

VIEWPOINT

Destruction of Democracy in Fiji

By Sanjay Ramesh

Fiji's experiment with democracy has had mixed results. Under the independence constitution and the First Past the Post voting system, Fiji had stable government for 17 years, but as leadership changed from a high chief to a common indigenous Fijian, there was a military coup in May 1987. The argument behind the takeover was Indo-Fijian domination. Following a period of military rule, political power was returned to an exclusive indigenous Fijian political party, Soqosoqo Vakevulewa ni Taukei Party (SVT), under the leadership of Sitiveni Rabuka. The ascendancy of the SVT was made possible following the promulgation of the 1990 Constitution, which ensured indigenous Fijian monopoly on political power. However by 1997, the 1990 Constitution was reviewed and a multiracial Constitution based on cross cultural power sharing was put in place. Immediately, some indigenous provinces objected to the 1997 Constitution and in a surprise outcome, the Fiji Labour Party won a majority of seats in the 1999 general elections. But in less than a year, the Government of Prime Minister Chaudhry faced growing opposition from indigenous Fijian parties.

Ethnic polarisation between indigenous Fijians and Indo-Fijian based on firmly established and deeply held ethnic biases and prejudices meant that even with a multiracial 1997 Constitution, the two races remained suspicious of each others motivation and aspirations. However, the events of 2000 not only highlighted the ethnic divisions, but brought to surface traditional rivalries within the indigenous Fijian community. Unlike the coups of 1987, the new millennium marked militarisation of *vanua* rivalries unforeseen since the Cession of Fiji to Britain in 1874.

From 25 August to 1 September 2001, Fiji citizens went to the polls for the second time in just over 24 months. The election was triggered by the events of 19 May 2000 when indigenous Fijian nationalists, with the support of sections of the army, held the Government of Prime Minister Mahendra Chaudhry hostage for 56 days. Chaudhry's Fiji Labour Party became a powerful force in Fijian politics after securing 37 seats- 19 Indian Communal Seats and 18 Open Seats- in the May 1999 general elections. Chaudhry's coalition partners, the Fijian Association Party won 10 seats and Party of National Unity 4 seats.¹ The Christian Democratic Alliance party, founded by members of Fiji's Methodist Church, opposed to former Prime Minister Rabuka, joined Chaudhry in a surprise coalition.

However, the "honeymoon" period of cooperation in 1999 between an Indo-Fijian Prime Minister and his indigenous Fijian coalition partners did not hold. Party of National Unity founder Apisai Tora² resigned from the party, after accusing Chaudhry of being insensitive to indigenous Fijian aspirations. Next, the Fijian Association split into two factions. One, led by Adi Kuini Speed, supported Chaudhry while the other faction, led by Tailevu chief Ratu Tu'akitau Cokonauto, threw its weight behind

¹ Michael Ong, Fiji: May Elections and the New Government, Current Issues Brief 17 1998-1999, Foreign Affairs and Defence Trade Group, 29 June 1999.

² Apisai Tora played an instrumental role in destabilising both the Bavadra and Chaudhry Governments

moves by the opposition Soqosoqo ni Vakevulew ni Taukei party to form a united indigenous Fijian front against the Coalition. Indigenous Fijian nationalists argued that the Coalition policies would destroy indigenous Fijian community by undermining land rights. Among the Coalition's contentious policies included the Land Use Commission, sale of mahogany, transfer of Crown Schedule A and B land to original landowners, changes to constitution, and most volatile of all, a successor legislation to Agricultural Landlords and Tenant Act (ALTA).³

In April of 2000, the militant ultranationalist indigenous Fijian Taukei Movement was revived by Apisai Tora, who played a leading role in the destabilisation of both the Bavadra and Chaudhry Governments. Various indigenous Fijian nationalist groups banded together and held mass demonstrations in Suva. At the height of a nationalist protest march on 19 May 2001, a small group of armed men invaded Parliament and incapacitated the government.⁴ Stockpiles of weapons were removed from the Fiji Military Forces armoury and the national Parliament became a scene of a bitter and often bloody siege, which lasted for 56 days. Before the takeover, Fiji was rife with rumours that the military would once again overthrow the Government and as a result, the Chaudhry Government refused an application by indigenous Fijian nationalists to hold a demonstration in Suva on 19 May. However, after security briefings from the police, the decision was reversed.

The events of 19 May destroyed Fiji's fragile race relations and allowed nationalist elements within the indigenous Fijian community to use the situation to engineer their way into power. At the end of the siege at Parliament, hundreds of Indo-Fijians, living in rural areas, were forced to flee racial violence. A "band aid" solution was imposed in the form of a military led interim government as various indigenous Fijians continued with the nationalist mantra: "we support the cause but not the method." Fiji's Great Council of Chiefs lay divided and was unable to provide a clear solution or direction to the nation in its hour of need. Worse perhaps was the institutional fragility characterised by the divisions within the army and the police. The leaders of the interim government adopted a policy of "appeasement" by quickly formulating and implementing a "blueprint on supremacy," which restored the indigenous Fijian variety of clientelism, patrimonialism, and racial discrimination.

But the "solution" imposed by the indigenous Fijian leaders only strengthened the resolve of the extreme elements to continue with the campaign of instability. No longer the issue was Indo-Fijians vs indigenous Fijians, but a raft of *vanua* concerns were raised in various forms. Competition for financial resources became fierce as lack of checks and balances allowed those in position of power to line their pockets in the name of indigenous rights. Instead of developing policies and initiatives to address grassroots indigenous Fijian concerns, the post-coup indigenous Fijian leadership quickly put in place the anachronistic practices and policies of its predecessors.

Nevertheless, the events of 19 May allowed old players to take new form. A detailed look at the drama of 19 May allows one to appreciate the level of division within the indigenous Fijian community. Unlike the 1987 coups, the coup of 2000 brought to surface inter-*vanua* rivalries. It spawned a dangerous ethos of legitimising armed

³ "Fiji Coup Supplement: May Newsletter 2000," Te Karere Ipurangi, 21 June 2000.

⁴ Fijilive, 19 May 2000. Also see "coup leader's address to the nation," The Sydney Morning Herald, 19 May 2000.

insurrection and general lawlessness by invoking indigenous rights and unleashing racism and racial violence unprecedented in modern Fijian history.

The Events of 19 May 2000

On 19 May, 2000, armed indigenous Fijian gunmen stormed Fiji's Parliament and held the Government of Prime Minister Mahendra Chaudhry hostage for 56 days. As the news of the coup spread, foreign media attempted to make sense of the total chaos prevailing in Fiji. Communication lines were down for most part of Friday the 19th as people tried to understand the background of the coup leader, George Speight, who was indicted on fraud in Fiji for foreign exchange violations. An Australian Permanent Resident, George Speight, with the support of opposition and a unit of the Fiji Military Forces, executed this armed coup. The group on 6 May held a clandestine meeting in Suva and it is believed that members of the opposition SVT and certain elements in the army (Counter-revolutionary Unit) were behind plans to hijack the government on 19 May- the first anniversary of Chaudhry's Coalition government.

The coup makers took the opportunity to time the assault on Parliament to ensure maximum impact and chaos. On 19 May, a large crowd of mostly nationalist indigenous Fijians convened in Suva to protest against the Government of Prime Minister Mahendra Chaudhry. Soon afterwards, armed men hiding in a four-wheel drove undetected to the Parliament house and detained government ministers at gunpoint. As the news of the takeover spread, the crowd of some 8,000 vented their anger on mostly Indo-Fijian owned shops. After the Suva rampage, the President of Fiji, Ratu Sir Kamisese Mara issued a statement denouncing the illegal takeover and imposed a dusk to dawn curfew. Two battalions of soldiers were despatched to downtown Suva and police cleared the affected area and erected roadblocks. All this did not stop looters who continued their rampage well into the night. In Suva, Indo-Fijian homes were targeted by thugs and thieves, and many homes were stoned and broken into at night. Meanwhile, the Chairman of the Great Council of Chiefs (GCC), Sitiveni Rabuka, continued to hold discussions with the coup leader. The speed with which the former Prime Minister of Fiji, Rabuka, came to the Parliament raised suspicion about his interest in the whole incident. After all, it was Rabuka who had in May 1987 deposed a Fiji Labour Party led coalition government.

In the morning of 20 May, Nausori town was attacked by thugs, and shops were looted and burnt. Negotiations between the President and the coup leader was going nowhere and by midday, Coup front man, George Speight dismissed the Great Council of Chiefs and ordered the President to resign. The coup leader called on indigenous Fijians to support his actions, and at about 3:00 pm, half a dozens shops in Western Viti Levu town of Rakiraki were set alight by bandits, sympathetic to the armed takeover. Fiji's English language radio, FM 96, was informed that the looters were on their way to Nadi and attempts will be made to seize control of Nadi International Airport. Rumours were rife that members of the army were supporting the coup. However, the Deputy Commander of the Fiji Military confirmed that the army was behind the President and the Commissioner of Police confirmed the same.

On the night of 20 May, rumours surfaced that Prime Minister Mahendra Chaudhry was beaten by his armed captors and forced to sign a resignation letter. It was also

reported that Chaudhry's son, Rajendra Chaudhry, was beaten and threatened along with other Indo-Fijian Ministers. At 5:00 am on Sunday 21 May, ten junior Ministers were released and among them was Assistant Minister for Information Lekh Ram Vayeshnoi, who confirmed that Prime Minister was beaten by armed men.

The stalemate continued on Sunday as family members of the MPs were allowed to bring new clothes and food. In an interview, the coup leader George Speight made it absolutely clear that he was willing to go all the way and execute the hostages if he was forced to abandon his objectives. Negotiations with both Rabuka and the President's aide Joseph Browne were going nowhere and the President of Fiji issued a statement in the afternoon, confirming that the coup leaders had plans to kill their captors. This statement was immediately refuted by George Speight, who defiantly blamed the President for prolonging the crisis. Meanwhile, Ratu Mara in a Presidential decree banned foreign media from conducting interviews with the coup leader. A divided and an effective Police Force erected roadblocks around the Parliamentary complex. However, the Presidential directive to seal off the complex altogether was ignored by senior army officials and Police. However, restrictions were quickly eased on 23 May and journalists were once again back interviewing George Speight, who continued to emphasise that the rights of indigenous Fijians were trampled upon for the last 100 years. The foreign media had little knowledge of Fiji and allowed Speight to continue with his diatribe unchallenged.

As the standoff continued, the coup makers became very edgy and in one incident, the militant members put a gun on Chaudhry's head and threatened immediate execution, after rumours that some soldiers had attempted to storm the premises.

The official structures of Government had broken down and traditional authority and influences were being exerted behind the scene to end the siege. The central player of course was the President of Fiji, who issued an amnesty to the coup conspirators conditional upon their recognition of the constitution and the elected government. This was rejected by George Speight, who continued to claim that he was the "Prime Minister" of Fiji. On 22 May, the Taukei Movement withdrew support for the Speight group and in the afternoon of that day, President Ratu Mara cast a doubt on the future of the Coalition Government, after revealing that he will put alternative government scenarios to the Great Council of Chiefs (GCC). On Tuesday 23 May, the Great Council of Chiefs convened an emergency meeting, where the hostage situation was discussed at length. At the meeting, a number of chiefs, supported the Speight coup while some chiefs from the west continued to support the constitutional government of the day. As international pressure mounted, the GCC Chairman Sitiveni Rabuka compromised his mediation role by publicly supporting the 1997 constitution. Furthermore, Rabuka revealed that some of the men participating in the takeover had trained on his farm in Vanua Levu.

The Counter revolutionary Warfare Unit (Meridian Squadron) was the brain child of Rabuka himself and during a Defence review in 1995, it was recommended that the Unit be disbanded, because of the danger of being used as a mercenary force internally. Those inside the Parliament were heavily armed and were ready for close quarter combat. While the Speight group had the firepower, they desperately needed the support of various nationalist groups outside parliament. Some Opposition SVT MPs invited to join the Speight's Taukei Civilian Government declined the offer, but

remained committed to the success of the armed coup. However, the position taken by the President, some military officers and chiefs created serious problems for the coup makers. In an attempt to plunge Fiji into anarchy, thugs once again attempted to regroup and instigate a rampage without success on 22 May.

Since the legislative arm of Government was incapacitated, it was crucial that the Great Council of Chiefs spoke with a single voice and in no uncertain term denounced this illegal takeover. Unfortunately, some chiefs from the eastern part of Fiji supported George Speight and this to an extent undermined the executive authority of the President. On 23 May, the chiefs deliberated on the political crisis and pledged unanimous support for the President. At night, Speight expressed concern over the decision of the chiefs but remained defiant, insisting that Fiji's President and the 1997 Constitution had to go. Also on his demand was a full amnesty to all involved in the overthrow of an elected government.

On 25 May, stalemate was setting in as indigenous Fijians from nearby villages in Suva convened to offer their support to the coup leader. Meanwhile, the Great Council of Chiefs agreed to dismiss the Chaudhry government, set up an interim administration for up to three years, and look into ways of changing the 1997 Constitution. After getting almost all his demands, Speight remained defiant. A delegation from the Great Council of Chiefs met with Speight on 26 May to resolve outstanding issues. But the situation reached a flashpoint on Saturday 27 May when a group of Speight supporters stormed a military camp near the parliament and attempted to wrestle weapons away from the soldiers. During the skirmish, two soldiers and a journalist based in Bangkok were injured when armed gunmen fired at them. Soon afterwards, the soldiers retreated and the mob looted and uprooted the army camp.

Tensions remained high throughout Saturday and in the afternoon, the President of Fiji confirmed that he had relieved Prime Minister Mahendra Chaudhry on grounds that he was incapable of carrying out his duties. An interim-Prime Minister was appointed, but the political situation deteriorated further on Sunday 28 May 2000 following a day of prayer. In the afternoon, Fiji TV looked at the forces behind the coup and focused on George Speight who was portrayed as having no notable record on championing indigenous rights. Political analyst, Jone Dakuvula, highlighted the provincial forces behind the illegal takeover and this infuriated Speight and his supporters in the parliamentary complex. A group of 200 men went and ransacked Fiji Television and shot and killed a Fijian policeman. The mob also went to the President's residence and fired shots in order to intimidate him.

On Monday 29, the President summoned the Commander of the Fiji Military Forces, Frank Banimarama, as Suva City was sealed off after continued rumours that Speight supporters planned another wave of attacks. After careful consultation, the President stepped aside in the evening and allowed Fiji Military Forces Commander to assume executive authority and declare martial law. Army check points were established throughout Suva and a 24-hour curfew was imposed.

Negotiations started on 30 May 2000 between Fiji Military Forces representatives and George Speight as the military tightened its grip on the city. As a result, five Speight supporters were arrested for violating the curfew. On the table was the issue of the

Military-appointed Council of Advisers, amnesty for the hijackers, and the abrogation of the 1997 Constitution. To appease the coup leader, the army agreed to an amnesty for Speight and his henchmen and in the afternoon, the 1997 Constitution was revoked by a military decree. A compromise candidate for the position of interim-Prime Minister was chosen. Ratu Epeli Nailatikau, a former army commander, former Fiji's ambassador to United Kingdom and Son in Law of the President, was seen as a neutral leader. In the evening of Tuesday 30 May, Speight and his gang were promised immunity from prosecution. However, the whole scene came to a standstill on 31 May when the rebel leader changed his mind and refused to accept anyone remotely related to Ratu Mara.

Speight and the group realised quickly that their initial strategy to hijack the government and united indigenous Fijians against an Indian Prime Minister had failed. The next step was to target anti-Speight indigenous Fijians and Indo-Fijians. As a consequence, Speight supporters hijacked seven taxis and harassed Indo-Fijians on the streets. Order was restored quickly but rumours of a protest march scared businesses mostly in Suva. On Thursday 1 June, negotiations once again started between George Speight and the army and the appointment of an interim-Prime Minister was put on hold. While this was going on, some 50 of Speight's supporters attacked and ransacked a police post at Nasese, near Suva. In the incident, two police officers were injured.

In the evening of Friday 2 June, Speight supporters went on a rampage once again, targeting homes in and around the parliamentary complex. In this round of attacks, a Speight supporter was shot in the leg and scores arrested by the military. The talks between the army and Speight continued on Saturday 3 June but collapsed after Speight accused the army of undermining the negotiations. Speight, as usual, had a new set of demand. He wanted total amnesty to all his gunmen and supporters, and wanted his nominee to be appointed as the President of Fiji by the GCC, and the army to go back to the barracks.

Meanwhile in the Western part of Viti Levu, some 500 people gathered at Veseisei village in Lautoka to denounce Speight and his group. Chiefs from the west agreed to sever ties with the rest of Fiji. Both indigenous Fijians and Indo-Fijian farmers were united in their stand not to harvest cane until the crisis was over. Similar sentiment was expressed by the Fiji Trades Union Congress (FTUC)- the largest union body in Fiji. By 4 June, reports surfaced that Indo-Fijians in eastern part of Viti Levu were terrorised by Speight supporters. Many had their homes raided, burnt and looted. Some had to flee and seek refuge in nearby villages. While the harassment and intimidation continued, Speight agreed to release four women hostages, including the daughter of President Ratu Mara. However, the women decided to stay with the rest of their colleagues.

On Monday 5 June, the army laid down its condition to the rebel leader. It suggested that the armed group release all hostages, surrender all arms, and allow the military to bring stability before convening a meeting of the Great Council of Chiefs.

Negotiations between the army and George Speight took a new turn when Fiji Military Forces Commander personally met with the rebel leader to iron out the differences. In the evening of 1 June, it was agreed that an interim Military-Civilian

Government will be established with Speight and his men playing an influential role. However, this deal had to be further deliberated on by the Great Council of Chiefs. By then, reports surfaced that chiefs from western Viti Levu didn't want anything to do with the Speight group and threatened secession.

By 5 June, the talks between George Speight and the army collapsed and on 7 and 8 June, western chiefs met at Nadi's Mocambo hotel and agreed to form a fourth confederacy with its own Council of Chiefs. It also endorsed the setting up of an independent state for the Western provinces. As a result, six representatives were selected at the meeting to work on the setting up of the legal and constitutional framework of a new state.⁵

On 8 June, the Fiji Military Forces took out a press release⁶ correcting comments made by George Speight earlier that the members of the army supporting the coup were all regular officers. According to the military, Metsulame Mua had resigned after the 1987 coup, Tevita Bukarau had resigned in 1999, the security leader at the Parliament Ilisoni Ligairi was discharged in December 1999, brother of the Police Commissioner Joseva Savua resigned in June 2000, and Ratu Rakuita Vakalalabure was posted to the Reserve of Officers on 1 January 1994.

On Thursday 15 June, former Home Affairs Minister Joji Uluinakauvadra was released for a short while to undergo medical treatment at the Plaza Medical Imaging Centre in Toorak, Suva before being returned to join his colleagues in Parliament. As the Speight group dragged on inside the Parliament, the actions of the Native Land Trust Board came into focus, following the distribution of a "Deed of Sovereignty" document in which the Board refused to surrender the administration of native land under any future governments. The Deed was aimed at recognising above all the illegal government by the hijackers.

On Friday 16 June, the Commonwealth Delegation to Fiji was given assurances by the army that none of George Speight supporters would be in the Interim Government. On 15 June, the delegation was briefed by the Commander of the FMF, Frank Bainimarama, that the country would return to democracy within two years. With the Commonwealth delegation heading home, the army increased its pressure on the Fiji Trades Union Congress (FTUC), which was coordinating sanctions against the illegal seizure of an elected government. Army spokesperson, Filipino Tarakinikini, held discussions with the union to avert the destruction of the garment industry. Despite a skilful public relations exercise by the Fiji Military Forces, the inability to contain the Speight group reflected badly on the military leaders. The general atmosphere of lawlessness became apparent when on Monday 19 June, four soldiers, in a revenge attack, took over a suburban police station, where a soldier facing murder charges was being held. Private Henry Ali, an Indo-Fijian faced charges relating to the death of indigenous Fijian Private Anare Waqavonovono in Lebanon with United Nations peacekeeper. While the situation was diffused, the cost of the ongoing crisis was revealed by the Fiji Visitors Bureau (FVB) which disclosed losses of up to F\$1.3 million a day. However, New Zealand Trade Unions joined their Australian counterparts by imposing a range of freight bans on Tuesday 20 June as tourism and

⁵ Clarification of the statements regarding the outcome of the meeting of the western region chiefs, Mocambo Hotel, Nadi, 6-7 June, 2000.

⁶ "RFMF corrects Speight on officer's status, Fiji Government Press Release, 8 June, 2000.

garment industries (1440 made redundant by 21 June) came to a complete standstill. The Fiji Business Council spoke against the bans, and the military government had more bad news when it announced on 21 June that civil servants would get a 20% pay cut as of 1 August, 2000.

With political posturing and manoeuvring going on in the background, Indo-Fijians continued to leave the country, following warnings of severe shortages of teachers and other skilled professionals as hopes were raised of a deal between the army and the George Speight group. On Saturday 24 June, the agreement known as “Muanikau Accord” was to be signed at 11:00 am at Tui Vuda’s residence. However, unfortunately, the Speight group came up with additional demands and effectively sabotaged the process. On Sunday 25 June, four women members of Fiji’s parliament held hostage by a group of coup plotters for 37 days, were released in the early hours of the morning by George Speight group. Those released included cabinet ministers Adi Koila Nailatikau, Lavenia Padarath, Marieta Rigamoto and former backbencher Akanisi Koroitamana.

With the hostage crisis well into its second month, reports surfaced that a number of Indo-Fijian families in rural Fiji were attacked and their livestock stolen.⁷ On 12 June, terrified Indo-Fijians were evacuated from their homes, following relentless attacks by indigenous Fijian thugs, sympathetic to George Speight. Some 130 mostly well-off farmers from Muaniweni were forced to hide in nearby jungle and caught the “freedom bus” to escape endless waves of racial attacks.⁸ According to journalist Phil Thornton, “the villagers of Muaniweni have had enough. Since Fiji rebel leader George Speight armed coup, masked men have terrorised them, battered them, stolen their possessions, killed farm animals and trashed their homes. Helped by donations from a Suva-based humanitarian group, the villagers decided to flee their homes.”⁹

By 20 June, former Fiji Development Bank Chairman, Laisania Qarase became the military’s choice for the Interim Prime Minister. Also included in the military line up was two Indo-Fijians: Iqbal Jannif and Thomas Raju. But the hijackers were pushing very hard to have their representatives in an Interim Government and as a result the negotiations with the army were going in circles. The worst part was that the army negotiators were sympathetic to the Speight coup and senior officers of the armed forces had compromised their position by presenting a whales tooth (tabua) to the hijackers at the height of the crisis. The Commander of the Fiji Military Forces Frank Bainimarama was also under pressure to come up with a plan that rewarded the coup makers and diffused the growing discontent within senior officers.

Endless television appearance and the use of mobile phones gave the rebels, in particular George Speight, a ripe medium to argue in favour of the takeover. Speight, unlike Rabuka in 1987, took all opportunity to sell the coup to foreign journalists, who shifted through volume of information to understand conflicting claims on the plight of indigenous Fijians. On Wednesday 28 June, chief military negotiator, Colonel Tarakinikini, confirmed that the army would appoint an interim government and would retain executive authority until the hostages were released.¹⁰ On 3 July, it

⁷ “Racist thugs terrorise village,” The New Zealand Herald, 24 May, 2000.

⁸ flee Speight thug attacks,” The Australian, 13 June, 2000.

⁹ Phil Thornton, “Fiji Villager’s Bus Trip to Freedom,” USP Journalism Online, 14 June, 2000.

¹⁰ “Military to set up Government,” Canberra Times, 29 June, 2000.

was revealed that an all indigenous Fijian interim government was ready to be sworn in. Among the names were Prime Minister Laisania Qarase; Deputy Prime Minister and Minister for Fijian Affairs Ratu Epeli Nailatikau; Minister for Finance Jone Kubuabola; Minister for Agriculture Luke Raturvuki; Foreign Affairs Kaliopate Tavola; Home Affairs Talemō Ratakele; Education Nelson Delailomaloma; Attorney General Alpate Qetaki; Labour Relations Hector Hatch; Infrastructure and Energy Jeketani Cokanasiga; Housing John Teiawa; Transport and Tourism Jone Koroitmana; Rural Development Fatiaki Misau; Health Peter Nacuva; Youth and Sports Keni Dakuidreketi; Land Ratu Josua Toganivalu; Women and Culture Paula Satutu; Commerce Tomasi Vuetilovoni; and Assistant Minister for Fijian Affairs Ratu Suliano Matanitobua.¹¹

By then, the interim Prime Minister designate, Laisania Qarase and his team had drawn up the “blueprint” for indigenous Fijian supremacy. The objective of such a document was two-fold. Firstly, it was to appease the hijackers and extremist elements within the indigenous Fijian community and secondly, it was to be used as a springboard to secure political control. On 3 July, the Commander of the Fiji Military Forces, Commodore Frank Bainimarama, in a press release argued in favour of implementing an affirmative action and social justice programmes for indigenous Fijians. According to the Commander, there was an urgent need to bridge the gap between indigenous Fijians and non-Fijians in commerce and professional and technical education. Besides that, constitution review was also on the agenda.¹² What Bainimarama was doing was fulfilling the wish list of the hijackers inside the Parliament. Moreover, Bainimarama’s own position seemed precarious with a divided army and lack of support from influential chiefs.

Despite attempts by those in authority to accommodate as far as possible the demands of the hijackers, a deadly gun battle erupted between armed rebels and members of the Fiji Military Forces on 4 July. A Fiji Military Forces patrol was identified and pursued by some 300 Speight supporters, who surrounded three military officers. A fifteen-minute gun battle ensued and 10 people were shot in the skirmish. Meanwhile, army officers sympathetic to George Speight mutinied at Sukanaivalu and Vaturekuka barracks in Vanua Levu as rebels warned of a large-scale revolt against the authorities. On 7 July, the military accepted Naitasiri Provincial Council’s offer to mediate talks between Speight and the military. In an exclusive interview with Radio Fiji, military negotiator, Filipo Tarakinikini suggested that “the proposal from Naitasiri was quite realistic and practical under the circumstances.”¹³

The circumstances which Colonel Tarakinikini was referring to was one that saw Fiji Military Forces ill-prepared for a spate of raids on hydro-electric power stations and brisk roadblocks in support of George Speight group by the people of Naitasiri.¹⁴ At the Queen Elizabeth Barracks, the paramount chief of Naitasiri, Ratu Inoke Takiveikata put forward a plan to resolve the hostage crisis. In fact, what the Naitasiri chief was doing was proposing a deal in favour of the hijackers. But behind the scene political posturing by the military was only strengthening the resolve on the part of

¹¹ Fiji Village News, 3 July, 2000.

¹² Statement by the Commander of the Fiji Military Forces and Executive Head of State, Commodore Voreqe Bainimarama, Monday 3 July, 2000.

¹³ “Naitasiri mediates peace talks,” Fijilive, 7 July, 2000

¹⁴ “Rebels disrupt life across the country,” The Sydney Morning Herald, 7 July, 2000.

the Speight group to push on with their agenda. On 9 July, an agreement, known as the Muanikau Accord, was signed between the Commander of the Fiji Military Forces and George Speight for the release of hostages. Furthermore, this accord called for an unconditional reinstatement of all service personnel involved in the illegal takeover and that weapons, removed from the armoury at the height of the crisis, be returned. Despite virtually achieving all his demands, Speight and his group remained defiant. On 12 July, the traditional confederacies of Kubuna spearheaded a 300 members Bose ni Turaga meeting on the Parliamentary complex. At the end of the meeting, the delegates endorsed Ratu Josefa Iloilo as the President and Ratu Jope Seniloli and Ratu Tevita Vakalalabure as Vice Presidents.¹⁵ Speight forwarded his own list of Cabinet Ministers as a counter-response to the one nominated by the military.¹⁶ Among those nominated by the Speight were: Prime Minister Ratu Epeli Kanaimawi; Attorney General Matebalavu Rabo; Finance Eroni Mavoa; Fijian Affairs Ratu Inoke Takiveikata; Foreign Affairs Kaliopate Tavola; Trade Navitalai Naisoro; Home Affairs Tevita Bukarau; Communications and Transport Ratu Timoci Silatolu; Agriculture Ratu Josefa Dimuri; Civil Aviation; Ratu Rakuita Vakalalabure; Lands and Mineral Maika Qarikau; Tourism Viliame Gavoka; Works and Energy Iliesa Duvuloco; and Information Josefa Nata.

On 13 July, the new Interim Prime Minister Laisania Qarase presented a blueprint on indigenous Fijian supremacy to the Great Council of Chiefs, which was struggling to persuade the hijackers in Parliament to release the hostages. The blueprint was virtually the wish-list of the George Speight group. Included in the list of programs was a proposal for a new constitution by 24 July 2001, return of all Crown Schedule A and B land to the Native Land Trust Board, agricultural leases to be moved to Native Land Trust Act (NLTA), establishment of a Land Claims Tribunal, strengthening of the Great Council of Chiefs, establishment of a Fijian and Rotuman Trust Fund, a compulsory national savings scheme for Fijians and Rotumans, affirmative action provisions, tax exemptions for Fijian companies, Fijian Education Fund, assistance to Yasana Holdings Limited, Government shares for Fijians, 50% of all licences and contracts for Fijians, assistance in purchasing shares, assistance for Provincial Business Participation, and assistance to buy back Freehold land.¹⁷

As Qarase laid his vision of Fiji, George Speight was still holding on. At first he was waiting for the much-promised immunity by the army. On 14 July, George Speight triumphantly waved a copy of a Decree, which stated that “ members of his Group who took part in the unlawful takeover of the Government democratically elected under the 1997 Constitution on the 19th day of May, 2000 and the subsequent holding of to hostages until the 13th day of July, 2000 shall be immune from criminal prosecution under the Penal Code or the breach of any law of Fiji and civil liability in respect of any damage or injury to property or person connected with the unlawful seizure of Government powers, the unlawful detention of certain members of the House of Representatives and any other person..”¹⁸ But the immunity decree was not

¹⁵ “Kanaimawi for PM,” Fijilive, 12 July, 2000.

¹⁶ “Fiji Crisis,” Lateline, Australian Broadcasting Commission, 12 July, 2000

¹⁷ Blueprint for the Protection of Fijian and Rotuman Rights and Interests and the Advancement of their Development, Presentation to the Great Council of Chiefs by the Interim Prime Minister, Laisania Qarase, 13 July, 2001.

¹⁸ Decree No. 18 of 2000.

enough for Speight, who continued to defy the Great Council of Chiefs, which sent a delegation to the hijackers to plead for the release of hostages.

Finally, the 56 day siege came to an end and Chaudhry and his Cabinet Ministers were finally released from captivity. Meanwhile, the Great Council of Chiefs and the military finalised a 20 member Cabinet and 11 Assistant Ministers, led by interim Prime Minister Laisania Qarase.¹⁹ Among the coup sympathisers in the new line-up were Ratu Timoci Silatolu, Ratu Inoke Takiveikata, Adi Finau Tabakaucoro and Simone Kaitani.

A new President and Vice President was also sworn in on 19 July. Ratu Josefa Iloilo—a high chief from Vuda—was the preferred Speight candidate for the office of Presidency. At the height of the crisis, western chiefs, including Iloilo, went and spoke at length with the hijackers about the desire for the west to form a separate government if the crisis continued. In a traditional ceremony performed mainly in an atmosphere of anti-Indo-Fijian rhetoric, the chiefs acquiesced to the carrot offered by the hijackers. Tui Vuda, Ratu Josefa Iloilo, who was Vice President of Fiji on 19 May 2000, would be the new President and Tailevu chief Ratu Jope Seniloli Vice President. At the swearing-in ceremony, Australian journalist Paul Daley noted that George Speight was also present at the ceremony.²⁰ Speight's presence signalled the careful behind-the-scenes negotiations with the President on the composition of a new interim government. On one side, there was intense lobby by the Speight group and on the other, there was Qarase and the military. On 18 July, Speight rejected the new cabinet proposal, because Speight supporters were given junior positions. Speight stated that “the proposed interim government is totally unacceptable to us. It will result in a very serious backlash.”²¹

Meanwhile, Fiji's ousted Prime Minister, Mahendra Chaudhry, called for a United Nations sponsored referendum to gauge support for his Coalition Government. But the Great Council of Chiefs (GCC) was against the return of Chaudhry and the chiefs were split along provincial and confederacy lines, but agreed to form an all indigenous Fijian interim government to appease the extremist nationalist elements within the indigenous Fijian community. By then the Commander of the Fiji Military Forces had abrogated the 1997 Constitution and had given immunity to the hijackers in Parliament. But due to international pressure and to greater extent further reports of violence and terror prompted the Fiji Military to move against the hijackers, who were incarcerated in a make-shift prison on the island of Nukulau.²² But before, Speight and his supporters left Parliament, they had buried a civilian supporter, Kolinio Tabua. In a celebration of a new martyr to the Speight's cause, Tabua's family triumphantly claimed heroism, along with five other injured rebels in the 4 July fire-fight with the army.²³

After leaving the Parliament, George Speight supporters went and established a base at Kalabu Primary School. On 27 July, the military commander had run out of patience and orders were given to apprehend the rebels. The decision to move against

¹⁹ “New Cabinet named,” 18 July, 2000.

²⁰ “Shaky start to a new day in coup-coup land,” *The Age*, 19 July, 2000.

²¹ “Fiji prepares for the next onslaught,” *The Age*, 19 July, 2000.

²² George Speight, Jo Nata and Tevita Bukarau were arrested on 26 July, 2001.

²³ “That man again,” *The Economist*, 22-28 July, 2000

the Speight group materialised after reports of threats on the life of the new President Ratu Josefa Iloilo, who was accused by the rebels of denying them fair representation in the new interim government. A team of heavily armed soldiers invaded the Kalabu Primary School and following a brief exchange of gunfire, one rebel was killed and some 30 were treated at the Colonial War Memorial hospital for various bullet wounds.²⁴ About 400 people at Kalabu were detained by the Police Mobile Force. With the rebels behind bars, the swearing in of the new interim government took place on Friday 28 July.

The outcome of the 56-day siege did not impress members of the Peoples' Coalition Government. Some members within the Fiji Labour Party were pushing for a Government of National Unity (GNU) whilst others wanted a return of the Chaudhry administration in its entirety. By 1 August, the deposed Prime Minister, Mahendra Chaudhry, was planning a court challenge over the dismissal of his government and the abrogation of the 1997 Constitution.²⁵ Meanwhile, Indo-Fijians on Vanua Levu continued to be terrorised by supporters of George Speight. In Dreketi, landowners took over government offices and some 150 Indo-Fijian families were under house arrest. In Tailevu, especially in the districts of Namalata and Wainibuka²⁶, numerous Indo-Fijian farmers were victims of violence and premeditated violent raids. Many had to flee to the safety of friends and relatives in Suva as the military and the police remained ineffective in preserving law and order. In Savusavu, Wailevu villagers erected roadblocks and some took over freehold properties. Also under attack was Waidice Indo-Fijian settlement outside Korovou. Weeks of terror saw three Indo-Fijian homes destroyed by arson and continued attacks drove 200 settlers to flee to safety elsewhere.

According to deposed Prime Minister Mahendra Chaudhry, indigenous Fijian rights were used as a smokescreen to depose his Government. At an interview in Australia's Dateline program, Chaudhry stated that indigenous rights were well protected in the constitution and that elite elements in the Fijian society were responsible for the events of 19 May.²⁷ Indo-Fijians, in particular, felt very insecure during the height of the crisis. Rural Fiji, in particular, became a scene of ongoing lawlessness as the military and the police failed to restore order. Indo-Fijians questioned the priorities of the interim government led by Laisania Qarase, who swiftly produced a "blueprint" to appease the indigenous Fijian militants but had done nothing to assist mostly Indo-Fijian families terrorised by indigenous Fijian village thugs.

By August 2000, Fiji was still under a cloud of instability. On 8 August, Private Joela Draunicevuga Weleilakeba and Corporal Raj Kumar were ambushed by rebels between Sawani and Navuso in Naitasiri.²⁸ With a small group of rebels still on the run, inquiry into the illegal takeover of Parliament started with the announcement that the Police Commissioner, Isikia Savua, faced a closed tribunal to determine his involvement in the May events. The inquiry was presided by the Chief Justice, Sir Timoci Tuivaqa, Fred Achari and Amani Rokotinaviti.²⁹ But reports of a closed-door

²⁴ "Rebel dies in gunbattle," *Fijilive*, 27 July, 2000.

²⁵ "Chaudhry plans court challenge to dismissal," *The Sydney Morning Herald*, 1 August, 2000.

²⁶ "Nightmare continues for Indians in rural Fiji," *Fijilive*, 2 August, 2000.

²⁷ Interview: Mahendra Chaudhry, deposed Fijian Prime Minister, *dateline*, 2 August, 2000.

²⁸ "Cold-blooded murder", *Fijilive*, 9 August, 2000.

²⁹ *The Fiji Times*, 22 August, 2000.

exercise infuriated and frustrated those who were actively seeking to unmask the masterminds behind the 19 May events. Indo-Fijians, in particular, felt cheated by the process and on 9 September an Indian Summit held in Nadi discussed the events following the takeover and questioned the role of the army, judiciary and the executive. The summit communiqué stated that:

The events of 1987 and 2000 show that the security forces (military and the army) have become highly politicised and consequently do not enjoy the confidence of all sections of the community of their commitment to safeguard interests of all citizens. Recent events have also given rise to concerns over the independence and commitment to the constitution of some high judicial and executive office holders. The summit expressed concern about decisions to marginalise Fiji's ethnic Indian civil servants.³⁰

The struggle to restore the elected government in Fiji moved to New York, where the Commonwealth Ministerial Action Group (CMAG) met from 15 to 16 September 2000. At the meeting both the deposed Prime Minister Mahendra Chaudhry and Interim Prime Minister Laisania Qarase argued in favour of their respective positions. But despite the international campaign by the Fiji Labour Party, the power brokers in Fiji were continuing with the path agreed to by the military, the Great Council of Chiefs and the inner-circle of Suva's indigenous Fijian business community.

Most, if not all, of the objectives of the hijackers were fulfilled. An elected government dismissed by the President and in its place, an all-indigenous Fijian interim government³¹ was sworn in. Besides that, a Constitution Review Committee under the leadership of coup sympathisers was set up. All this, however, did not satisfy the main proponents of the 19 May putsch and on 2 November Counter Revolutionary Warfare Unit members instigated a mutiny, which resulted in the loss of seven indigenous Fijian lives. The mutiny confirmed fears that the army was deeply divided over the events of 19 May and it was further confirmed that high chiefs and several senior army officers were still attempting to complete what Speight started on 19 May.

The masterminds of the coup had only achieved part of their objective and were facing investigation and possible criminal charges. Worse perhaps was the inability of the Great Council of Chiefs and its nominated President to uphold the rule of law due to internal divisions. The best outcome under the prevailing circumstances was to adopt a policy of "appeasement," which became caught up in legal constitutionalism, following the 15 November 2000 judgement by Justice Anthony Gates. This judgment was the turning point for Fiji for it laid the platform for the August 2001 general elections. The judgment by Justice Gates³² confirmed that the hijacked Coalition Government was the lawful Government of Fiji and that the President of Fiji Ratu Sir Kamisese Mara had not resigned and that the subsequent abrogation of the

³⁰ "Boycott New Constitution Talks: Indian Summit," Peoples' Coalition Government, Issue No.37, 11 September, 2000.

³¹ Statement by the Commander, Fiji Military Forces, and Head of State and Head of Government, Commodore Voreqe Bainimarama, 3 July 2000. Also see Statement on the Appointment of a Military Appointed Civilian Government, Felix Anthony, 5 July, 2001.

³² In the High Court of Fiji at Lautoka, Civil Action No. HBC0217.00L between Chandrika Prasad and the Republic of Fiji- 1st Respondent and the Attorney General 2nd Respondent.

Constitution by the Commander of the Fiji Military Forces on 29 May 2000 was unconstitutional.

Quickly the interim government appealed the judgment and on 1 March 2001, the full bench of the High Court in Suva rejected the “doctrine of necessity” argument and forced those in authority to prepare for general elections. On 13 March 2001, the Great Council of Chiefs resolved that: 1997 Constitution was still the supreme law of Fiji; Ratu Josefa Iloilo and Ratu Jope Seniloli were appointed President and Vice President effective 15 March; the chiefs accept that the President has reserve powers which can be used at certain times; parliament be dissolved; the President appoint a caretaker government; and that the interim administration’s “blueprint” be maintained and the Constitution Review to continue its work. Political parties and groups, motivated by the GCC resolutions, started preparing for the elections. However, the Citizens’ Constitutional Forum (CCF) challenged the legality of the path taken by the President of Fiji and on 11 July 2001, Justice Michael Scott dismissed the application paving the way for general elections.

There were 18 political parties contesting the election and some, if not all, quickly put together a party manifesto to lure a cross section of Fiji’s population. The Fiji Labour Party settled party’s leadership issue after a majority of party members gave full support to party leader Mahendra Chaudhry. Unhappy with Chaudhry’s leadership style, a long time Labour stalwart and former Deputy Prime Minister in the Coalition Government, Tupeni Baba broke ranks and formed New Labour Unity Party (NLUP). The interim Prime Minister Laisania Qarase launched his own Soqosoqo Duavata Ni Lewenivanua party (SDL) and campaigned strongly on indigenous Fijian issues.

But as Fiji headed for the elections, there were senior army officers under investigation for their involvement in this coup. As the investigations continued, there were revelations of involvement of senior army officers in the 19 May putsch. Military’s Legal Director, Lieutenant-Colonel Etueni Caucau was temporarily relieved of his duties after he was implicated in an internal army investigation. Fiji Military Forces spokesman, Lieutenant Ilaisa Tagitupou confirmed that a board of inquiry recommended that Lt-Col Caucau and a number of senior officers be investigated.³³

Earlier in May 2001, it was disclosed by former Secretary to the President, Joseph Browne, that intelligence reports, in the days leading to the events of May 19, were deliberately withheld from President Ratu Sir Kamisese Mara. Mr Browne stated that he had been in constant communication with dissident groups from 20 April 2000 and that he could sense an increase in nationalist activities.³⁴ This revelation places the whole Fiji’s intelligence infrastructure into question and in particular security briefing to the elected Minister of Home Affairs regarding the fateful political protest march by nationalists on 19 May 2000.

Also of concern were efforts by the military to move former President to safety during the height of the crisis. During the Great Council of Chiefs (GCC) meeting at the end of April 2001, it was moved that the military apologise for the manner in which it

³³ The Fiji Sun, 19 May, 2001

³⁴ The Fiji Times, 1 May, 2001

requested the Commander in Chief, Ratu Sir Kamisese Mara, to vacate his office. The Army commander, Commodore Frank Bainimarama, pointed out that instead of asking the army to apologize, the GCC get some of its own members to seek forgiveness. Furthermore, investigations into the roleplayed, by both Police Commissioner, Isikia Savua and Bauan high chief Adi Samanunu Cakobau in the 19 May events amounted to little more than a carefully orchestrated official public relations exercise.

As Fiji prepared for general elections, many unanswered questions still remained regarding the destructive events of 19 May 2000. There are divisions within the army with suggestions that the army was split along provincial lines and that any further *taukei* uprising would create a situation far more volatile and violent than those witnessed in 2000. Adding to this was the prolonged detention of those suspected of 2 November 2000 mutiny and rumours that some senior army officers are yet to be investigated for their role in the whole episode. Detained rebel soldiers named senior military officers including Colonels Jeremaia Waqanisau, Savenaca Draunidalo, Alfred Tuatoko, Ulaisi Vatu, Maciu Cerewale and Lieutenant Colonels Filipino Tarakinikini and Etuweni Caucau as key supporters of the May 19 uprising. Above all, the people of Naitasiri were upset over the prosecution of their high chief Ratu Inoke Takiveikata, who was charged for assisting the mutiny, and a group of pro-Speight supporters launched the Conservative Alliance *Matanitu Vanua* Party, which was expected to win a majority of indigenous Fijian nationalist votes, particularly in Tailevu and Vanua Levu. Not only that but rebel Ratu Timoci Silatolu and George Speight were preparing to contest the upcoming general elections. Both indigenous Fijians and Indo-Fijians remained divided into various intra communal factions, but there were greater divisions among indigenous Fijians and this continued to create political instability. Struggles for power among various indigenous Fijian chiefly houses caused fragmentation and disillusionment among indigenous Fijian grassroots as various political and religious groups attempted to jump off the race bandwagon and reflect hard on the effects of extremism on the economic and social life of Fiji. It was however in this environment, Fiji citizens, once again in little more than two years, went to the polls from 25 August to 1 September 2001.

The election dates were finalized following the judgment in the Fiji High on 11 July 2001 Justice Scott, who supported doctrine of necessity and dismissed the lawsuit brought by the Citizens Constitutional Forum (CCF). The action was seen as politically expedient under the prevailing political circumstances in Fiji. However, that did not legitimise the actions of the army, the President, Interim Government and the GCC following the events of 2000. The doctrine of necessity cannot be applied in the Fiji case, because only the legislative arm of the Government was incapacitated by the actions of extremists on 19 May 2000. The Executive and the Judiciary, including the army (despite divisions) remained functional. The move by army commander Frank Bainimarama to impose martial law was misplaced and a judgment regarding this was made in the Fiji Court of Appeal on 1 March 2001. For Justice Scott to suggest that the doctrine of necessity can be used to legitimize the decisions taken by the GCC and the President was erroneous. Under the 1997 Constitution, the President cannot act unilaterally in contravention of the constitution at any time. This is precisely what the Interim Government argued in the Chandrika Prasad case- that the President of Fiji has “reserve powers” and can do virtually what he pleases. Scott in

fact endorsed this viewpoint without critical constitutional test. Thus leaves the way open for President to continue to act outside the constitution in the future .

The Doctrine of Necessity argument was used in the Pakistan case, where the military usurped political power from civilian authorities. The doctrine simply allows justification of an act (usually of usurping power or suspending civil liberties) on the basis of necessity. In Fiji's case, the official argument is that it was necessary to ensure civil control following the events of 2000 and as a result, the President acted outside the constitution by allowing the Interim Government to continue in the caretaker capacity. As a consequence, the elected Prime Minister was summarily dismissed and the parliament was dissolved, paving the way for an election writ, which was issued on 12 July 2001. If “effective control” was established as a legal precedence in Fiji, then the army can use the same argument to suspend civil liberties, usurp government and pre-empt civil commotion. Insinuations that part of the army (those sympathetic to the Speight “cause”) do not want Chaudhry as Prime Minister indicates a potential for factions within the army to act outside the constitution at any time. Interestingly enough, extra constitutional intervention in politics by the army has already taken place twice on 14 May 1987 and again on 19 May 2000. This clearly demonstrates the fragility of constitution, government, and associated institutions in Fiji.

While bankruptcy of political power is clearly evident in the Fiji case, the situation is accentuated by rampant communalism, including the institutionalisation of extreme nationalist *i taukei* viewpoint. This is clearly manifested in the deliberations of the Soqosoqo Duavata ni Lewenivanua Party, led by caretaker Prime Minister Laisania Qarase. The party manifesto sought to win the extremists elements within the indigenous Fijian community in Fiji via the “blueprint on supremacy” and other discriminatory provisions, including concessions to churches and indigenous Fijian farmers.

On the Indo-Fijian camp, the National Federation Party (NFP) was clearly in disarray with the shock resignation of Dr Biman Chand, who was elected party leader for a day or two. However, reports indicated that factional infighting may have forced Dr. Chand to quit. On 20 July, Attar Singh was endorsed as the party leader and Dor Sami Naidu as Deputy leader. While NFP has come up with interesting policies, it failed to show strong leadership on issues affecting Indo-Fijians. Not only the NFP, the Fiji Labour Party had fragmented from inside before the general election.

Under the 1997 Constitution, political parties campaigned for 71 seats in the House of Representatives out of which 19 are Indo-Fijian communal seats, 23 indigenous Fijian communal seats, 3 General Voter seats, 1 for Rotuma and 25 common roll seats. As expected, political campaign was polarised along racial lines with a texture of intra-communal squabbles. The SDL argued for indigenous Fijian political unity and paramountcy of indigenous Fijian interest, whereas Matanitu Vanua Party, formed by the supporters of George Speight coup, highlighted the plight of rebels incarcerated on Nukulau Island and of average indigenous Fijian. The New Labour Unity Party, the SVT, National Federation Party and Fijian Association Party formed the “moderate” group, arguing in favour of peaceful co-existence of Indo-Fijians and indigenous Fijians under the 1997 Constitution.

The Fiji Labour Party accused the SDL of vote buying after it was revealed that farm equipments were handed out to secure political support. Other parties including Matanitu Vanua and SVT accused the SDL of official abuse. For the Indo-Fijians, the focus was the 1997 Constitution and land leases. Chaudhry made “respect” and “ignity” a centrepiece of his election campaign. The National Federation Party, in contrast, failed to provide clear direction and leadership, despite putting forward an impressive manifesto and electing a new leader, Attar Singh and deputy Dorsami Naidu. Furthermore, the NFP alienated some voters by putting Labour last on its preference list.³⁵ Not only NFP, but SDL, Matanitu Vanua, and Bai Kei Viti put Labour last.

There were some 201 candidates for communal and 150 for open seats.³⁶ Voting started on 25 August and long queues at polling stations prompted the Elections Office to engage more human and computer resources to ratify the situation. The United Nations and Commonwealth sent its observers to oversee the elections and there was tight security with police and the army ready to apprehend trouble makers. Following the end of voting on Saturday 1 September, counting began in the evening of 3 September. Initially, the Fiji Labour Party showed strong performance by capturing all Indo-Fijian seats and 8 open seats. Afterwards, it was stuck with 27 seats. SDL polled strongly in all indigenous Fijian communal seats and was neck in neck up to Wednesday 5 September when it sped ahead of Labour with 18 indigenous Fijian communal seats and bagged 12 open seats by the end of count on Friday 7 September. The Matanitu Vanua party created sensation when its candidate, Nukulau prisoner George Speight, won the Tailevu seat on Wednesday. Not only that but Matanitu Vanua won 5 communal and one open seat, capturing some 25% of total indigenous Fijian votes. The SVT, NFP, PANU, Bai Kei Viti and other smaller parties like Girmit Heritage and Freedom and Justice parties failed to win any seats. The leader of the New Labour Party Tupeni Baba lost his seat while his party won 2 seats- 1 General and 1 open seat. At the end of the day, there were 2 independents, 1 NFP (Nadi Open seat), 27 FLP, 6 MV, and 31 SDL.³⁷

Immediately following the results both the FLP and SVT accused the SDL of vote rigging and other dubious practices³⁸. Clearly, the results indicated that all if not most SVT support moved to the SDL. Apisai Tora's stunt with Bai Kei Viti came to an abrupt end with more than 60% of indigenous Fijians voters comfortable with the Qarase's interim administration. The Matanitu Vanua Party polled very well in Vanua Levu and in Tailevu. Meanwhile, Indo-Fijians were solidly behind the FLP (75%) while urban Indo-Fijians supported NFP (14%) and SDL (6%). At the end of the count, none of the parties had an outright majority and Qarase needed to either invite MV or make arrangements with NFP, NLUP, UGP, and 2 independents.

SDL Leader, Laisania Qarase was sworn in as Fiji's elected Prime Minister on Monday 10 September 2001. The decision to put Qarase in the driver's seat was unanimous, following his party's surprise performance in the August 2001 general

³⁵ While on one hand preferential voting system was snubbed by indigenous nationalists, on the other various political parties banded together to ensure that Fiji Labour Party was put last on the list.

³⁶ “General Election Brief for the Media Council, Elections Office, Suva, 18 July, 2001.

³⁷ “Summary by open seat and type of communal seat, “ Fiji Elections 2001, Elections Office, Suva, 7 September, 2001.

³⁸ “Man gets pre-marked ballot” Fiji Sun, 1 September, 2001.

elections. While none of the parties won a majority, the Soqosoqo ni Duavata ni Lewenivanua (SDL) captured 32 seats in the Fiji's 71 seat Parliament. Following the conclusion of the election on 7 September, Qarase was required by Section 99 of the 1997 Constitution to invite all parties with more than 10% of the total seats in parliament to join his cabinet and as a result, he invited the Fiji Labour Party to a grand coalition but changed his mind after Fiji Labour Party leader Mahendra Chaudhry suggested Korolevu Declaration of 1999 form the basis for resolving policy and manifesto differences. Instead of pursuing a dialogue with Mahendra Chaudhry, Qarase chose to work with Matanitu Vanua members, who supported the May 2000 uprising against the Chaudhry Government.

At first, Matanitu Vanua remained steadfast in its demand for an amnesty to those facing treason charges. However, after timely intervention of George Speight from his island prison on Nukulau, the Matanitu Vanua backed away from this key demand for the sake of indigenous Fijian unity and agreed to join Qarase's SDL. But in associating with Matanitu Vanua, Prime Minister Qarase lost support of the National Federation Party member Prem Singh, and the New Labour Unity Party leader Tupeni Baba sanctioned his elected member Kenneth Zinck for remaining in the SDL Coalition. According to NLUP, it had an agreement with the SDL that the latter did not include elected members of the Matanitu Vanua in any governing coalition.

Despite these problems, an all indigenous Fijian cabinet was sworn in on Wednesday 12 September 200, while the Fiji Labour Party filed a writ in the Fiji High Court challenging the legality of the new Cabinet on Tuesday 25 September. Not only that but the FLP accused the President of acting outside the constitution and colluding with the SDL. With the war of words continuing between the SDL and the FLP, the Chief Justice of Fiji, Sir Timoci Tuivaga on 14 September conceded that the cabinet line up may be "unconstitutional." Qarase and his team were not amused and suggested that the Fiji Labour Party take its rightful position as an opposition and stop showing disrespect to the Office of the President. On 25 September, SDL candidate George Shiu Gaj Raj was declared winner of the Ra Open Seat and was appointed Minister for Multiethnic Affairs in the SDL led government.

The post election Fiji remains anything but stable. Allegations of corruption and vote buying continued, and the Fiji Labour Party challenged the Qarase Government for its unconstitutional exclusion from the Cabinet. On Friday 15 February 2002, the Fiji Court of Appeal ruled that "that s 99(5) of the 1997 Constitution obliges a Prime Minister to invite, in unconditional terms, parties which have 10% or more of the membership of the House to be represented in the Cabinet in accordance with that provision. This means the invitation to participate in Cabinet may have to be issued across political lines. The text, the context, the history and the 1999 Supreme Court Opinion lead inexorably to this conclusion."³⁹ Immediately afterwards, the Qarase Government expressed its intention to take the issue to the Supreme Court of Fiji.

Regardless of the end result of the constitutional crisis, race relations in Fiji continue to suffer directly as a result of the events of 19 May 2000. An all-indigenous Fijian Government repeatedly claims that it has the support of the *vanua* and racial

³⁹ Fiji Court of Appeal, Civil Action No. 282 of 2001 between Mahendra Chaudhry (Plaintiff) and Laisania Qarase (First Respondent), President of Fiji (Second Respondent), Attorney General (Third Respondent), pp. 24-25.

sentiments expressed recently by mostly indigenous Fijian members of both Houses have effectively sabotaged a dialogue session, sponsored by Pacific Island Development Program leader, Sitiveni Halapua. Indo-Fijian leaders are of the view that there has to be some form of power sharing to ensure that the interests of Indo-Fijians are protected. This view is reinforced after the passing of Social Justice Bill, which largely ignored social justice issues facing ethnic minorities in Fiji. The Fiji Labour Party together with the National Federation Party argue that Government's policies are discriminatory and blatantly ignores the plight of poor Indo-Fijians.

Indigenous Fijian leaders on the other had remain firm in their determination to control the future of the country by not sharing power with Indo-Fijian leaders whom they collectively see as an affront to indigenous aspirations and advancement in Fiji. For the moment, it would seem that inter-vanua rivalries that surfaced during the crisis in 2000 have been to some extent diffused by the current indigenous Fijian leadership. There is a political consensus within the indigenous community that they have to stand united against a bigger threat- that of Indo-Fijian political domination.

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