

Off^{the} cuff

Destruction of democracy in Fiji: the responsibility of the international community

*By guest columnist Professor Yash Ghai**

In 1997, the Fiji Islands adopted a new Constitution based on democratic principles and on ethnic tolerance, designed to ensure that communities worked together for the benefit of the country as a whole. That Constitution was the product of a process of extensive consultation by a small commission, which included one representative of each of the two major ethnic groups, and was chaired by an independent Chairman, Sir Paul Reeves, a former Governor-General of New Zealand. The process had been one of negotiation and accommodation, with a genuine effort on the part of the various communities, and the support of civil society, and offered real hope for the future to a country in which the economy and social relations had been severely damaged by two coups in 1987 and the narrowly ethnic Constitution of 1990. The new Constitution was adopted by parliament, itself elected under the 1990 Constitution, and adopted unanimously. It was also approved, without known dissentients, by the Great Council of Chiefs. The Constitution recognised and entrenched special interests of the indigenous people of the country relating to land and other natural resources, customary laws, autonomy and affirmative action. It provided for a significant role for the Great Council of Chiefs in the appointment of the President and the composition of the Senate, with the power to veto constitutional and legislative provisions affecting special Fijian interests.

The Constitution – and the government that held office under it after free and fair elections – was overthrown in May 2000 by a gang of thugs, with the support of some Fijian political leaders and elements

of the army. On the whole, the international press has portrayed these events as being simply a question of ethnic resentment. It has tended to leave its readers with the impression that the Indo-Fijians are uniformly wealthier than the indigenous Fijians, whereas the poorest Indo-Fijians are among the poorest people in the country and only a small percentage of Indo-Fijians are truly wealthy. It has, as the press is wont, over-simplified the issues, especially the land issue. At the same time, it has given little coverage to the indigenous Fijian villagers who sheltered their Indo-Fijian neighbours from thugs, to the vigil of church women for the release of the hostages, to the multi-ethnic front united in opposition to the coup and the new administration, or to other evidence of genuine human concern and tolerance which perhaps more accurately reflects Fijian reality than the antics of Speight and Co, the vacillation of the army, and the racist agenda of the interim government.

The background

Fiji's experience shows the difficulty of organising the system of government in multi-ethnic societies. As in other colonies, Britain had ruled Fiji through a policy of dividing the people into ethnic groups. The separation of races went beyond the political to embrace educational, health and even economic institutions. Most colonies repudiated this principle when they became independent, in the pursuit of national identity and unity. Fiji, however, did not do so, in large part because the indigenous Fijians feared that a common electoral roll based on univer-

sal franchise in a Westminster type system would reduce them to the status of a political minority. With the active encouragement of the British, the indigenous leaders chose a system of communal voting that would guarantee them a parliamentary majority.

The 1970 Independence Constitution did ensure uninterrupted indigenous political hegemony for 17 years. The hegemony was reinforced by a strong ideology of traditionalism and chiefly order, in which high chiefs occupied positions of great economic and social privilege, in the manner of feudal lords. The ideology emphasised the unity of the indigenous community, and habits of obedience by the commoners to the chiefs. To preserve the 'traditional' system in the face of economic and social change, Britain had established institutions, including the Great Council of Chiefs, and an ethnic Fijian army, to reinforce this sense of oneness. The entrenchment of Fijian land rights and the prohibition of sale of land to non-indigenous persons had the same effect. All this severely hampered the ability of indigenous people to enter the modern economy by discouraging the enterprise of commoners and by social rules which valued collective property above individual possessions. The chiefs became a kind of rentier class, living on rents paid by Indo-Fijian farmers or foreign hoteliers to whom indigenous land was leased.

It is not surprising that this system came under heavy stress as indigenous Fijians were drawn into the monetary economy, principally as workers. More importantly, commoners obtained access to education and became increasingly resentful of their infe-

rior position in the traditional hierarchy. The system would have collapsed a long time ago had it not been for the presence of Indo-Fijians, who were placed in the role of the 'other', presented by chiefs as threatening the integrity and hegemony of the indigenous people – a theme the British had astutely used in the colonial period to divide the two communities. Nevertheless, by the 1980s, fissures within the indigenous community allowed a predominantly Indo-Fijian coalition with some Fijian support to win the general elections of 1987 and form the government, led by an indigenous Fijian prime minister.

This government was overthrown within days by an army officer, a commoner, with the active connivance of high chiefs. The new administration introduced a Constitution in 1990 which attempted to ensure a permanent indigenous parliamentary majority by increasing the number of seats for indigenous people and reserving key state offices to indigenous persons. Many other privileges were established for them. The theory behind this Constitution was that of political order through the hegemony of one group over others, just like the white supremacy espoused by the National Party in South Africa and the Jews in Israel in their dominance over Arabs. The consequences of this Constitution were disastrous: rampant corruption, decline in economic growth, outflow of talent and capital, and a general sense of alienation. Divisions within the indigenous community sharpened as the Indo-Fijians were sidelined.

In the mid-1990s there was increasing realisation that Fiji's political stability and economic progress depended on a constitutional order that was fair to all its communities, protected everyone's human rights, and was based on a national consensus. These attitudes facilitated a constitution oriented towards ethnic integration, through non-ethnic seats in addition to ethnic representation, an electoral system which placed a premium on appealing to voters of all communities, and a system of executive power sharing, rejecting the exclusiveness embedded in earlier constitutions. The early experience of the 1997 Constitution, which also provided

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extensive protection of individual and collective rights of indigenous people, was favourable. Ethnic tensions decreased, ethnic based parties began to integrate or cooperate across old divides, and even the appointment of an Indo-Fijian prime minister, with a truly non-racial government, was accepted without much fuss.

Once again, certain elements within the indigenous Fijians, sidelined after the elections, embarked on a coup. But this time the real impulses were not the displacement of Indo-Fijians, but competition for power within indigenous communities. As Speight went about his business, divisions within the indigenous Fijians surfaced for all the world to see. It was clear in 1987 that the chiefs were being used in narrow partisan ways, to lend legitimacy to a usurpation of power. It was equally clear that in the long run this would politicise their role, drawn as they would be increasingly in intra-Fijian quarrels. The logic of that development was well exposed by Speight's opportunism combined with his cynicism. He has pitted high chiefs against high chiefs, the Great Council of Chiefs against the ethnic Fijian army, one confederacy against another. He, a commoner, has torn to shreds the ideology of traditionalism – all in the name of communal unity and hegemony.

The international community

What should the international community do? The history of Fiji shows only too clearly the consequences of tolerating illegal takeovers of government. As a result of the 1987 coups, the confidence of her citizens in government and in each other was severely damaged, grave injustice was done to certain sections of the community, the economy suffered, and only 13 years later there was a further coup. The cycle seems to be beginning again, but this time many in Fiji feel that the healing process may take longer and the damage may be permanent.

Tolerance of coups is no solution. Nor is 'leaving it to the Fijians' a solution – as urged by certain sec-

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tors of the indigenous Fijian population – when this actually means leaving it to a self-appointed combination of the military, armed thugs and ethnic chauvinists. This involves abandoning those members of the community, from all races, who worked hard to establish a new and just order. The Fiji Islands do need the support of the international community, but that support should be given to the entire community and not to one section. The best reflection of the will of a community is to be found in its Constitution, at least if that Constitution is the product of a just, open and democratic process, and itself gives to all citizens broadly equal rights, and protects particular interests of vulnerable sections. The 1997 Constitution, while not perfect, broadly meets those criteria. The very act of jettisoning it is a repudiation of those principles. And any new and different Constitution, drawn up in the atmosphere of bitterness and distrust, which the events of May/June 2000 will have engendered, will inevitably be a less just one. Perhaps the 'copycat' coup (for the mechanism, at least at the early stages, was remarkably similar to 1987) will be followed by the carbon copy constitution, a copy of that of 1990. If the international community now gives its support to the process, can it then object to the product?

Now is the time to say 'Stop!' to this cycle, in the interests of the people of the Fiji Islands as a whole.

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