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**'No Ordinary Election':
The Fiji General Election of
2014**





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The Fiji General Election of 2014***

GUEST EDITORS

Vijay Naidu and Sandra Tarte

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Volume 35 Issue 2, 2015

***SPECIAL ISSUE: 'No Ordinary Election':
The Fiji General Election of 2014***

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INTRODUCTION

Vijay Naidu and Sandra Tarte

This special issue of the *Journal of Pacific Studies* is dedicated to the watershed September, 2014 Fijian General Election. Although Fiji has experienced landmark elections in the past, held under newly promulgated constitutions and following in the wake of political upheavals, the election of 2014 was – even by those standards – historic. At one level, the significance of this election lay in the fact that it was the first to be held following the coup of December 2006 and thus provided a referendum on the leadership of Voreqe (Frank) Bainimarama and the radical reforms that his regime had instituted over the previous eight years. Some of these were reflected in provisions of the 2013 Constitution, under which the election was conducted. But what made this election even more compelling and historically significant were the many novel features of the election itself.

There were many firsts. It was the first election ever held in Fiji on the basis of proportional representation and ‘one person one vote’. For the first time, candidates competed for 50 Open Seats, in a single national constituency. It was the first time voters in Fiji were registered on a single roll, rather than on separate communal rolls. For the first time, political parties had to appeal for votes from all citizens, irrespective of ethnicity. It was the first election to be held where the voting age was 18 (not 21), making the first-time (‘youth’) voters one of the largest constituencies in the election. It was the first election where all the major political parties had either women party presidents or were led by women. For the first time social networking sites were used as campaign tools by political parties and independent candidates. Finally, on a less positive note, for the first time elections were conducted under the shadow of decrees that limited the freedom of political parties, Non-Government Organizations and the media, sometimes in unprecedented ways.

Recognizing the potentially game-changing nature of this election, the School of Government, Development and International Affairs (SGDIA) in the Faculty of Business and Economics, at USP decided at the beginning of 2014 to coordinate and facilitate research on the elections – both the campaign itself and the outcomes of the poll. In July it held a research mapping workshop, in

collaboration with the Fiji Women's Rights Movement (FWRM) and the Citizens Constitution Forum (CCF) where research proposals were discussed and some (preliminary) findings presented. There was a follow-up workshop in November, 2014, where authors presented their draft papers, many of which appear in this volume. In the meantime, SGDIA hosted a Public Forum, also in November, at which a number of panelists analysed the September poll and its outcomes. Two of those presentations are contained in this volume.

One of these is by Fr David Arms, a member of the Fiji Electoral Commission, and the only member who had served in previous Electoral Commissions. In his paper he discusses the proportional representation and open list electoral system adopted under the 2013 Constitution. He maintains that it is a much more representative system that allows voters rather than political party bosses to decide on who should be their representatives. He argues that the allocation of seats on the basis of the proportion of total votes received by a political party is fairer to the political parties, and to the voters. However the threshold of five percent of the total votes cast to obtain seats in the 50 member parliament made it almost impossible for independent candidates and smaller parties to win a single seat.

The new electoral system is intended to shift Fiji away from the divisive, race-based politics and parliamentary representation that have impeded nation building and contributed to the political ruptures and coups of the past. This experiment in electoral engineering is discussed by Gordon Nanau in his article. He considers the completely revamped Fiji electoral system in the wider context of the Pacific region. This includes Papua New Guinea and Samoa where the electoral systems adopted in their independence constitutions have been amended to facilitate both greater representation and stability. The new electoral system in Fiji is seen in a positive light as it sets in motion a new era of representation based on criteria other than ethnicity, and the election of a government that is inclusive and progressive.

A significant campaign issue in the general election was the place of religion and specifically the Christian state and secular state. This issue is examined by Jacqueline Ryle through analysis of Church positions on this issue and how these terms were represented in political debates, including debates on the 2013 Constitution which maintains that Fiji will be a secular state. Ryle explores discourses on the Christian state and secular state during the election. She highlights the apparent confusion surrounding these terms at the vanua and national levels, and the attempts by some candidates to politicize the notions of Christian state and secular state for electoral gains.

The land question was also a highly charged political issue during the general election. Like religion it has also reinforced ethnic divisions between the owners of the land, the *Taukei ni vanua*, and those who leased the land, people of other ethnicities, especially Indo-Fijians. Sefa Sakai examines the potency of land in the 2014 General Election. As a set piece in a rugby game, the dominant ethnic Fijian party, SODELPA, made the security of customary land ownership a significant campaign issue. Sakai shows that land as a 'political gimmick' did not work so well this time around. He shows that the party's 'land-race' card failed to appeal to *Taukei* voters and scared non-*Taukei* voters into supporting the Bainimarama-led Fiji First Party.

Taking a civil society perspective, Chantelle Khan focuses on the impact of the election on the longer term practices of democracy at the community level. She considers whether the electoral processes and outcomes reflected due 'democratic process' and contribute to the empowerment of ordinary rural citizens. She maintains that there was no question about which political party would win the general election, given that many rural communities perceived Bainimarama as the 'people's Prime Minister'. However she draws attention to the strategy that has won FijiFirst the Government, which in her view greatly undermines practices of democracy at all levels by the intercepting, circumventing and overriding of 'due process'.

There was much speculation prior to the election about whether the new proportional representation open list electoral system would favour women candidates. Asenati Liki and Claire Slatter examine this question and also whether the mainstream media (mainly the print media) positively covered women's campaigns. They conclude that the election of a relatively large number of women MPs may suggest that the electoral system was more empathetic towards women candidates. They also found that the 'robust' media coverage of women candidates, with very little negative stereotyping, may also have contributed to this outcome. However, they also show that votes for women candidates still represented less than 16 per cent of total votes cast for all parties, indicating there is still some way to go for women candidates, especially those standing as independent candidates or as members of smaller political parties.

The paper by Jope Tarai, Glen Finau, Romitesh Kant and Jason Titifanue examines the contemporary phenomenon of on-line political campaigning. Social media is seen to resonate most strongly with the youth voter – estimated at 47 per cent of Fiji's electorate. It is no surprise therefore that social media emerged as a key component of the election campaign. By analysing the Facebook pages of various candidates and parties, this research examines the extent of social media used for campaigning by the political parties, the impact of their sites and the messages being delivered by the images used. They show that there was clear correlation between the effective use of social media and election results for political parties. But what is also indicated is that while political engagement may be facilitated via social media; it is also a tool that reinforces the power of the dominant political group.

In their chapter, Nicola Baker and Haruo Nakagawa provide detailed breakdown and analysis of the voting patterns of the election. Explanations of voting behaviour remain somewhat of a mystery, in the absence of exit polls and data on voter ethnicity. In their analysis they highlight the 'unknown unknowns' of the election results: the dynamics within and between Fiji's many customary communities. They argue that this is an aspect that requires further research and understanding, and caution against accepting assumptions about why voters – especially from the Taukei community – made the electoral choices they did. Predicting future elections will in part depend on what we learn from this one.

In the final paper, Vijay Naidu questions the fundamental assumption that the general election was a step towards the transition to democracy. The open list proportional representation electoral system is seen as unique and unprecedented for Fiji and certainly moves the country away

from its former ethnically divisive electoral arrangements, but there has also been a significant change in the political landscape. Formerly influential institutions and entities such as the Great Council of Chiefs, the Methodist Church, trade unions, the media and even NGOs were either eliminated or so hobbled by years of repressive decrees that they became largely ineffective. The overwhelming victory of the Fiji First Party, and the very considerable voter support for the Prime Minister Voreqe Bainimara, are accompanied by a constitution that entrenches several hundred decrees which cannot be challenged in any court of law, and a social environment that constrain fundamental freedoms. This leaves an impression of an uncertain future for democracy in the country.

This special issue of the *Journal of Pacific Studies* addresses important aspects of the 2014 General Election. It does not pretend to be an exhaustive analysis of the elections and there are issues and areas that have not been covered, for instance the individual attributes of candidates in the 2014 general election, as well as the logistical challenges of holding the supposedly, 'one day election' on 17th September. However it brings together original, critical and scholarly perspectives of this historic election that will be of interest and importance to observers of Fiji's political journey and to its participants and stakeholders.

THE 2014 FIJI GENERAL ELECTION: A FRESH START ON THE ROAD TO DEMOCRACY?

Vijay Naidu

ABSTRACT

The 2014 general election in Fiji has been in many ways a completely novel experience for the people of the country, especially for candidates and for the voters. The newness of the event has to do with the electoral system adopted by the recently promulgated 2013 Constitution¹. The proportional electoral arrangement with a single national constituency is unprecedented. All previous electoral systems had multiple constituencies with representation based on communal or 'racial' allocation of seats together with a smaller proportion of open or national seats. The proportionate electoral and single national constituency system has been designed to firmly move the country away from race-based electorates, and seeks to ensure that each voter's ballot has equal value. This paper describes Fiji's new electoral system in the context of a changed national political landscape, and the political parties and candidates that contested the general election. It examines their key political messages and campaign issues and strategies. It then analyses the results of the general election seeking to explain voters' preference of candidates and political parties. The paper concludes with a prognosis of national politics in the immediate aftermath of the general election and asks the somewhat rhetorical question – is it a fresh start on the road to Fijian democracy?

Key words: *2013 Constitution, proportional electoral system, national constituency, political parties, democracy and human rights.*

INTRODUCTION

Fiji has been described as ‘coup coup land’ following the succession of general elections, the formation of ‘democratic governments’, and their overthrow by the Fiji Military Forces (Robie, 2001). Four such coups have been accompanied by repressive military backed governments which have either abrogated or reviewed and amended the existing constitution as a lead up to parliamentary government (Frankel & Firth, 2007). The 1970 independence Constitution was abrogated following the 1987 coups and eventually replaced by the 1990 decreed Constitution. This constitution was reviewed and amended beyond recognition by the 1997 Constitution. The 1997 Constitution survived attempts at its abrogation following the 2000 coup, but has undergone the same fate as its predecessors after President Josefa Iloilo declared its abrogation on 10 April, 2009. This summary action followed the Fiji Court of Appeals ruling that the overthrow of the democratically elected Qarase government in December 2006 was illegal.

Despite talk of elections taking place in 12 months or two years, the country had to wait nearly eight years for a general election.

During this period the executive arm of the state arrogated to itself almost exclusive control of state power, the judiciary in many ways was compromised², and the legislature was non-existent. The regime ruled by decrees promulgated by the President.

In late 2009, the ‘interim’ Prime Minister Josefa Voreqe (Frank) Bainimarama launched the ‘Roadmap for A Better Fiji for All’ that was a culmination of extensive consultations with representatives of business, civil society and government departments but boycotted by most political parties³. On 26 September, 2009 the interim prime minister declared in his speech to the United Nations:

“The mandate of my government is to ensure that true democratic, non-communal, equal suffrage based elections for parliamentary representatives are held by September 2014. Prior to the elections the formulation of a new Constitution, one which is fair and just and provides a solid foundation and framework for the rebuilding of our nation is critical for Fiji” (<http://www.un.org/en/ga/64/generaldebate/FJ.shtml>, 2015).

ETHNIC REPRESENTATION AND COMMUNALISM

As can be seen from Table 1, since independence in 1970 Fiji’s electoral systems were designed to generate ethnic or ‘racial’ consciousness and political solidarity rather than national identity. These communal electorates also resulted in unequal suffrage depending on voters’ ethnicity and geographical location. Most obviously General electors (grouping the country’s voters of minorities excluding Indo-Fijians) and certain rural ethnic Fijian constituencies with relatively smaller voter numbers elected the same number of representatives as numerically much larger constituencies. Although the 1995 Reeves Commission which reviewed the entirely communal electoral system in the 1990 constitution had recommended that Fiji ‘firmly moved’ away from ethnically reserved seats, this did not eventuate. The Commission had recommended that there be 45 open electorates with no ethnic restriction on who could be a candidate and who could be a

voter, and 25 ethnically reserved constituencies. However, in failing to strongly adhere to its own message that the country should move away from communal representation, the Commission left the door open for the Joint Parliamentary Select Committee on the review of the Constitution to push for 45 communal and 25 open seats.

Moreover, whereas the Reeves Commission had anticipated that there was a likelihood of coalition governments being formed by moderate political parties during the course of general elections, what transpired under the 1997 Constitution's preferential above and below the line vote system was largely contrary to this expectation. The electorate arrangement witnessed the demise of a coalition of 'moderate' parties and resulted in a sweeping victory for the Fiji Labour Party in the 1999 general election. The outcome of this general election showed that the preferential alternative vote system produced results akin to the first past the post electoral arrangement.

Table 1: Fiji's Electoral Systems

Constitution	Electoral Systems	N0. of Cross Voting/ Open Seats	Total	Comments
1970	First past the post	1. Indigenous Fijians - 22 2. Indo - Fijians 22 3. General Electors - 8	52	Of the 22 seats allocated to Indigenous Fijians and Indo-Fijians - 12 were elected from communal constituencies and 10 from National constituencies . Of the 8 seats allocated to general electors - 3 were from communal rolls and 5 from national constituencies . The senate had 22 members-of which 8 were nominated by GCC,7 by PM and 6 by Leader of Opposition and 1 by Council of Rotuma.
1990	First past the post	1. Indigenous Fijians - 37 2. Indo- Fijians - 27 3. Rotuma - 1 4. General Electors - 5	70	The senate had 34 members of which 24 were nominated by GCC and 1 by council of Rotuma and 9 by the President to represent non-indigenous Fijians.
1997	Alternative/ Preferential Vote system	1. Open Electoral - 25 2. Communal - 46 I(23 to Indigenous Fijians, 19 to Indo-Fijians, 1 to Rotuma, 3 to general electors)	71	The senate had 32 members of which 14 were nominated by GCC, 9 by PM, 8 by Leader of Opposition and 1 by council of Rotuma
2013	Proportional Voting System		50	

In the two subsequent general elections in 2001 and 2006, the indigenous Fijian Soqosoqo Duavata ni Lewenivanua (SDL) party won a majority of seats and opted to have extremist ethno-nationalist parties in its coalition governments, and not the party with the second largest number of seats, the FLP, as required under the Constitution. Like FLP in 1999 which did not include the Soqosoqo Vakavulewa in Taukei (SVT) Party in Cabinet, the SDL successfully eschewed 'power sharing' with FLP in spite of prolonged efforts by the latter to seek judicial remedy. In 2006, for the very first time, a FLP faction was part of the new SDL led government. However, this nascent experiment in power sharing was crushed by the December coup.

THE CHANGED POLITICAL LANDSCAPE

During the nearly eight years of military backed dictatorial rule, Commodore Voreqe Bainimarama and his government significantly altered Fiji's political terrain. Previously important political institutions and actors were shunted aside, even eliminated and silenced. Most prominent among these was the Great Council of Chiefs which had sat at the apex of the Fijian Administration, selected the President and had nominated members in the country's upper house, the Senate. This chiefly body had considerable influence over indigenous Fijian political attitudes and voting behaviour. It had largely supported the illegal overthrow of governments in 1987 and in 2000, and played the role of a pivotal power broker following each coup. However, it was swept aside and made irrelevant by the December 2006 military coup d'état. The Senate was also abolished under the 2013 Constitution.

Another significant institution in Fiji's body politics was the Methodist Church in Fiji and Rotuma. Its leadership and ministers had openly allied with the dominant indigenous political party of the day for most of Fiji's post-independence era. The Church supported previous coups, and was a staunch advocate of all Fiji citizens recognizing Sunday Sabbath irrespective of their religious affiliation, and of the Christian State. Because of its support for the Soqosoqo Duavata Lewenivanua (SDL) Party in 2006, its activities were severely circumscribed by the post-coup regime. Besides being explicitly reprimanded by the government, the Church was not allowed to hold its annual conference and associated country-wide choir competition. These had contributed significant amount of funds for the Church to operate.

A series of decrees including the Public Emergency Regulations (PER) 2009, Public Order (Amendment) Decree 2012, Employment Relations Amendment Decree (2011), the Essential Industries Decree, 2011, and the Media Industry Development Decree 2010 have affected Fiji's trade unions right to engage in collective bargaining with employers; constrained media freedom; and restricted freedom of speech and assembly of individuals and civil society. The net effect of these oppressive laws was to quell contrary voices, and prevent opposing groups from mobilising support against the government. Numerous individuals such as the President of the Fiji Law Society, journalists, pro-democracy advocates and SDL leaders were detained, and in some cases tortured. This has meant that for nearly eight years, especially since early 2009 (following the Appeals Court ruling that the coup was illegal), the dominant, and indeed the only perspective on issues of the day has been provided by government spokespersons and personalities. The two persons who have featured most prominently in Fiji media were Prime

Minister Voreqe Bainimarama and Attorney General Aiyaz Saiyed Khaiyum.

In terms of the print media, there are two dailies (both privately owned), and five weekly magazines (all privately owned). Other media include two major radio companies (one privately owned, and the other state owned), and three television stations (two privately and one state owned). Fiji does not have a large reading public with around 60,000 readers of the more widely circulating, *Fiji Times*. The radio stations are listened to by many more people, and the state owned Fiji Broadcasting Commission (FBC) proudly claims to have the 'reach of the nation' with stations broadcasting in English, Bauan Fijian and Hindustani. The privately owned Communications Fiji Limited has popularity in urban and peri-urban areas and is popular among younger listeners. This company also broadcasts in the three languages. FBC also owns FBC TV.

The government has been very supportive of FBC and the privately owned *Fiji Sun* newspaper in which all its advertisements and media statements are published⁴. The latter has sought to provide news and analysis of government policies and events in a positive light. This has put pressure on the privately owned media to be generally supportive of government as well, and exercise considerable restraint in criticizing state policies and actions. The draconian media decrees have fines that range from \$1,000 for individual journalists to \$100,000 for media owners, and longish imprisonment terms⁵. The privately owned *Fiji One* television station had 6 monthly license renewals until very recently (<http://fijivillage.com/news/Fiji-TV-license-to-be-renewed-for-further-12-years-5k9rs2/> retrieved, 2 September, 2015).

The changed political terrain also included the curtailment of activities by civil society and non-governmental organisations relating to general elections. Clause 115 of the 2014 Electoral Decree proscribed such organisations that received overseas donor funding from holding debates and discussions relating to the general election, and from making public statements on matters relating to the election. Electoral educational materials (for women for instance) were to be vetted and approved by the Electoral Commission. While the universities were allowed to hold lectures and panel discussions, the University of the South Pacific and the NGO, Citizens Constitutional Forum (CCF) were investigated by the Fiji Independent Commission Against Corruption (FICAC) for holding a panel discussion on 'free and fair election'⁶. Offenses against this law could result in fines of up to \$50,000 and/or long prison sentences.

In these circumstances, those opposed to the regime as well as some supporters of democracy resorted to social media and blogs to express their standpoints. Such views ranged from moderate analysis and opinions to extreme tirades replete with invectives. It was unclear what impact the internet and social media had on the support of the government's *FijiFirst* Party, although following the general election it is clear that this Party did very well (see Tarai et al. in this issue of the journal on the use of social media by the political parties in the September, 2014 general election).

THE NEW ELECTORAL SYSTEM

As with the 1990 Constitution and electoral system, the 2013 Constitution and the 2014 decreed electoral system were imposed on Fiji citizens. Inherent in both electoral systems were

elements that favoured the ruling faction of the political class, backed by the military. Whilst the disproportionate number of seats allocated to ethnic Fijians in 1990, advantaged the Soqosoqo Vakavulewa ni Taukei (SVT) Party, the 2014 single national electorate and proportional voting arrangements evidently favoured the FijiFirst Party and particularly its leader. Moreover, electoral rules barring candidates who had been convicted of criminal offences with a the maximum penalty of 12 months imprisonment or more ensured that both SODELPA and FLP leaders as well as other potential candidates were disallowed from standing. The regime also amended the Electoral Decree to disqualify prospective candidates who had stayed abroad for 18 months out of 2 years immediately prior to the date of the receipt of nominations. Exception was made for those away on government business but others who were studying abroad or away for medical treatment were barred from contesting the elections. A court decision against the Fijian Electoral Commission and in favour of the Supervisor of Elections excluded a FLP candidate, and allowed a FijiFirst candidate to stand.

The electoral system established by the 2013 Constitution and the 2014 Electoral Decree has no precedent in Fiji and is completely different from all other electoral systems established by the 1970, 1990 and 1997 constitutions (see Table 1). Whereas all previous electoral systems with the exception of the 1990 constitution (which was entirely communal) had a combination of communal and open or cross voting seats, the 2013 system has a multi-member open single country wide electorate. In this single national constituency, there are no restrictions based on ethnicity; and any citizen over the age of 18 can vote and stand as a candidate. For the first time too, the electoral system is based on proportional representation. As shown in Table 1, all previous national elections were based on either the first past the post system (candidates with majority votes won), or the alternative vote system (the candidate with 50 plus 1 vote won). In both these systems political parties with a significant overall number of votes could still miss out on seats in parliament because of losses at the constituency level. The National Federation Party had this experience in 1999, 2001 and 2006. The 2013 Constitution's open list proportional electorate system takes into account total votes received by a political party and its candidates in the allocation of seats. The election of 8 women candidates (16% of MPs) and a diverse cross section of parliamentarians show that the open list proportional electoral system is more amenable to the election of women and minorities.

The Fijian Elections Office vigorously undertook voter registration in Fiji, and in selected countries abroad. All Fiji citizens 18 years and above could register. Altogether 591,000 voters were registered. Three categories of voting provision were made. These were postal voting, pre-poll voting, and one day voting. There were 12,000 postal voters, 65,000 pre-poll voters, and 520,000 one day voters. More than 2,000 polling stations were established where up to 500 voters could cast their ballots.

The Political Parties decree (2013, amended in 2014) and the Electoral Decree (2014) have certain restrictive features which may have affected the number of political parties and candidates contesting the 2014 general election. Existing parties were required to register with the Registrar of Political Parties within 28 days of the promulgation of the decree. To register, they had to have at least 5000 members' signatures from all 4 divisions of the country with specified minimum








number for each division (2,000 Central, 1750 Western, 1000 Northern, and 250 Eastern). In addition a registration fee of F\$5005 was required. The standard restrictions with respect to holding positions in political parties that had previously applied to public officials (civil servants, police, military and members of the judiciary) were extended to trade unions and employer organisations. Trade unionists were deemed to be public office holders! Parties could not have vernacular names and it is for this reason that the Soqosoqo Duavata ni Lewenivanua (SDL) Party was renamed Social Democratic Liberal Party (SODELPA).

Party officials and candidates were required to declare their assets and liabilities. Each candidate was required to pay F\$1000 and have the signatures of 1000 supporters as part of the registration process. Unsurprisingly the number of political parties finally registered for the 2013 decree was seven (compared to 16 in the 2006 general election).

The Political Parties contesting the 2014 General Election

Seven political parties contested the 2014 general election. Table 2 below provides the names of the political parties, the date of their establishment, party symbols, and the number of candidates that they successfully nominated for the election.

Table 2: Political Parties, Year of establishment, and number of candidates

Name	Year Established	Number of candidates	Party Symbol
FijiFirst	2014	50	
Fiji Labour Party (FLP)	1986	39	
Fiji United Freedom Party (FUIFP)	2014	3	
National Federation Party (NFP)	1963/4	47	
One Fiji Party (OFP)	2014	13	
Peoples Democratic Party (PDP)	2013	37	
Social Democratic Liberal Party (SODELPA)	2001, renamed, 2013	49	

Although it was a requirement for political party registration that they have party symbols, neither the national candidates list provided to voters nor their ballot papers carried these symbols.

In terms of political party registration, the Ra province based, Activist Peoples Party (APP) was not able to meet the deadlines for registration.

Election Issues

With the distinct advantage of being the incumbent government, the newly formed FijiFirst Party campaigned on the basis of its track record and commitments regarding equality of all citizens, non-discriminatory policies and inclusiveness, infrastructural and rural development, and security (Fraenkel, 2015). It promised more investment in development, as well as the continuation of free education, free bus fare for children, and free text books. In its manifesto it also promised free milk for primary school children, and for those in lower income categories reduced electricity and water rates. It portrayed itself as a modernizing and progressive 'movement' in contrast to the parties led by 'old politicians' with 'old style politics' of ethnic division.

In the initial stages of the election campaign it appeared that SODELPA had fallen into the old style approach to national politics. Carrying the mantle of its former primarily ethnic Fijian SDL Party, it focused almost exclusively on those issues that were likely to garner iTaukei support. These issues included what SODELPA saw as threats to iTaukei ownership of customary land; the common name of 'Fijian' for all Fiji citizens rather than for iTaukei only; the principle of secular state, reflected in the 2013 Constitution, when its preference was for a Christian state; the return of the Great Council of Chiefs (GCC) and the bicameral house with the Senate; opposition to the 2013 Constitution and the concentration of political power in the offices of the Prime Minister and the Attorney General. SODELPA also wanted redress for human rights violations during the 2006 coup, and for the coup perpetrators to be brought to justice.

The National Federation Party (NFP) appealed to voters as a party that never supported any coups in the country and which upheld the rule of law. From being previously a party that relied heavily on Indo-Fijian voters, it presented itself as multi-ethnic, with a well-educated slate of candidates. It promised higher levels of economic growth, reduction of VAT from 15 percent to 10 percent and employment for youth. It supported the return of the GCC.

The Fiji Labour Party (FLP) dwelt on unemployment, rising cost of living, poverty, and housing. It also sought the revival of the sugar industry and of the rural sector generally. It wanted a return of the GCC. It too opposed the 2013 Constitution and the undermining of workers and human rights. Joining FLP on the left of the political spectrum was the new Fiji Trade Union Congress (FTUC) sponsored Peoples Democratic Party (PDP) which campaigned on a similar platform to the FLP and advocated national reconciliation and clean government as well as a 'minimum wage that was a living wage'.

The other new political parties appeared to have a variety of campaign issues. The One Fiji Party campaign manifesto centred on appealing to young people and included reform of the education system, youth parliament and other youth empowerment initiatives, sporting facilities, as well as measures to improve citizens' livelihoods and the establishment of a Bio Diversity

Utilization Land and Livelihood Authority, or BULLA. The Fiji United Freedom Party (FUIFP) concentrated on housing as its most important campaign issue.

The idea of a common front of opposition parties in the General Election as manifested by the short-lived United Front for Democracy in Fiji (UFD) did not receive support. The political parties had varied political ideologies and agendas which, together with the lack of cooperation among their respective leaders, meant that a common front against the incumbent government did not take root.

As the election campaign grew more intense, claims and counter claims were made by the bigger political parties. Rumour was rife about possible instability in the capital city, Suva and the possibility of another coup if the FijiFirst Party did not win.

The two dailies sponsored electoral polls as the date of the election drew nearer. The Fiji Sun CJP Pacific Razor Market survey polls had PM Bainimarama well ahead of the other political party leaders with ratings close to 80% of support from those polled. Fiji Times used the Tebbutt Research Poll, which showed Bainimarama leading with 60% (in August) and 49% (in September), well ahead of Ro Teimumu Kepa who polled 20% in September. The Lowy Institute had used Tebbutt Research earlier on and that survey indicated 66% support among people polled (<http://fijisun.com.fj/2014/03/02/pm-takes-early-lead-new-poll/>) (<http://www.abc.net.au/news/2014-09-09/fiji-election3a-final-pre-election-poll-shows-drop-in-support-/5731732>).

Electoral Outcomes

According to the Fijian Elections Office, close to 84 % of the registered voters cast their ballots (only .075% were invalid votes). Obtaining nearly 60 percent of the total votes cast, the Fiji First Party won the general election and gained 32 seats in the 50 seat Parliament. FFP's leader, Bainimarama, amassed almost 70% of the votes cast for FFP. SODELPA obtained a little over 28% of the total votes cast and won 15 seats and NFP was allocated 3 seats having obtained 5.50% of the votes.

For most observers including the Multinational Elections Observer Group (MOG) the 2014 General Election was 'free and fair'. Critics of the regime conceded that bar a few electoral anomalies, the election reflected the will of the people. It is apparent that a majority of the voters preferred FijiFirst Party leadership and manifesto. FFP maintained its vision for a non-racial Fiji and equality of all citizens, merit based educational and employment opportunities, access to land and other resources, continued development of infrastructure and rural areas, free education and security for all. While the analysis of voting by ethnic groups is difficult to make, it is apparent that more than 70% of the minorities (Indo-Fijians and other minorities) voted for FFP⁷. A good proportion of Indigenous Fijians, as many as 50% (personal communication with Steven Ratuva) may have voted for this party. With one fifth of the voters being between 18-25 and first time voters, it is likely that they were drawn to FFP policies.

As indicated earlier SODELPA for much of the election campaign focused on the majority ethnic Fijian voters and issues relating to land, the chiefs, secular state, and the loss of affirmative action measures. It received negligible votes from minority voters, and even iTaukei did not support it

in the numbers anticipated. NFP's middle of the road policies may have appealed to voters across all communities but following the tense polarization between FFP and SODELPA⁸ it is apparent that Indo-Fijian voters, who may have supported it, preferred the security and firm leadership offered by FFP.

The emergence of Peoples Democratic Party and its competition for votes with the Fiji Labour Party ensured a splitting of the support of those who voted on a class basis. The total votes cast for the two parties were 5.60% which is slightly above the votes cast for NFP. Had there not been this schism within Fiji's emasculated labour movement, there would have been a couple of MPs dedicated to the working class and the trade unions. The remaining two parties were too new, poorly resourced and inadequately prepared to fight the general election, and this is reflected in the very low number of votes cast for them⁹.

On the road to democracy?

A few days before the 2014 General Election, Lowy Institute's Jenny Hayward-Jones in her article, 'Fiji's election: More to do to restore democracy' (12 September, 2014 <http://www.lowyinterpreter.org/post/2014/09/12/Fijis-election-more-to-do-to-restore-democracy.aspx?COLLCC=2809814607&>) warned that elections did not necessarily result in the pursuit and practice of democratic norms by a democratically elected government as shown by the recent experience of Turkey which has had very negative authoritarian consequences. She pointed to the 'battering' that Fiji's democratic institutions had been subjected to since December, 2006. Such institutions included political parties (the absence of a formal opposition to the regime), the compromised judiciary and the media and civil society. Hayward-Jones also observed that power and decision making had been centralized and concentrated in the hands of Prime Minister Bainimarama and Attorney General Khaiyum to such an extent that they "will struggle to adjust to facing robust debate in parliament in order to pass legislation".

She called for Australia to provide support to the Fijian parliament, civil society, media, the rule of law and strengthened relations with the military.

In March, 2014, in its submission to the UN Universal Periodic Review, the NGO Coalition on Human Rights (NGOCHR), comprising nine Human Rights NGOs¹⁰ and a trade union, the Fiji Public Service Association (FPSA), identified several fundamental issues affecting Fiji's transition to democracy. These were listed under four subheadings namely, (i) restoring democratic constitutional rule, (ii) rule of law and access to justice, (iii) infringements on freedoms of expression, association and assembly, and (iv) threats to human rights defenders. The NGOCHR pointed to the fact that the 2013 Constitution of the Republic of Fiji was not based on an open and inclusive process after the Ghai draft 2012 Constitution (referred to as the 'peoples' constitution') was summarily rejected and further processes of open deliberation aborted. The Bill of Rights in the imposed constitution is comprehensive but subject to extensive limitations; there is immunity for the perpetrators of the 2006 coup and it is almost impossible to amend any of the provisions of the constitution.

With respect to the rule of law and access to justice, it is maintained that section 173 of the 2013 Constitution removes the jurisdiction of the courts from reviewing any of the hundreds of decrees instituted by the post-coup dictatorship. Moreover, the executive arm of government continues to have considerable influence over the judiciary as it has a considerable say in the appointment and removal of members of the judiciary. And although the judiciary has its own budget indicating a degree of independence, a good proportion of judges are expatriate on three year renewable contracts. The judiciary has also been used to limit the freedom of expression in presiding over contempt of court cases as well as politically motivated cases against critics of government.

Over the last eight years there have been severe curtailments of the freedoms of expression, association and assembly. Three decrees, The Media Industry Development Decree 2010, the Public Order (Amendment) Decree 2012 and the Essential National Industries (Employment) Decree 2011 have resulted in a serious erosion of media freedom, the right to assemble and to protest, and the right of workers to collective bargaining, to strike, and overtime pay. These decrees impinge on some basic democratic rights of citizens and when threats to human rights defenders are taken into account, there are some significant questions about Fiji's transition to democracy. The NGOCHR submission documents a number of cases of the harassment, intimidation, detention, frivolous prosecution and arbitrary investigation of human rights defenders and NGOs.

These concerns, when put in the context of nearly 30 years of political instability starkly manifested by military coups and militarization (Halapua, 2003), indicate that the road to genuine democracy, where political power meaningfully resides in the people and where the power of the state is limited by the parliament and civil society organisations as well as unfettered media, will be a long and difficult one. In this regard a major concern is the role of the military in Fiji's political arena in the coming years. The 2006 coup and its aftermath showed that the leadership of the military was prepared to take the initiative in determining Fiji's political trajectory using civilian leaders as subalterns. This was in sharp contrast to previous coups when disgruntled politicians made use of the military to regain political power (Fraenkel and Firth, 2007).

Chapter 10 of the 2013 Constitution gives absolute immunity to the perpetrators of the 2006 coup and to office holders in post-coup regime. Section 131 (2) states that, "It shall be the overall responsibility of the Republic of Fiji Military Forces to ensure at all times the security, defense and well-being of Fiji and all Fijians". Given the fact that the military sees itself as the defender of the Constitution which has provisions that perpetuate the restrictive decrees imposed during the dictatorship, as well as a comprehensive bill of rights which then can be severely limited by the state, on-going difficulties on the road to democracy are further reinforced. Issues about the size of Fiji's military¹¹, and its ethnic and gender composition remain. It is primarily an ethnic army which has supported in the past ethno-nationalist overthrows of democratically elected multi-ethnic governments principally supported by Indo-Fijians, and in 2006 overthrew an indigenous Fijian led and dominated government. It now has a leadership that evidently supports multiracialism. The extent to which this support and FijiFirst Party government's push towards a non-racial society has permeated all officers and ranks of the military is not known.

CONCLUSION

Fiji's September 2014 General Election has been widely welcomed both in Fiji and abroad, especially by its neighbours in the South Pacific region. Fijians had been looking forward to an elected government and close to 84 % of the more than 590,000 voters turned up to cast their ballots. FijiFirst Party led by the former military strongman and dictator received a clear majority of votes and won 32 seats in the new national parliament. This mandate also means that the new government will be supported by Fiji's large and powerful military and in the next four years there is little possibility of political instability followed by a coup. However, within the parliament there are doubts whether the FFP will be able to smoothly adjust to the robust scrutiny of its policies by the Opposition.

Outside of the parliament other institutions that form the bedrock of democratic culture such as the media and civil society organisations are slowly reclaiming their roles of informing the citizenry about government and opposition politics and policy, and critically examining these. The media continue to feel vulnerable and exercise a measure of self-censorship as the Media Decree together with the Media Industry Development Authority (MIDA) continue to scrutinize their coverage and analysis. Other repressive decrees such as the Essential National Industries Decree have not been reviewed and continue to seriously stifle worker organisations. The trade union movement in the country has made several appeals to ILO to review Fiji's current labour laws. NGOs have actively participated in Universal Periodic Review Processes and have made submissions in 2010 and 2014 which counter many aspects of the Fiji government's reports. They continue to advocate in support of full human rights compliance by the state and are a significant countervailing force to the authoritarian tendencies of state power holders.

The security forces in Fiji, having enjoyed a significant measure of impunity in relation to human rights violations in the past, continue to be a stumbling block on the road to democracy and respect for human rights. These forces, together with social and political institutions and norms that reinforce a hierarchical and patriarchal culture, pose challenges to those seeking a quicker pathway to democracy in the country.

ENDNOTES:

- 1 *In late 2012 the military backed government rejected the draft constitution compiled by the 5 member Constitution Commission led by Professor Yash Ghai, and imposed its own Republic of Fiji Constitution in September, 2013 by Presidential proclamation.*
- 2 *Following the Court of Appeals decision, members of the judiciary such as magistrates and judges were either dismissed or resigned*
- 3 *Following the coup, A National Council for Building a Better Fiji together with a number of task forces (and working groups) had been established to take the country forward. Working Group 1: Governance, Leadership, Electoral and Constitutional Reforms recommended electoral system options for the country.*

- 4 *The Fiji Times has been denied government advertisements altogether.*
- 5 *The Fiji Times was fined \$300,000 and its editor sentenced to 6 months imprisonment, suspended for 2 years for contempt of court on 19 February, 2013 for publishing a story about Fiji's judiciary that had appeared in the Sunday Star Times on 7 November, 2011 (Fiji Times, 20 February, 2013).*
- 6 *This followed a complaint lodged by the Supervisor of Elections. FICAC also questioned the Chairman of the Fijian Electoral Commission about his role in the holding of the panel discussion.*
- 7 *A study commissioned by the London-based Minority Rights Group (MRG) and the Suva-based Citizens Constitutional Forum (CCF) in 2013 indicated that a clear majority of the country's Indo-Fijian and other minorities supported the government of Bainimarama, whereas indigenous Fijians were in the majority opposed to the regime (see Naidu et al, 2013.*
- 8 *In the final debate between FFP's leader, Bainimarama and SODELPA's leader, Ro Teimumu Kepa, matters reached a crescendo when the latter said that Bainimarama and other usurpers should be in jail, and the latter responded by saying that views of the type expressed by Ro Teimumu made him want to don the military uniform.*
- 9 *One Fiji Party and FUIFP together had only 1.40% of the total votes cast (<http://www.electionguide.org/elections/id/2564/>).*
- 10 *The NGOs are Citizens Constitutional Forum (CCF), the Fiji Women's Rights Movement (FWRM), the Fiji Women's Crisis Centre, FemLink Pacific, and Ecumenical Centre for Research, Education and Advocacy (ECREA), Save the Children Fiji (SCF), Fiji Media Watch, Social Empowerment Education Programme (SEEP), and Pacific Network on Globalisation (PANG). The organisations address human rights including democratic rights, gender equality, children's rights, labour rights, land rights, media freedom, and religious freedoms.*
- 11 *Estimates of 3,000 to 4,000 are provided which means that it is larger than the militaries in Papua New Guinea and New Zealand.*

REFERENCES

- Fiji NGO Coalition on Human Rights. (2014). Joint submission to the Universal Periodic Review-2014, Geneva.
- Fiji Times <http://www.fijitimes.com/>
- Fraenkel, J. (2015). The Remorseless Power of Incumbency in Fiji's September 2014 Election, the Round Table: The Commonwealth Journal of International Affairs. Retrieved from <http://www.tandfonline.com/eprint/7YBScGZJIcrI3ScyeDN6/full#.VQnawTT24rw>.
- Fraenkel, J. (2011). Fiji: Melanesia in review: 2010. *The Contemporary Pacific*, 23(2), 456-476
- Fraenkel, J., & Firth, S. (2007). *From Election to Coup in Fiji*. Canberra; ANU E-Press.

- Halapua, W. (2003). Militarisation and Moral Decay in Fiji. *Fijian Studies 1 (1)*, 103-126.
- Hayward-Jones, J. (2014). Democracy in Fiji: Two Reasons to worry, two reasons to be confident, Lowy Institute. Retrieved from <http://www.lowyinterpreter.org/post/2014/09/18/Democracy-in-Fiji-Two-reasons-to-worry-two-reasons-to-confident.aspx?COLLCC=1252726198&>
- Human Rights Watch and International Trade Union Confederation (ITUC) joint letter to PM Banimarama, (5 December, 2012). Retrieved from http://www.hrw.org/sites/default/files/related_material/Dec2012_Fiji_JointLetter.pdf
- Ministry of National Planning. (2009). *Roadmap for Democracy and Sustainable Socio-Economic Development 2010-2014: A Better Fiji for All*.
- Naidu, V., Matadradra, A., Sahib M., & Osborne, J. (2013). Fiji: the challenges and opportunities of diversity. *Minority Rights Group International (London) and Citizens Constitutional Forum (Suva)*, pp.40
- Naidu, V. (2007). Coups in Fiji Seesawing Democratic Multiracialism and Ethno-nationalist Extremism. *Devforum*, 26, 24-33
- Narsey, W. (2014). Allegations of vote rigging, the Fiji Electoral Commission and Opposition Inertia. Retrieved from <https://narseyonfiji.wordpress.com/2014/12/14/allegations-of-vote-rigging-the-fiji-electoral-commission-and-opposition-inertia-14-dec-2014-not-published/>
- Robie, D. (2001). Coup Coup Land: The press and the putsch in Fiji. *Asia Pacific Media Educator*, University of Wollongong, NSW, Australia 10, 149-161.