies. Displacements further entailed significant labour effects, which limited the capacity of households to recover from welfare losses during the dispute.

3.12 Indirect effects of the dispute on citizens’ welfare

3.12.1 Institutional changes

In addition to the direct effects on household welfare discussed above, the dispute has substantial impact on the environment and institutions in which households live. Changes in social networks, markets, and governmental institutions are in turn likely to affect the welfare and well-being of households, as well as determine households’ responses to changes and/or destruction of their social, economic and political settings.

3.12.2 Social networks

Disputes have profound effects on social relations between family members, neighbours and friends, on how communities relate internally and with other communities and on the operation of local institutions and their relation with state-level institutions. These changes are caused to a larger extent by changes in household composition and the displacement and migration of households to safer areas as discussed above. They are also caused by the dynamics of the dispute itself, such as people informing on each other, different groups turning against each other, and loss of trust amongst communities. These effects result often in changes and/or the breakdown of social relations and social cohesion and in loss of risk-sharing arrangements. In other words, the dispute at this level or when turned violent will result in a breakdown of the main components of social capital in any given society.
Social capital is fundamental to the establishment of social cohesion and economic stability, as well as creating the conditions for successful and sustainable economic growth. One of the most tragic outcomes of disputes especially when turned violent is that it could lead to breakdown or the outright destruction of social capital and the social fabric. The impact of this breakdown on household welfare can be dramatic as households will no longer be able to rely on community relations in times of difficulty, thus will not be able to access particular employment or credit arrangements based on informal ties and may even be excluded from new institutional processes.

3.12.3 Economic growth effects

The dispute has a very significant effect on economic growth. If it further escalates into violent conflict, it will contribute to the destruction of infrastructure, markets and social cohesion. It is also likely associated with the redirection of significant resources from productive activities into possible military action. Periods of political instability and possible increase in violence will hamper both public and private investments. Migration and displacement of people will result in the removal from the country of potentially important private funds that could be used for investment, as well as valuable human capital.

Economic growth has also shown to be negatively affected by the dispute/conflict. Macroeconomic analyses of dispute/armed conflict point to low-per capita income as a very robust explanatory factor in determining the risk of violent internal conflict breaking out. Miguel, Satyanath and Sergenti (2003) found that economic growth is strongly negatively related to the incidents of civil conflict in sub-Saharan Africa: a negative growth shock of five percentage points increases the likelihood of conflict by one-half in the following year.

The destruction of physical, human, social and political capital of the country impacts severely on post-war recovery, and may even influence the probability of conflict re-igniting.
Collier, Hoeffler and Söderbom, predict that a country that has experienced a civil war is much more likely to experience another conflict in the future. The disruption and destruction of infrastructure caused by violence often results in severe cutbacks in state’s capacity to provide services such as education and health care.\textsuperscript{43}

Significant reductions in social services reinforce further the inability of households to fall back on state support (e.g. safety-nets) in times of crises. Reductions in social services may result from diminished state financial capacity but also from specific political agendas pursued by governments. Low levels of economic growth combined with weak socio-political institutions and specific political agendas may therefore highlight existing inequalities or produce new forms of inequality. This may in turn fuel further resentment and generate tensions across population groups, creating a cycle of impoverishment, violence and instability from which the two states may not recover fully.

3.12.4 Distributional channels

Recent development economics literature has shown that changes in ordinary citizen’s/household welfare are determined by changes in economic growth and changes in the distribution of incomes (Ravallion, 1999). Large shocks have been shown to produce profound restructuring of existing social norms and distributional arrangements.\textsuperscript{44}

The Malawi-Tanzania border dispute, in particular, and its aftermath may well result in exclusion of certain groups and undermining of social cohesion. A large literature has examined the effect of inequalities on the onset of civil conflict. Less research exists on the effect of conflict on distributional arrangements in societies affected by violence, though it is well-accepted that conflicts will result in new forms of social arrangements and political structures that are bound to benefit some groups to the detriment of others. These changes in distribution,
and potential association with new forms of social injustices in post-conflict periods, may lead to further outbreaks of violence.

Increases in economic and social disparities between different population groups, systematic social exclusion and other forms of perceived unfairness in social relations often result in the accumulation of discontent to a sufficiently high level to break social cohesion⁴⁵ and increase the probability of some population groups engaging in rent-seeking or predatory activities.⁴⁶ Social discontent and frustration with living conditions can act as strong motivators for conflict and for the participation of individuals into organised forms of violent conflict. In Ted Gurr’s words, the “primary causal sequence in political violence is first the development of discontent, second the politicization of the discontent, and finally its actualization in violent action against political objects and actors. Discontent arising from the perception of relative deprivation is the basic, instigating condition for participants in collective violence.”⁴⁷ This can be a powerful mechanism when forms of discontent coincide with ethnic, religious or regional divides.

### 3.13 Responses of Ordinary Citizens to the dispute

The very visible direct or indirect effects of the dispute discussed in this chapter above are bound to change the economic and social behaviour of ordinary citizens directly or indirectly affected by the dispute. This section analyses the strategies adopted by ordinary citizens to protect their welfare, and to respond to the effects analysed above. These responses may in turn influence the evolution of disputes, whether and how it escalates, and whether and how it may reignite in the future.
3.13.1 Savings and buffer stock in conflict settings

The ability of individuals to adapt their welfare status to shocks typically depends on the level of their savings and the efficacy of local insurance and credit markets. If a person is not able to insure his/her income against shocks or is not able to borrow when a shock takes place, he/she must resort to savings. Individual households may fall into poverty or become severely destitute when accumulated savings are not sufficient to cover the shortfalls in income. Livestock is one common form of savings accumulation among rural households in developing countries. The escalation of the dispute according to 10% (refer to Table 3.5) of respondents had made livestock to become a very risky form of savings since it can be easily stolen or slaughtered. This percentage of respondents had lost their livestock since the re-emergence of the dispute. As a result, individuals do not resort to the accumulation of livestock to protect their welfare levels in times of difficulty. They are rather more likely to adopt cultivation of low return (and also low risk) crops that can feed their families.

3.14 Intra-household reallocation of labour

Figure 6: Effect of dislocation on farm labour
The direct effect of the disputes on the composition and cohesion of citizens can lead to severe human capital depletion resulting in significant changes in labour allocation within households. Displacements of people are some of the effects of the dispute, requiring significant adaptation within households. Citizens sold their assets, whilst others adjusted their crop mix, adjusted area planted, or/and hired in more labour. The effect on own-supplied farm labour supply was pronounced as presented in Figure 3.4 which shows that 6 out of 10 respondents who were into agriculture (crop farming and fishing) reported a reduction in farm labour due to a male migrating out to settle in a neighbouring country, while about 4 out of 10 for a female displacement. Views from respondents revealed that, there was no increase in hours spent on farming by remaining members of the family after migration of an adult whom often were the main sources of labour, but found decreased activity in the farming of rice, maize, cassava and beans.

3.15 Conclusion

The survey employed the Sustainable Livelihood Framework used by Sarah Collinson as an analytical tool to analyse, assess and better understand the effect of the Malawi – Tanzania border dispute on the ordinary people of Malawi. The study was conducted at the Malawi-Tanzania border in Karonga district. The study concludes that the Malawi – Tanzania border dispute has negatively affected ordinary Malawians living near the contested border area. The negative effects are in the areas of human, financial, physical, natural, political and social capital of ordinary people. In order to respond to the negative effects of the dispute, ordinary people have adopted some strategies. Some of the strategies include savings, cultivation of low return crops and intra-household allocation of labour.
END NOTES

1Sarah Collinson (2003).
4Stewart et al 2001a p. 89.
6AVEGA web site, visited on 24 August 2014.
8Colleta and Cullen, (2000).
9Howe and McKay (2005)
12Smith, op. cit., p. 38
13Ibid.
14ACC/SCN 2000, as quoted in ibid.
15Ibid.
20Justino and Verwimp 2006.
21Smith, op. cit., p. 5.
22Moore, p. 7.
24Ibid., p. 25.
26Smith, op. cit., p. 5.
28Stewart et al, op. cit., p. 5.
29Tilman Brück, op. cit., p. 60.
30de Sousa, op. cit., pp. 4-5.
31Chingono (2001), p. 94,
32Ibid., p. 102.
33Tilman Brück, op. cit., pp. 70-1.
34CRPC 2004, p. 42.
35UNDP 2005, p. 162.
37Tilman Brück, op. cit., p. 11.
38Howe and McKay, op. cit.
41UNCHR, 2005
43Stewart et al., op. cit.
44Dercon, 2004 for the case of the AIDS epidemic in Africa.
47Ibid.
CHAPTER FOUR
SUMMARY, CONCLUSION AND RECOMMENDATIONS

4.1 Summary

The hypothesis for this study is that the uncertainty over the duration in the settlement of the Malawi – Tanzania border dispute has led to the decreased socio-economic activities along the contested border area. To this end, the study traced the background of the border dispute to provide an understanding of the causes of the dispute.

In meeting the objectives of the study, the theory of realism supported by the concept of human security and the Sustainable Rural Livelihoods Framework used by Sarah Collinson as an analytical tool analyse, assess and better understand the effect of the Malawi – Tanzania border dispute on the ordinary people of Malawi were examined in Chapter One and found that the theory supported by the concept of human security and the sustainable rural livelihood was relevant.

Chapter Two investigated the Malawi – Tanzania border dispute, by looking at the genesis of the dispute, causes, the area of the dispute and the consequences of the dispute and found out that the dispute was attributed to among others, the European colonization in east Africa, the Heligoland Treaty, the inconsistent evidence regarding the border based on historical documents and maps and the oil and natural gas potential in the Lake Malawi/Nyasa.

Chapter Three assessed the socio-economic and political effect of the Malawi – Tanzania border dispute on ordinary people of Malawi and. It was found that the Malawi – Tanzania border dispute has negatively affected the human, financial, physical, natural, political and social capital of the ordinary people of Malawi living around the disputed border areas.

Chapter Four summarises the Malawi-Tanzania border dispute and its effects on the ordinary people of Malawi.
4.2 Conclusion

The Tanzania-Malawi border wrangle is one of the many benign international disputes on the African continent which is lately taking a dangerous direction with numerous potential destructive effects as discussed above once allowed to escalate. The current state of affairs between the two neighbouring states which is that of suspicion and hostility will negatively affect economic and social advancement not only for the parties involved but also for SADC sub-region as a whole. It will further pose as a test to the ability of SADC to proactively and decisively tackle disputes in the sub-region given protracted problems in Zimbabwe, DRC, and Lesotho to name a few.

4.3 Recommendations

The empirical destructive effects of the Malawi – Tanzania border wrangle identified in the study demands that certain measures be taken for the amicable resolution of the dispute.

First, both Malawi and Tanzania should show genuine willingness to resolve the dispute as soon as possible. Additionally, SADC should take a leading role to resolve the dispute and many other disputes in the sub-region. SADC should also improve upon the mechanism of preventive diplomacy in Southern African region in order to achieve its objective of being able to handle the sub-regional conflicts using African solutions.

Second, all RECs in Africa should develop preventive diplomatic structures through the formation of grass root peace councils in the various countries. This should empower various groups in the society to actively participate in peace building processes to prevent conflicts before they occur.

Third, leaders at all levels, politicians and the media in both countries should get involved and show willingness to contribute to the peaceful resolution of the dispute. The people
of the two countries need to strengthen their relationships through various interactions such as formal and informal trade, cultural and sporting activities.

Selection of appropriate mediators will continue to play vital part in the successful resolution of conflicts within the sub region. RECs should therefore strengthen early warning mechanisms to make them capable of identifying appropriate mediators during data collection and analysis process.

Areas for further research therefore include how the Malawi-Tanzania Border dispute can economically and politically impact on SADC bloc and weaknesses in SADC’s conflict resolution mechanisms given the many on-going problems in Southern Africa.
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C. INTERNET SOURCES


