

Zomba, Malawi
7 November 2024

News release

Majority of Malawians trust the courts, but prefer traditional leaders for dispute resolution, Afrobarometer survey shows

A majority of Malawians trust the country's formal courts, according to a new Afrobarometer survey, with the share of trusting citizens remaining stable since the previous survey in 2022.

Despite this level of trust, Malawians are most likely to turn to traditional leaders if they have a dispute with an individual or a business in their community that required resolution.

Nearly two-thirds of citizens believe that punishments handed down to political leaders, government officials, or other powerful people who have broken the law are too lenient, while a slim majority feel ordinary people are given unduly harsh penalties.

Most Malawians say they are unlikely to be able to afford court cases, while half believe the timely resolution of court cases is unlikely. Despite this, a large majority of respondents are confident that ordinary citizens can get justice in the courts if they are wronged.

Key findings

- More than six in 10 Malawians (63%) trust the courts “somewhat” or “a lot” (Figure 1).
- The most likely destinations for citizens seeking resolution of disputes are traditional leaders or traditional courts (cited by 42% of citizens) and the police (35%) (Figure 2).
- Nearly two-thirds (64%) of respondents believe punishments handed down to political leaders, government officials, or other powerful people who have broken the law are too lenient, while a slim majority (53%) feel ordinary people are given unduly harsh penalties (Figure 3).
- Most Malawians (71%) say they are unlikely to be able to afford court cases. Half (49%) believe the timely resolution of court cases is unlikely, and nearly half (47%) think judgements will likely be unfair (Figure 4).
- Two-thirds of Malawians (66%) believe they can get justice from the courts if they are wronged (Figure 5).

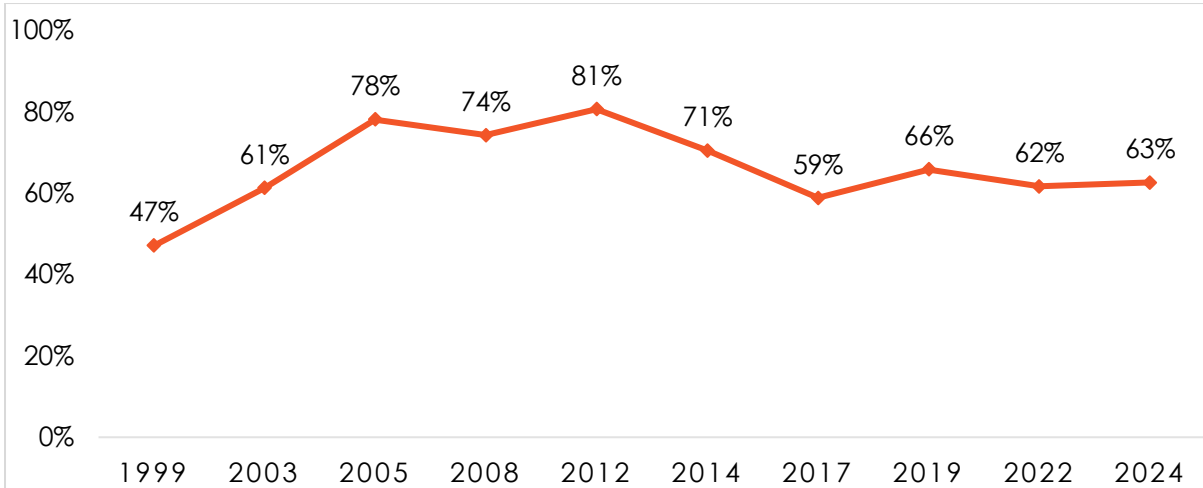
Afrobarometer surveys

Afrobarometer is a pan-African, non-partisan survey research network that provides reliable data on African experiences and evaluations of democracy, governance, and quality of life. Nine survey rounds in up to 42 countries have been completed since 1999. Round 10 were launched in January 2024. Afrobarometer's national partners conduct face-to-face interviews in the language of the respondent's choice.

The Afrobarometer team in Malawi interviewed a nationally representative sample of 1,200 adult citizens of Malawi in August 2024. A sample of this size yields country-level results with a margin of error of +/-3 percentage points at a 95% confidence level. Previous surveys were conducted in Malawi in 1999, 2003, 2005, 2008, 2012, 2014, 2017, 2019, and 2022.

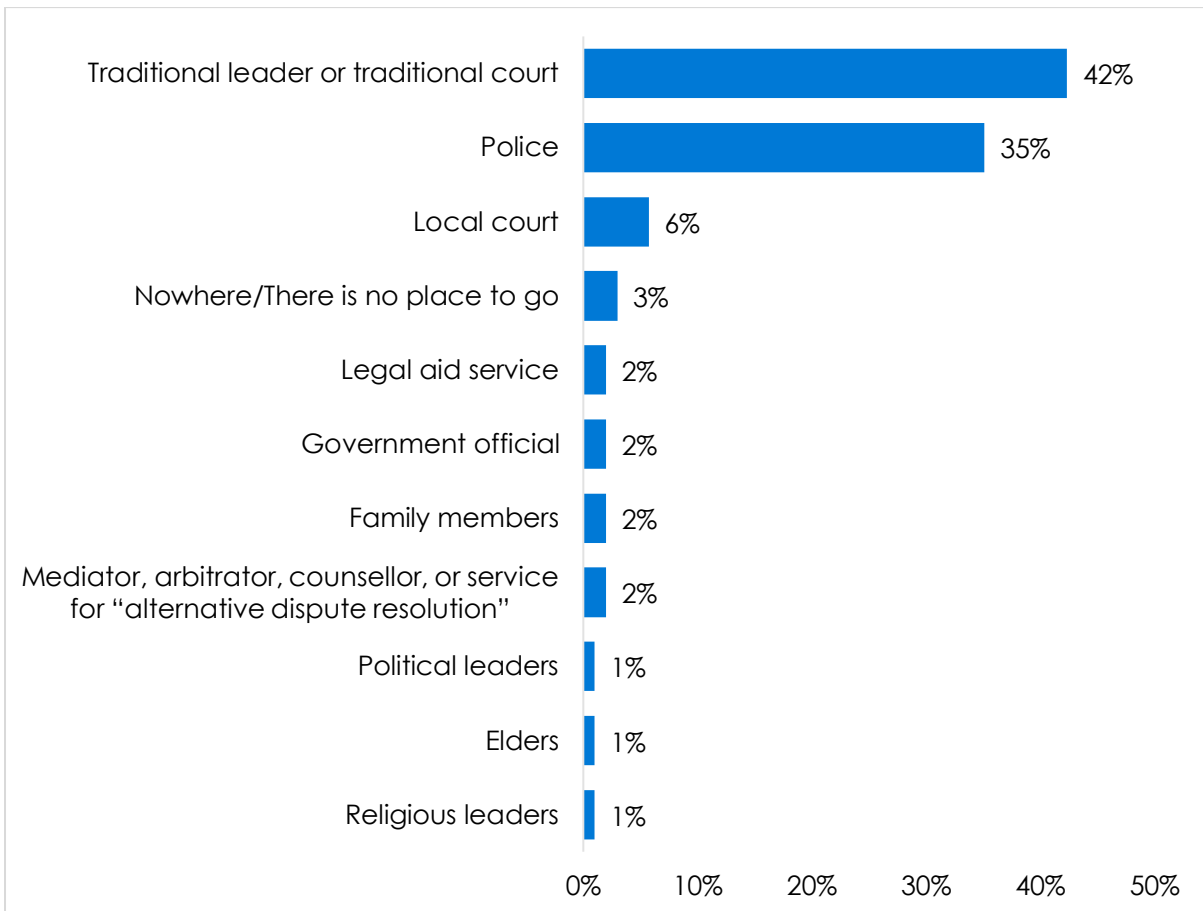
Charts

Figure 1: Trust in the judiciary | Malawi | 2024



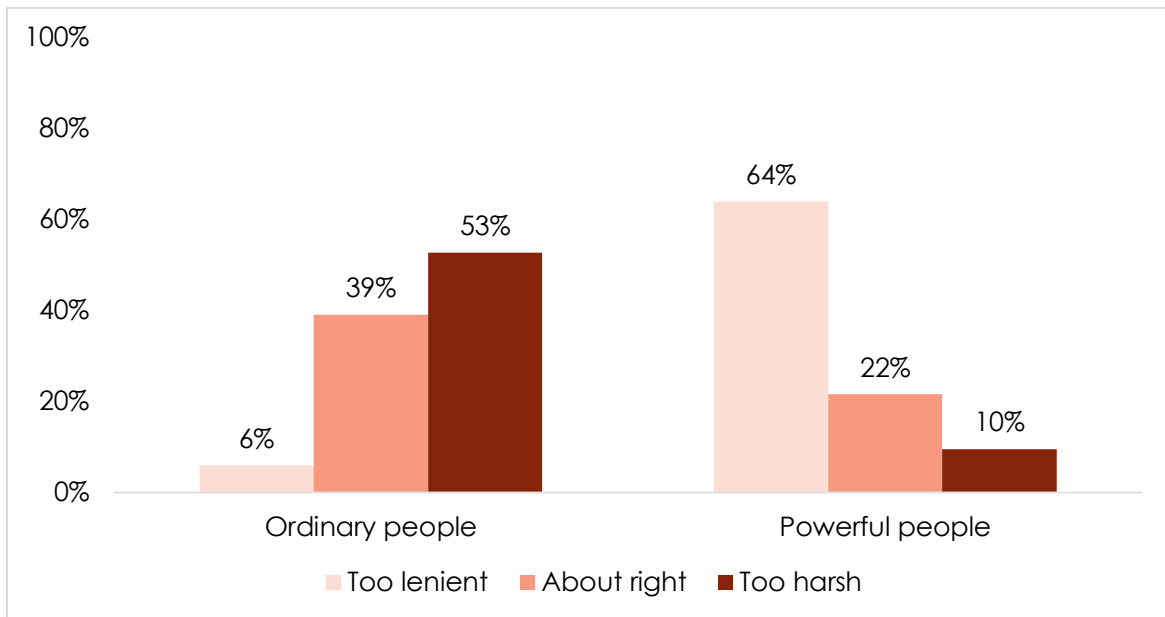
Respondents were asked: How much do you trust each of the following, or haven't you heard enough about them to say: Courts of law? (% who say "somewhat" or "a lot")

Figure 2: Sources of dispute resolution | Malawi | 2024



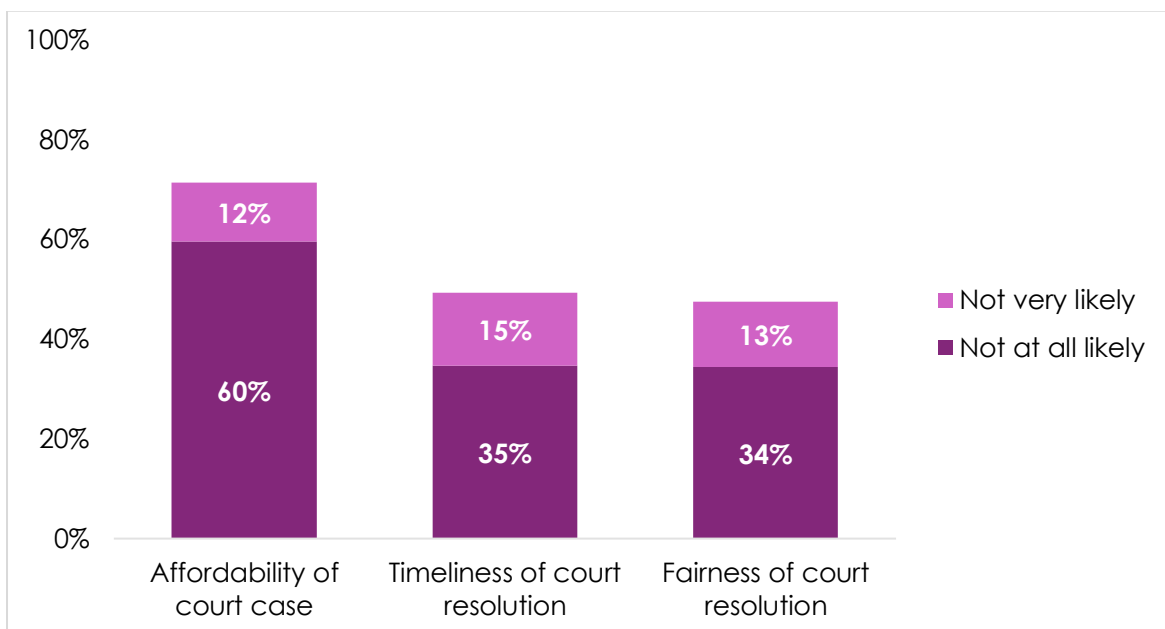
Respondents were asked: If you had a legal problem like a serious complaint against a business or member of your community, where would you be most likely to go to try to find a resolution?

Figure 3: Severity of penalties | Malawi | 2024



Respondents were asked: *In general, when ordinary people or political leaders, government officials, or other powerful people are convicted of crimes in this country, do you think that the punishments handed down to them, such as fines or jail or prison sentences, are too harsh, too lenient, or generally about right, or haven't you heard enough to say?*

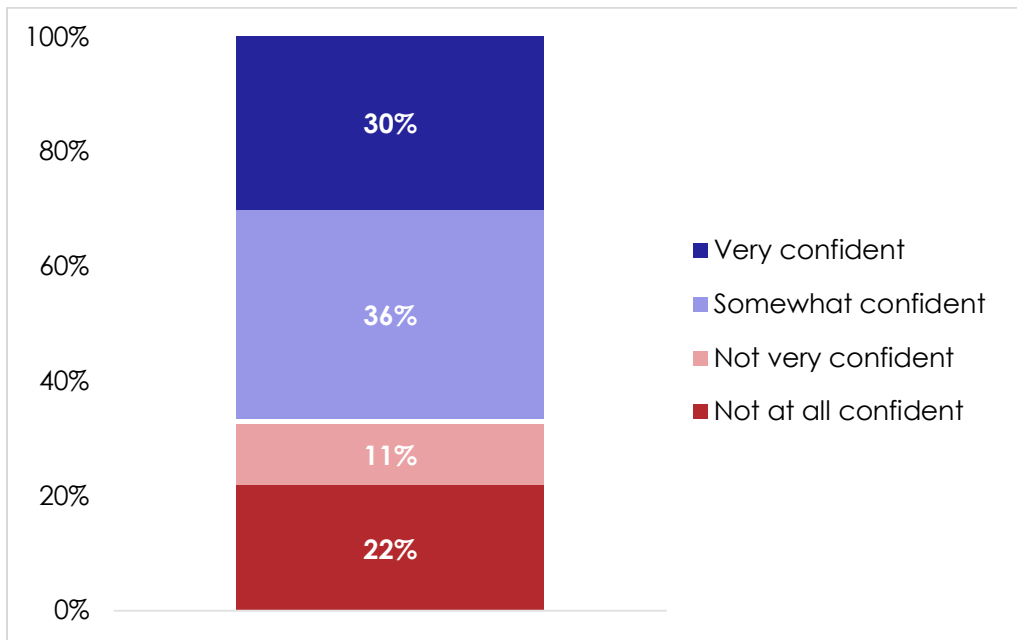
Figure 4: Likelihood of court cases being affordable, timely, and fair | Malawi | 2024



Respondents were asked:

If you had a case that needed to go to court, how likely do you think it is that:
 You could afford to take the case to court?
 The case could be resolved in a reasonable amount of time?
 You could get a fair resolution in the courts?

Figure 5: Confidence in access to justice | Malawi | 2024



Respondents were asked: *In general, how confident are you that ordinary citizens who are wronged can obtain justice in the courts?*

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