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Laisenia Qarase's missed chance¹

In George Speight's shadow

George Speight's putsch, even though it failed, cast a long pall on Fiji politics. Laisenia Qarase, a merchant banker and long-term head of the Fiji Development Bank, was appointed leader of the interim administration tasked with paving the way for the next elections. But instead of learning the lessons of the past, he pandered to the whims and demands of the Fijian nationalist fringe, promulgating race-based policies and seeking constitutional entrenchment of Fijian political control. He won the 2001 General Election narrowly over the Fiji Labour Party, but abused the spirit of power sharing embedded in the 1997 Constitution. The Qarase Government fell into the quagmire of ethnic politics, and Qarase lost the chance to forge a new path for Fiji, in the process ruining his political career.

Fiji went to the polls two years after the last election in May 1999, which had elected a Fiji Labour Party–led People's Coalition to government.² That government was overthrown in a civilian coup led by George Speight on 19 May 2000.³ Fifteen months of confusion, anxiety and violence later, the worst in modern Fijian history, Fiji went to the polls again, under the 1997 multiracial constitution, which Speight and the Fiji military forces had declared abrogated, but which had been upheld by the

1 Originally appeared in *The Journal of Pacific History* 37(1) (2002): 87–101.

2 For the 1999 general elections, see Brij V. Lal (ed.), *Fiji before the Storm: Elections and the Politics of Development* (Canberra: Asia Pacific Press, 2000).

3 My analysis of the coup is in 'George Speight's putsch improbable', Chapter 15 of this book.

High Court and subsequently by the Fiji Court of Appeal. The holding of the elections was a significant achievement in the circumstances, but instead of resolving the country's political difficulties and healing wounds, it ended up polarising ethnic relations even further, embroiling major political parties in an acrimonious debate about power sharing mandated by the constitution. Fiji's agony continues.

A record 26 mostly indigenous Fijian political parties registered to contest the elections, but only 18 fielded candidates for the 71-seat Lower House. Interim Prime Minister Laisenia Qarase's Soqosoqo ni Duavata Lewenivanua (SDL), launched on the eve of the elections, won 32 seats; deposed Prime Minister Mahendra Chaudhry's Fiji Labour Party 27; the coup-supporting Conservative Alliance Matanitu Vanua (CAMV), among whose successful candidates was Speight himself, 6 seats; the National Federation Party (NFP) one; the breakaway New Labour Unity Party (NLUP) formed by Tupeni Baba, Deputy Prime Minister in the People's Coalition Government, two; and independents two.⁴ The smaller splinter parties failed to make an impact. What was surprising was the failure of the more established parties that had fared well in the past, including the Fijian Association Party (FAP), a senior partner in the People's Coalition Government, and the Soqosoqo ni Vakavulewa ni Taukei (SVT), the party in power for much of the 1990s.

Speight, still awaiting trial for treason, cast a long shadow over the campaign. Fijian political parties competed with each other to court his supporters, promising to fulfil his agenda of enshrining Fijian political paramountcy in perpetuity. Otherwise, there was little public enthusiasm for the election. The electorate was genuinely pessimistic and apprehensive.⁵ On the Indo-Fijian side, there was a pervasive feeling of fear and anxiety, the memory of 19 May 2000 still fresh. 'Fijians will do whatever they want,' a voter told me. 'What's the point of voting?' The low voter turnout—78.6 per cent—and a surprisingly large number of informal votes, indicated indifference or protest. On the Fijian side, where the voter turnout was equally low, there was dismay and disillusionment

4 In terms of votes, Fiji Labour Party won 226,000 first preference votes, or 35 per cent of the valid votes cast, SDL 169,000 votes, NFP 66,000 votes, Conservative Alliance 64,000 votes and, New Labour 29,000 votes.

5 *Pacific Islands Report*, 15 August 2001.

at the large number of parties, with divergent and sometimes diametrically opposed agendas, despite the effort of the Methodist Church to forge a semblance of political unity.

Public confidence in the most important institutions of the state was at its lowest ebb, their reputation for professionalism, independence and integrity tainted or otherwise compromised. Among them was the police force. The *Daily Post* summed up the popular perception.

The force remains under-paid, badly equipped, lacking in skills, demoralised, lacking in a leader with the moral authority to preach to his men and women, let alone the people of Fiji. The force under Mr [Isikia] Savua, has been linked with complicity in last year's political crisis. Many a police officer has said that the police did not act when they were needed during the riots in Suva city because they had not received the relevant instructions from the top.⁶

Isikia Savua was eventually cleared of illegality and complicity in the coup by a closed tribunal headed by the chief justice, but without abating public scepticism.⁷ One observer called the inquiry 'a fraud' facilitated by the chief justice, a 'person who has come under attack from legal sources in Fiji and internationally for facilitating the abrogation of the constitution and for continuing to frustrate legal challenges to the abrogation of the constitution'.⁸ Labour Party President Jokapeci Koroi accused Savua of having 'deliberately misled the government by giving assurances that there was nothing to worry about. Mr Savua must go'.⁹ Savua continued as police commissioner, although with a tarnished reputation.

The army, too, had diminished in public esteem. It managed to restore law and order after the hostages were released after 56 days of incarceration, but not before it was shown to be infected with indiscipline, insubordination and provincialism. The army's Counter Revolutionary Warfare Unit, established by Sitiveni Rabuka after the 1987 coups, was instrumental in the execution of the coup. Several senior military figures professed public sympathy for Speight's agenda but disapproved of his method, though precisely what method they would have approved was not specified.

6 *Daily Post*, 31 August 2001.

7 *Fiji Sun*, 11 August 2001.

8 Private correspondence with a leading Fiji lawyer.

9 *Fiji Sun*, 13 August 2001. Poseci Bune, Agriculture Minister in the People's Coalition Government, said 'Savua was the leader of the coup that failed to turn up': *fjilive*, 24 August 2001.

In November 2000, a section of the army mutinied, killing five soldiers and injuring scores of others. The violence the army unleashed to quell the mutiny remains a source of great bitterness and tension in the Fijian community, uncomprehending of the possibility of a Fijian army spilling Fijian blood. President Josefa Iloilo granted immunity to the regular soldiers, while mutineers awaited trial.

Another institution that lost credibility for independence and integrity was the judiciary, with a local daily pleading with the judges to ‘wake up, grow up and, importantly, stop bickering’.¹⁰ The role Chief Justice Sir Timoci Tuivaga played or did not play—the advice he gave the president in resolving the crisis that later proved to be unconstitutional, his early acceptance that the constitution had been abrogated, his authorship of a decree abolishing the Supreme Court—became matters of intense public dispute, leading the Fiji Law Society to call for his immediate resignation. The chief justice rebuked judges who disagreed with his interpretation or otherwise showed independence and rewarded those who sided with him. His unexpectedly harsh attack on Justice Anthony Gates of the Lautoka High Court, who had upheld the constitution, was typical. Tuivaga accused Gates of not ‘recognising and respecting the hierarchy of administrative power and authority with the judiciary of this country’, and advised him to ‘explore other work environment[s] where the rules of administrative propriety do not apply’.¹¹ Tuivaga defended himself. ‘I have been Chief Justice for 20 years, in the driver’s seat, and I know what is good for this country and what I did was good for the country.’¹² He had accepted the *de facto* government as ‘a matter of political reality’, and intervened to ‘ensure that the maintenance of law and order and justice in this country was not to be frustrated by any ineffective administrative court machinery’.¹³ The Fiji Court of Appeal, however, thought otherwise.

The social costs of the political crisis were visible. These included poverty, joblessness, prostitution, growth in the number of squatter settlements fringing major urban centres, people evicted from expiring leases living in makeshift camps in Valelawa in Vanua Levu and at the Girmitt Centre in Lautoka, women from broken homes, single mothers, and the unemployed (because of the closure of garment factories established under lucrative tax

10 Editorial, *Fiji Times*, 29 August 2001.

11 *Fiji Times*, 28 March 2001.

12 *Daily Post*, 1 September 2001.

13 Chief Justice to President of Fiji Law Society, 14 June 2000. High Court file CJ/WF/9.

regimes in the 1980s). There had been a marked increase in the suicide rate, particularly among women since the crisis of 2000.¹⁴ Many workers had suffered from pay cuts and reduced working hours.

The economy, which was beginning to show signs of growth after the 1999 elections, had suffered a severe downturn, with a projected 1 per cent growth rate. Foreign investment had dried up, while many local big businesses had moved their financial assets overseas. A few large ones continued to operate in Fiji as foreign companies. Investor confidence, severely shaken by the crisis and continuing uncertainty about Fiji's political stability, would take a long time to return. The economy would also suffer from the huge cloud over the sugar industry, which provided over 40 per cent of the country's export earnings and 15 per cent of the gross domestic product. The sugar industry employed nearly 150,000 people.¹⁵ The anticipated loss of preferential access to the European Union was a problem.

But the more immediate issue was the fate of farmers whose leases under the *Agricultural Landlord and Tenant Act* (ALTA) had begun to expire. The Act, which came into force in 1976, granted 30-year leases to tenants, and established a semblance of stability in the agricultural—especially the sugar—sector. The government and the Native Land Trust Board wanted the ALTA replaced by the *Native Land Trust Act* (NLTA) because they saw ALTA as favouring tenants by making the termination of expiring leases more difficult and remuneration for landlords less attractive. The essential difference between the two was that NLTA provided for rolling 5–30-year leases, not a minimum 30-year leases, giving landowners the opportunity to reclaim their land earlier if they so wished.¹⁶ Under ALTA, the rent was assessed at a fixed 6 per cent of the unimproved capital value, while under NLTA, it was assessed at the current market value and a percentage of production, to the benefit of landowners. Other provisions of the ALTA generally favoured the landowners. The land problem was inevitably politicised, both by the leaders of the farming community as well as by those representing the landlords, to the detriment of the economy. Many

14 *Pacnews*, 31 August 2001.

15 See Padma Lal, 'Land, lomé and the Fiji sugar industry', in *Fiji before the Storm: Elections and the Politics of Development*, ed. Brij V. Lal (Canberra: Asia Pacific Press, 2000; Canberra: ANU E Press, 2012), pp. 111–34, doi.org/10.22459/FBS.12.2012.

16 See Padma Lal, Hazel Lim-Applegate and Mahendra Reddy, 'Land tenure dilemma in Fiji: Can Fijian landowners and Indo-Fijian tenants have their cake and eat it too?', *Pacific Economic Bulletin* 16(2) (2001): 106–19.

leases not renewed were lying idle, slowly turning to bush, while the displaced tenants, dismayed to see their life's work ruined, sought shelter in refugee camps and alternative employment.

The fabric of national society was strained. On the surface things looked calm—people went about their business, intermingled in the workplace, on the sports field, around the *yagona* bowl, more of it more visible in parts of Fiji not directly traumatised by the events of 19 May. But hidden behind the rhetoric of multiculturalism and reconciliation lay deep suspicions and raw prejudices—more widespread than in Fiji's recent past. People once of genuinely moderate views sought shelter in extremist ethnic camps. Many Indo-Fijians, although politically opposed to Chaudhry, supported him as 'their only hope' against the Fijian nationalists. Many Fijians similarly supported Qarase. Some saw the widening divide between the two ethnic groups as confirming the pattern of race relations in Fiji's history, but that would be a mistake. The two communities had cooperated in the past—for example, in the review of the 1990 Constitution. And there was genuine regret on all sides at the racial turn Fiji politics had taken.

In Fiji, race relations tend to get polarised at election times. The race card has long been a part of the zero-sum game politicians have played. A semblance of normalcy returns as political tempers cool. While relations are tense, it would be a mistake to draw a picture of two solidly united groups, at the edge, at each other's throat, ready to explode. For the truth is that both the communities are internally divided by class, regional origins and culture. Not all Fijians, for instance, want the 1997 multiracial constitution revoked, or Fiji to be turned into a Christian state. Some demand special affirmative action programs for Fijians, while others do not. Some wanted Speight and his co-conspirators pardoned while others insisted on a proper trial. The deeper cracks, the confederacy and dynastic politics that surfaced in the aftermath of the coup, are still there, papered over for the moment. Fijian leaders recognise that the political unity of all Fijians under a single banner is an evanescent dream. Fijians rallied behind Rabuka in the early 1990s only to fragment later. Large numbers supported Qarase in this election but signs of division are already beginning to emerge.

Strong support for Chaudhry among Indo-Fijians should be read in a similar light. They rallied behind him because of the spectre of violence and discrimination that threatens them at the hand of the Fijian nationalists. But deep divisions exist. In this election campaign more

than in previous ones, there was open talk of the difference between Gujaratis and the descendants of the *girmitiyas*, and between North and South Indians. The NFP was portrayed as a party of the Gujaratis and the South Indians. Several community leaders spoke with dismay about the damage that reference to regional and cultural origins during the election campaign has done to social relations at the local village level. Whether, or how, the internal frictions and divisions manifest themselves in future political realignments will be watched with interest.

It is not surprising, in view of these developments, that turnout at the polls was low; a mark of fear, apathy, indifference and protest and, possibly, the absence of fear of noncollectable fines for not voting. Many Indo-Fijian voters also stayed away because of intimidation, fearing reprisal from Fijian landlords as well as nationalists if they voted for Labour. The percentage of invalid votes was a staggering 11.69 per cent compared to 8.69 per cent in 1999. The campaign itself lacked the verve and excitement normally associated with election campaigns in Fiji. There were a few large rallies in selected centres, but most of the campaigning was done in small pocket meetings. Television advertisement played a larger role this time than before, featuring party manifestos and policy positions. There was lengthy debate among leaders of all the major parties, generating more heat than light. Interestingly, all the major parties used the internet, several with their own websites, to publicise their manifestos and accomplishments. The internet was largely for overseas supporters and fundraisers as few outside the major urban centres in Fiji had access to computers. The calibre of candidates among Indo-Fijians was markedly inferior to the 1999 line-up, featuring a lacklustre list of retired school teachers and public servants and others looking for a second career. This was in marked contrast to the calibre of Fijian candidates, especially in the SDL, which featured accomplished, if politically inexperienced, professionals, most of whom had served in the interim administration. Fijians see a future in politics; Indo-Fijians do not, at least not with any expectation of taking a leading part in the nation's affairs.

The road to the August elections began with the hijacking of the Fijian Parliament on 19 May,¹⁷ holding members of the People's Coalition Government hostage for 56 days. The takeover of parliament was accompanied by an intense period of confusion and violence, during which

17 See Chapter 17.

the major players struggled to impose their will. Speight and his wide circle of supporters, defiant and uncompromising, sought to have themselves installed as the new government, preferably with the endorsement of the Great Council of Chiefs (GCC). A number of appointments to an interim administration were in fact announced but then abruptly withdrawn or revised when negotiations failed. Besieged President Ratu Sir Kamisese Mara, sought, albeit unconstitutionally, to wrest control of the unfolding events, offering an olive branch to the rebels with the promise to review the constitution to take account of their concerns. He failed because the rebels saw him as part of the problem, an ageing, imperious leader unwilling to give up power, out of touch, seeking personal advantage for himself and harbouring dynastic ambition. Unable to stamp his customary authority, Mara vacated office under armed protection on 29 May, allowing the army to impose martial law and a curfew in the urban areas.

Following Mara's resignation, the army installed a military government headed by Commodore Voreqe (Frank) Bainimarama. He became Executive Head of Government, advised by a Military Court of Advisors. Their main aim was to secure the release of the hostages and the return of stolen weapons. After a long and frustrating series of meetings with the rebels, the military managed to negotiate the Muanikau Accord, which freed the hostages. The rebels were promised amnesty if they surrendered arms stolen from the military's armoury. But when the rebels reneged, making further impossible demands from their new holdout at Kalabu, the army, its reputation already bruised and battered by the hostage crisis, its inaction the subject of derisive comment about its much-vaunted professionalism, retaliated with a brutality that shocked the Fijian community. The army eventually subdued the rebels and established a semblance of law and order, but its brutal tactics left a legacy of bitterness among Fijians, planting the seed for a violent mutiny several months later.

On 3 July, the Interim Military Government announced a 19-member Cabinet to run the country till 2002, by when, it hoped, a new constitution would be in place and fresh elections held under it. The military saw the main task of the interim administration as rehabilitating the economy and drawing up the terms of reference for a new Constitution Review Commission. The Commission would 'consider particular constitutional issues of concern to indigenous Fijians',¹⁸ including strengthening the role

18 *Pacnews*, 3 July 2001.

of the GCC 'in the national affairs of the State'; a race-based affirmative action for Rotumans and Fijians, and recognition of traditional and customary laws of the indigenous community. The Commission began hearings in mid-August 2000, but met immediate public opposition, both for the manner in which it was appointed, by an unconstitutional interim administration without consultation with the major political parties, and for the composition of its membership. The four Indo-Fijians on it were all Christians—a tiny percentage of the Indo-Fijian community—none enjoying the confidence of the community they purported to represent. The chair of the Commission was Asesela Ravuvu, a long-time advocate of Fijian paramountcy and one of the vocal hardline Fijian nationalists.¹⁹ His presence and utterances compromised the Commission, with the Indo-Fijians boycotting the hearings en masse.

The Commission was suspended in January 2001 following a High Court ruling upholding the 1997 Constitution and declaring its appointing authority, the interim administration, illegal. A small four-member subgroup prepared a summary report that, for the most part, blamed the Indo-Fijians for the problems facing the Fijian people. They were *vulagi* (visitors) who should, but did not, accept their proper culturally sanctioned role to serve, or at least be subservient to, the *taukei* (the owners of the land). Indo-Fijians used 'democracy, equality, and human rights to discourage and outmanoeuvre Fijian political efforts and aspirations to regain that nationalism and the power which had been ceded in 1874', the report argued.²⁰ The Indo-Fijians, moreover, 'did not consider the Fijian people's demands for the paramountcy of their interests and the return of all government authority into Fijian hands'. The solution to Fiji's political problems? Fijians 'must rule it [Fiji] and feel secure that they shall not be dominated in their own house. This is the only solution to long term political stability, peace and prosperity'. The political leadership of the country should always remain in Fijian hands, the authors argued 'within a time frame to allow others to be eventually assimilated and accepted as Fijians'.²¹

19 For his nationalistic views, see Asesela Ravuvu, *The Facade of Democracy: Fijian Struggles for Political Control, 1830–1987* (Suva: Reader Publishing House, 1991).

20 A copy of this report, which has never been released to the public, is in the author's possession.

21 *Fijilive*, 17 September 2001; Constitution Commission/Panel Report, *Seeking Cooperation, Toleration and Understanding of our Diversity: A Model of the People's Constitution*.

Qarase promised to be guided by the spirit of the report, adding provocatively that since Fijians owned 83 per cent of the land, they should have proportionate dominance in parliament.²² Whether the report would bear the desired fruit remained to be seen. A constitution that breached international human and civil rights conventions, as the Fijian proposal promised to do, would be rejected by the international community. The international response to the racially discriminatory 1990 Constitution was proof enough of that, and global commitment to the protection of human rights had strengthened in recent years. For their part, the Indo-Fijian community would reject any attempt to marginalise them, paving the way, yet again, for a long period of boycotts, sanctions and continued political instability.

On the economic front, the government promised a number of initiatives to revive a stagnant economy. It proposed to lower the corporate tax rate, introduce accelerated depreciation allowances, lower duty rates on construction materials and capital items, permit exporters access to world priced inputs, and introduce a duty suspension scheme for all regular exporters with a record of compliance.²³ Four months later, following the example of the post-1987 initiatives, the Qarase administration embarked on a 'look north' policy, seeking export markets and fresh investment input from East Asia.²⁴ Fiji backed Japan's effort to become a permanent member the United Nations Security Council, and supported China's membership of the World Trade Organization. China gave the Royal Military Forces US\$1.8 million, and Japanese aid similarly increased. But many of the Asian tigers are a humbled group now and unlikely to invest in Fiji to any significant degree, especially in an atmosphere of political uncertainty.

These initiatives were overshadowed by, or subsumed under, the interim administration's 'Blueprint for the Protection of Fijian and Rotuman Rights and Interests, and the Advancement of their Development', presented to the GCC by Qarase on 3 July 2000. The blueprint proposed to transfer all crown or state land to the Native Land Trust Board, set up a Land Claims Tribunal to 'deal with long-standing historical land claims' for 'land acquired for public purposes', establish a Development Trust Fund for Fijian training and education, give Fijian landowners more

22 *Fiji Times*, 22 August 2001.

23 Fiji Interim Government, press release, 15 August 2000.

24 Fiji Interim Government, permanent release, 4 December 2000; *Fiji Times*, 5 December 2000.

royalties for resources extracted from their lands, the payment determined by the Cabinet and not parliament, exempt Fijian-owned companies from company tax for a period of time, reserve 50 per cent of the licences (import, permits) for Fijians as well as 50 per cent of government contracts. These initiatives were not new. Many such schemes had been tried in the past and failed, but the administration was less concerned about the internal coherence and viability of its proposal. It was more attuned to the blueprint's certain appeal among Fijian voters.

In July 2000, the administration announced a 'Blueprint for Affirmative Action for Fijian Education'.²⁵ Long on vision and rhetoric but short on specifics, the blueprint proposed a 10-year affirmative action program for the:

development of a new generation of indigenous Fijians, proud of their traditions and cultural heritage, and imbued with a hunger for education for individual development and success; and of a national society with indigenous Fijians competing successfully in all fields of endeavour towards national socio-economic development.

The aim was:

to develop and transform all Fijian schools into centres of cultural and educational excellence to promote, facilitate and provide the quality education and training Fijian students need for their own individual development, and to adequacy equip them for life in a vibrant and developing economy. To inculcate into Fijian parents the understanding that education is the key to success in life and to therefore place the education of their children highest on their list of priorities.

These would be realised through the establishment of an advisory Fijian Education Board, strengthening community participation, providing access to quality education and training at all levels, upgrading the qualification of Fijian teachers, mounting special programs to meet the needs of Fijian school leavers, strengthening education in rural areas, and providing for a system of review to monitor the progress of the aims of the blueprint.

²⁵ 'Blueprint for Affirmative Action for Fijian Education', presented to the GCC by Qarase, 3 July 2000.

Fijian education has long been a national problem. Failure rates, especially at secondary and tertiary levels have been alarming for years, despite nearly four decades of affirmative action. An estimated 90 per cent of Fijian students dropped out between 1988 and 2000. In 1988, 11,000 Fijian children enrolled in Class 1, but 13 years later only 1,247 were in Form 7. There has been little proper accounting for the failure rate, and the allocation of more money may not necessarily solve the problem. The interim administration's 'racial' approach neglected certain complexities of educational activity in Fiji. Only Fijian schools, so designated, were eligible for funds earmarked for Fijian education. Yet, there are many non-Fijian schools that Fijian children attend; in some instances—for example, Pandit Vishnu Deo Memorial School in Samabula and DAV Girls College and Suva Sangam High—they comprise the largest numbers. Yet, these schools do not qualify for special assistance, discouraging Fijian parents from sending their children to non-Fijian schools, shielding them from a competitive learning environment they would inevitably encounter later in life.

The interim administration had its critics who saw the blueprint as 'Qarase's ploy to pay off militant elements who were behind the May 19 [2000] event'. Dr Isimeli Cokanasiga of the Fijian Association Party argued that the blueprint would 'not benefit Fijians who were hardworking, successful, talented, smart and ambitious', but those who were 'blue-blooded, losers, lazy, dumb and ambitious'.²⁶ But Qarase was undeterred. His policies, backed by all the advantage of incumbency, proved popular among Fijians and accounted for the party's victory in the elections. Buoyed by popular support and unable to form a united Fijian political front, Qarase, a politically inexperienced merchant banker of mixed record, launched his own political party, the SDL, in May. Qarase targeted the Fijian voter as his first electoral priority, and unashamedly committed the public purse to that end.

There was much movement and activity on the Labour side as well. Released from captivity, the members of the deposed government pleaded their case to the international community already outraged by Speight's coup. Australia, New Zealand and the United States responded with trade and 'smart' sanctions banning coup supporters from entering their countries. In July, Labour filed a case in the Lautoka High Court before Justice

26 *Fiji Times*, 13 November 2001.

Anthony Gates challenging the abrogation of the constitution.²⁷ It argued that the attempted coup of May 2000 was unsuccessful, the declaration of a state of emergency invoking the doctrine of necessity by President Ratu Sir Kamisese Mara unconstitutional, and the purported abrogation of the 1997 Constitution void. The People's Coalition Government remained the legitimate government 'in view of the [inability of the] interim military government and Speight's group to reach an agreement on governing the country'.²⁸ For its part, the interim administration argued that the applicant, Chandrika Prasad, a farmer fleeing terror in Muaniweni in south-eastern Viti Levu, who had sought temporary shelter at the refugee camp at the Girit Centre, and in whose name Labour had instituted the legal proceedings, had no *locus standi* to mount the court case. His action was an 'abuse of process', 'scandalous, frivolous and vexatious'.

Justice Gates, however, thought otherwise. He agreed that the coup had failed. 'It never achieved any legitimacy,' he declared, because it had breached established procedures for amending the constitution. He then turned to the contentious 'doctrine of necessity', upon which the state rested its case. The doctrine justifies extralegal intervention in exceptional circumstances, through military takeover, for instance, to preserve peace, order and a semblance of government when the state is paralysed. But it cannot be used to legitimise or consolidate the extralegal usurpation of the power of the state. Gates ruled:

The doctrine does not permit necessity to be used as a means of subverting the existing constitutional structure either by abrogating the existing legal order or by bypassing the path laid out for lawful amendment ... Whatever is done however should be done in order to uphold the rule of law and the existing constitution ...

Necessity cannot be resorted to in order to justify or support the abrogation of the existing legal order. The doctrine is valid only to protect not destroy.²⁹

The interim administration, too, was illegal, in Gates's opinion.

27 *Republic of Fiji and AG vs Chandrika Prasad 2000*, High Court Action No. HBC 0217.00L, Lautoka.

28 *ibid.* See also George Williams, 'The case that stopped a coup? The rule of law and constitutionalism in Fiji'. *Oxford University Commonwealth Law Journal* 1(1) (2001): 73–93. doi.org/10.1080/14729342.2001.11421385.

29 Chief Justice Anthony Gates, High Court of Fiji at Lautoka, Civil Jurisdiction no. HBC 0217.00L, 15 November 2000'. A transcript is in my possession.

[The] rule of law means that the suspended state of affairs and the constitution return to life after the stepping down of a responsible military power and after the conclusion of its work for the restoration of calm for the nation. The nation has much for which to be grateful to the military, and may yet have further need for its assistance to maintain stability. There is no constitutional foundation of legality for the interim administration.³⁰

The pre-May 19 2000 parliament was still in existence. Mara still remained president. The 'status quo' was restored. Parliament should be summoned by the president at his discretion but as soon as possible.

Gates's was a courageous decision that caught the interim administration, and most people in Fiji, by surprise. Nonetheless, to its credit, and against the advice of some hardliners, parliament agreed to appeal the decision before the Fiji Court of Appeal, Fiji's highest court after the abrogation of the Supreme Court following the May 2000 Coup. The full bench met in March, chaired by Sir Maurice Casey of New Zealand and consisting of Justices Ken Handley of Australia, Gordon Ward of Tonga, Sir Maori Kapi of Papua New Guinea and Sir Ian Barker of New Zealand. The interim administration was represented by two Queen's Counsel (Nicholas Blake and Anthony Molloy) and the respondents by Australian legal academic George Williams and the high-profile human rights lawyer Geoffrey Robertson, QC. The appearance in the court case of such a distinguished cast ensured high drama and unusual international interest.³¹

The court first considered the state's contention that the abrogation of the constitution was justified because the electoral system—preferential voting—had produced an outcome detrimental to Fijians, that the first-past-the-post (FFP) method of voting would have given a more balanced result, that 1997 Constitution had weakened protection of indigenous Fijian rights guaranteed under previous constitutions, 'so that the new government under an Indo-Fijian prime minister could disregard and erode the rights of indigenous Fijians'.³² On the system of voting, the court concluded that under the FFP system, one of the Fijian parties, the SVT, would have won more seats (from 8 to 17), and Labour three

30 *ibid.*

31 *The Republic of Fiji and AG vs Chandrika Prasad 2000*, The Court of Appeal, Fiji Islands on Appeal From the High Court of Fiji Islands Civil Appeal No. ABU0078/2000S. High Court Civil Action No. 217/2000, available from: www.fijihosting.com/pcgov/docs_o/chandrikaprasad_ruling_appeal.htm (accessed 4 May 2018).

32 *ibid.*

fewer (34 instead of 37), but overall the People's Coalition would have won 45 seats (increased to 47 with the addition of two VLV candidates to the Cabinet). 'Whichever system had been used, the voting figures would have made the FLP the largest individual party by a substantial margin.' The court similarly rejected the claim that Fijian rights could be eroded by the government of the day, noting the iron-clad guarantees in the constitution. No significant issue touching indigenous concerns could be passed without the consent of the Fijian people themselves, specifically without the support, in the Senate, of 9 of the 14 senators nominated by the GCC.

[Any] attempt by the government to change the law in relation to land or to indigenous rights by stealth was impossible under the 1997 Constitution and any suggestions that it needed to be replaced on that ground cannot be substantiated.

Nor did the court uphold the doctrine of necessity as a justification for abrogating the constitution.

Had a new legal order been created by the coup? Had the revolution succeeded? The interim administration argued that it had. It was now firmly in control of the country, the machinery of administration was functioning, the population had acquiesced. Fiji's continued diplomatic relations with the international community also attested to its legitimacy and authority. The court ruled otherwise. Several human rights and community organisations had presented affidavits showing curtailment of basic freedoms. The existence of emergency legislation inhibiting public expression of dissent was proof enough of continuing public disquiet about events in the country. 'The people must be proved to be behaving in conformity with the dictates of the de facto government,' the court concluded, and the interim administration had not furnished convincing evidence to support its claim, thus failing the test of acquiescence. Summing up, the Fiji Court of Appeal ruled that the 1997 Constitution remained the supreme law of the country. It had not been abrogated. And the parliament had not been dissolved but prorogued on 27 May for six months. But on one issue—whether the president had in fact resigned of his own accord—the court ruled that he had, contradicting Gates's judgement. Mara was no longer President of Fiji. Vice-President Ratu Josefa Iloilo had assumed the office of president.

The much-anticipated decision of the Fiji Court of Appeal did not create the havoc in the country that some had predicted (or hoped for). Instead, the GCC, the interim administration and the military, after some public misgivings about its ability to maintain law and order, agreed to respect the decision. What was the way forward? The court's decision divided the Labour Party. One faction, led by Deputy Prime Minister Tupeni Baba, preferred a broadbased government of national unity from among the members of the deposed parliament. Baba, a politician of thwarted ambition with a shaky power base, whose strident criticism of Chaudhry's style was public knowledge, would lead that government with other Fijian parties, including the SVT. What Fiji needed, he said, was more breathing space to heal the wound of the coup, not another acrimonious election in a heightened atmosphere of racial tension. Chaudhry disagreed. He would never agree to be a part of any government which included people who were 'connected even remotely' to the coup.³³ Chaudhry changed his tune after the election, though, when he explored the possibility of having the Christian Alliance, Speight's party, in a multiparty government led by him. The national interest, Chaudhry said, 'Would best be served if we were to go for fresh elections'. Accordingly, Chaudhry advised the president to dissolve parliament after reconvening it to deal with constitutional issues raised by the opposition parties.³⁴ Astonishingly, in his letter to the president, he even agreed to jettison the Alternative Vote system, of which he had been a staunch advocate. 'The People's Coalition has an open mind on this and is prepared to discuss changes to bring back the FFP system.'³⁵

The president disregarded the advice of both the factions. Instead, he listened to the senior officers of the army who met him soon after the appeal court's ruling. The military expected the president to observe the spirit of the constitution but added emphatically that 'as a matter of national interest we cannot afford to have Mr Chaudhry and his group back'.³⁶ The army, now a central part of the Fijian political equation and the ultimate guarantor of public security, could be ignored only at the country's peril. Even Chaudhry's own colleagues agreed, including his deputy prime minister, Adi Kuini Speed, who urged her former leader to

33 *Pacnews*, 5 March 2001.

34 *Fiji Sun*, 30 May 2001.

35 People's Coalition Government, media release, 7 March 2001. Dr Jonathan Fraenkel argues (private correspondence) that Chaudhry's willingness to jettison the Alternative Vote system was a 'shrewd move'. Chaudhry 'knew full well that the preferences gained in 99 would not be forthcoming, but the FLP might get a plurality of the vote'.

36 *Fiji Sun*, 4 March 2001.

'use good sense and realise that it is going to be very unstable if he returns as prime minister. It will be very dangerous because of what has happened'.³⁷ In an act of astounding constitutional contortion, President Iloilo swore in his nephew, People's Coalition Minister Tevita Momoedonu as acting prime minister, and asked him to advise dissolution of parliament, which Momoedonu did. Iloilo accepted the advice and Momoedonu's prompt resignation and reappointed the Qarase's caretaker administration to prepare the country for general elections. Chaudhry challenged the constitutionality of the president's action, but was unsuccessful.

The announcement of elections in August paved the way for the next phase as political parties geared up for elections. Fragmentation and confusion were the order of the day. The People's Coalition fractured. Tupeni Baba resigned from the Fiji Labour Party in May to form his own New Labour Unity Party, accusing his former leader of trampling on 'dialogue, compromise and consensus', of being insensitive to Fijian concerns and problems, and of an absence of 'fair and equitable distribution of power' within the party. Chaudhry, Baba said bluntly, was a 'dictator'. The disunity among Fijians was worse. In Western Viti Levu, Apisai Tora, ever mercurial, formed yet another political party, the Bai Kei Viti, to challenge the Party of National Unity he himself had launched to contest the 1999 elections. Competing for the same vote, on an almost identical platform, they cancelled each other out, thereby decreasing the western Fijian voice in national affairs that both were keen to secure. The SVT regrouped under the leadership of Filipe Bole, but it was pale shadow of its former self, unsure of its identity, uncertain about its future direction, confused about its electoral tactics and strategy, and contradictory in its political pronouncements.

The Fijian Association, under its ailing leader, Adi Kuini Speed, was divided and drifting, unable to articulate a coherent vision. The Nationalist Vanua Tako Lavo party had its predictable agenda for Fijian nationalism and political control was appropriated by other 'mainstream' political parties. Among them was the newly formed Conservative Alliance Matanitu Vanua party, conceived on the island of Vanua Levu by supporters of Speight and the coup. The party wanted the 1997 Constitution replaced with one that gave Fijians political control. 'We can't have immigrant people run the government; political control must

³⁷ *Fiji Times*, 5 March 2001.

be related to the ownership of resources that fuels Fiji,' thundered one of its leaders, Ratu Rakuita Vakalalabure.³⁸ The party rejected ALTA, demanded greater landowner control over the exploitation of natural resources (forests, fisheries, minerals), and compensation for past government projects on alienated Fijian land. It also wanted Speight and his co-conspirators granted amnesty. Speight, the party claimed, was not a terrorist but a political prisoner, not a traitor but a hero of the 'Fijian cause', a latter-day Sitiveni Rabuka.

Qarase's SDL, launched on the eve of the elections, was the mainstream Fijian 'nationalist' party. Its unabashedly pro-Fijian agenda and deep animosity to Chaudhry, which intensified as the campaign progressed, increased its appeal among Fijian voters. The SDL portrayed itself as the party best positioned to realise the aims of the Speight Coup, trumpeting the wealth of bureaucratic and technocratic talents among the rank of its candidates. It, too, would review the constitution to entrench Fijian paramountcy. It would set up a Land Claims Tribunal to investigate land claims by landowners. The Fijian blueprints were its manifesto for the indigenous community, and the SDL committed itself to its full implementation. And the Qarase administration blatantly used the advantage of incumbency to the maximum, practising pork-barrel politics at its worst (or best), improving roads, building bridges, donating money to schools in marginal Fijian constituencies, providing farming implements, brush cutters, outboard motors and generators.³⁹ Loyalists were placed in strategic decision-making positions in the public service and statutory organisations. And the powerful Methodist Church lent the party its own considerable support, 'threatening eternal damnation for those not supportive of whomever it support[ed]'.⁴⁰ Well-funded, sharply focused, uncompromising and strident in its defence of Fijian interests, the SDL easily outgunned its Fijian rivals.

The advantage of incumbency apart, Qarase was helped by the division and lack of drive in other Fijian parties. A good example was the performance of the SVT. Its new leader, Filipe Bole, a veteran politician, adopted a moderate, multiracial stance. He defended the 1997 Constitution and criticised Qarase's nationalist rhetoric. Bole also saw no problem working

38 *Fiji Sun*, 5 September 2001.

39 See *Sunday Times*, 2 September 2001. Also Ro Alipate Mataitini, 'Forked tongues', a paper presented to the Fiji Workshop held in Canberra at The Australian National University, 19 November 2001.

40 Mataitini, 'Forked tongues'.

with Chaudhry. The party's manifesto emphasised social and economic issues—health, education, jobs, infrastructure, reforming the value added tax (VAT) system and helping first time home buyers⁴¹—making it virtually indistinguishable from its rivals with an identical menu of promises. Ema Druavesi, the formerly ardent Fijian nationalist secretary of the SVT, called Qarase's blueprints 'racist', saying that a 'national leader should project an image of a leader that respects and looks after the nation, irrespective of ethnicity, religion, or political differences'.⁴² This, from a party once led by the coup leader Sitiveni Rabuka, left many Fijian's shaking their heads.

But many in his own party did not share Bole's vision. Among them was former SVT leader, a coup-supporting nationalist, Ratu Inoke Kubuabola, for whom there was a 'Fijian consensus that the 1997 Constitution does not adequately safeguard the indigenous rights and aspirations'.⁴³ On Chaudhry, Kubuabola declared the Labour leader:

must accept reality; he is not a man of peace, he is for confrontation; he is trying to take what is not his for the taking. The reality should tell Mahendra Chaudhry why he just doesn't qualify to lead this country.⁴⁴

Mere Samisoni, the SVT candidate for Lami, was an ardent supporter of the Speight Coup, supplying food to rebels at the parliamentary complex.⁴⁵ Berenado Vunibobo, with nationalist leanings, was likewise linked to the Speight camp. He was, moreover, a member of the Constitution Review Commission, which wanted the constitution changed. The SVT also suffered the indignity of its sponsorship by the GCC being severed on the eve of the elections. The party, which had started with much promise and which had been in power throughout the 1990s, was clearly hobbled by doubt about its purpose and identity, unable to articulate a vision that resonated with its primary constituency, the indigenous Fijians. That role had been usurped by the SDL. And the SVT's newly minted but generally unconvincing politics of moderation were undermined from within its ranks and attacked by other Fijian parties.

41 *Daily Post*, 29 July 2001.

42 *ibid.*, 4 May 2001.

43 *ibid.*, 16 August 2001.

44 *ibid.*, 24 August 2001.

45 See Mere Samisoni, 'Thoughts on Fiji's third coup d'etat', in *Coup: Reflections on the Political Crisis in Fiji*, ed. Brij V. Lal and Michael Pretes (Canberra: Pandanus Books, 2001), pp. 39–46.

Labour's success was also due to its own innate strengths as well as the weaknesses of its opponents. Among its opponents was the New Labour Unity Party formed by Tupeni Baba.⁴⁶ For a while, Baba's prospects looked bright, but not for long. Baba was unable to entice to his new party other senior members of Labour equally displeased with Chaudhry's style and who had been reprimanded for indiscipline and purported insubordination (Krishna Datt and Pratap Chand, for example). Baba, a former academic prone to ponderous intellectualising, had no political base of his own, and Labour supporters accused him of treachery at a time when unity was imperative. The party's new style election campaign, featuring pop singers and football players, was ridiculed by an electorate demanding, and accustomed to, a more serious approach to political campaigning. Baba's handing out of food parcels to squatters and other urban poor, smacked of vote buying, similar to the tactic adopted by the SDL. Perhaps most damaging of all to NLUP's claim to be clean and transparent was the revelation that a convicted fraud, Peter Foster, had bankrolled the party's campaign to the tune of \$200,000.⁴⁷ The revelation mocked Baba's call for transparency, accountability and good governance, and he paid the price. Baba lost his seat, although two of his colleagues won.

The other major threat to Labour was the NFP. In 1999, the NFP had won a third of the Indo-Fijian votes to Labour's two thirds. The NFP thus had much ground to cover, but it was not up to the task. One problem was leadership. The retirement from politics of its long-term leader, Jai Ram Reddy, had left a huge gap. The resignation of Biman Prasad, an academic economist and newcomer to politics, just two days after being elected leader compounded the problem. His replacement, Attar Singh, a trade unionist, was unable to erase the image of a weakened, drifting party searching for a leader. The NFP's moderate and conciliatory approach, its emphasis on social and economic issues, which looked suspiciously like a copy of Labour's manifesto, lacked appeal in an atmosphere charged with racial tension. Chaudhry could, and did, claim the mantle of Indo-Fijian leadership.

The NFP's electoral tactic of highlighting its role in the political and economic development of the country—its role in the achievement of Fiji's independence, in the Denning Arbitration, which had caused the departure

46 *Fiji Sun*, 2 June 2001.

47 *Pacific Island Report*, 13 August 2001. Peter Foster was jailed for 18 months by a British court in 1996 for his role in a fraudulent weight-loss scheme. He fled to Australia while on parole.

of the Colonial Sugar Refining Company (CSR) from Fiji, in the negotiation of the *Agricultural Landlord and Tenant Act*, its role even in the successful review of the 1990 Constitution—carried little weight with voters reeling from unemployment and poverty, and profoundly ignorant of history. The NFP's traditional support base had eroded over the years, captured by Labour—the sugarcane growers were with the Labour Party—affiliated National Farmers Union, as were public servants, teachers and workers. The emigration of thousands of Indo-Fijians since the coups of 1987 had robbed the party of supporters who might have been more sympathetic to NFP's moderate stance and multiracial vision. Labour's claim that the NFP was yesterday's party, supported by rich businessmen some of whom had allegedly supported the Speight coup, did not help. In the end, the NFP was unable to capture the imagination of people looking for a party to lead them into the future, not one harking to its past glories.

The other minor Indo-Fijian parties were similarly ineffectual. Among them was the Justice and Freedom Party, formed after the May 2000 coup.⁴⁸ Holding the United Kingdom and Australia responsible for the introduction of Indians to Fiji, and by extension their present troubles, the party demanded compensation from them as well as permanent residence for Indo-Fijians in Australia. The plight of Indo-Fijians in the camps in Lautoka and Vanua Levu served to heighten the appeal of the issue. But the single-issue party failed, its cause emotionally appealing but legally unsustainable. The indentured workers had come under a contract, an agreement, which entitled them to return to India at the end of five years, at their own expense, or at government expense after 10. Most had chosen, voluntarily, to stay on in Fiji, acquired Fiji citizenship and participated in the affairs of the country as full citizens. To be sure, indenture was a harsh, brutalising experience, but it was not slavery, at least in the technical sense. Voters sympathised with the party's cause but rightly thought its realisation impractical.

Labour triumphed not only because of the weakness of its opponents. Chaudhry is an astute, skilful politician, perhaps the most adroit in the country, and now the only Indo-Fijian political leader of national stature. Many rallied to him for that reason, just as many Fijians supported Qarase. To some, Chaudhry appeared arrogant and confrontational, but his supporters saw him as strong, fearless and principled. There was

48 *Fiji Times*, 7 August 2001.

an enormous amount of emotional sympathy for what Chaudhry and his colleagues had endured at the hands of the parliament hijackers: the humiliation and brutality and the imminent threat to their lives. And yet, despite it all, they had remained undaunted. As Chaudhry told his rallies, ‘They put a gun to my head and I didn’t flinch. Why should you be afraid to vote for me?’⁴⁹

Leadership aside, Labour’s other trump card was its record of government. They had removed the VAT on essential food items, generated employment (6,400 jobs) and investment (FJ\$300 million worth of hotel projects approved), improved infrastructure, cracked down on tax evaders, achieved a remarkable 6.6 per cent of economic growth, and had a FJ\$47 million budget surplus in just the first three months of 2000. They were overthrown not because they had failed but because some vested interests (and others who felt otherwise marginalised) felt threatened. They wanted to complete the task they had begun. They had done nothing wrong; they were the wronged party. The Indo-Fijian electorate listened sympathetically, understood the message and responded overwhelmingly in support, especially those who were desperately poor and without hope. The Fijian nationalists’ shrill attack on Chaudhry stiffened their resolve.

The election produced a stalemate, with neither SDL nor Labour winning an outright majority of seats. Both parties then began negotiations with the Conservative Alliance, the moderates and the independents to form a multiparty government required by the constitution. Chaudhry’s action in seeking a coalition with the party whose members had masterminded the coup against his government a year earlier was full of irony, but then, in 1992, Chaudhry had supported Sitiveni Rabuka, the author of the 1987 coups.⁵⁰ Initially, the Conservative Alliance grossly overplayed its hand by demanding amnesty for Speight and his co-conspirators, a voice in Senate nominations and, most improbably, deputy prime ministership. To their credit, both Qarase and Chaudhry flatly refused the amnesty demands. Realising their strategic error, the Conservative Alliance dropped their demands and agreed to join Qarase’s SDL Government—political opportunism winning over political principles. Qarase also

49 I attended the rally at which Chaudhry uttered these words.

50 See Brij V. Lal, *Another Way: The Politics of Constitutional Reform in Post-Coup Fiji* (Canberra: Asia Pacific Press, 1998).

successfully enlisted two independents (Savenaca Draunidalo and Marieta Ringamoto) and New Labour Unity Party's Kenneth Zinck to his side.⁵¹ He had formed a multiparty government.

That, however, was not enough. The Constitution (Section 99) provides that the prime minister:

must establish a multi-party cabinet. In establishing the cabinet, the prime minister must invite all parties whose membership in the House of Representatives comprises at least 10 per cent of the total membership of the House to be represented in proportion to their members in the House.⁵²

If the party declined the invitation, the prime minister could then nominate members of his own party or a coalition of parties to fill the places in the Cabinet.

As the leader of the largest party in parliament, Qarase was thus constitutionally obliged to invite the Labour Party to join his Cabinet. This he did, reluctantly, hoping that Chaudhry would decline the invitation. According to the formula provided for allocating the number of seats in the Cabinet in the Korolevu Declaration,⁵³ Labour was entitled to eight of the 20 Cabinet seats and SDL 12. Qarase, who had already rejected the idea of working with Chaudhry as an anathema, argued that Labour's and SDL's policies were diametrically opposed, as they indeed were, and that Labour's inclusion in Cabinet would be a prescription for political paralysis.

The policies of my Cabinet will be based fundamentally on the policy manifesto of the Soqosoqo Duavata ni Lewenivanua, as the leader of this multi-party coalition. Our policies and your policies on a number of key issues of vital concern to the long-term stability of our country are diametrically opposed. Given this, I genuinely do not think there is sufficient basis for a workable partnership with your party in my Cabinet.⁵⁴

51 Zinck has since been sacked by his party, but, at the time of writing, still continues to be a member of the Qarase Cabinet.

52 Republic of Fiji, *Constitution 1997*, S99 (5).

53 The document is published as Parliamentary Paper, 15 (1999).

54 Letter is reproduced in the *Daily Post*, 20 September 2001.

Chaudhry, however, thought otherwise. He accepted the invitation. ‘What fool in politics would like to be in opposition when he can be in government,’ he observed.⁵⁵ Personal differences between the two leaders were of secondary importance, Chaudhry wrote to Qarase:

We believe that common conviction on rebuilding the nation in a spirit of reconciliation must supersede all else. The issue of policy difference can be resolved in a frank and fair discussion designed to reach consensus and understanding.⁵⁶

Qarase was unmoved, employing additional arguments to keep Chaudhry out. He argued now that Chaudhry had laid down conditions that he found unacceptable. Chaudhry, he said, wanted to have a hand in the allocation of Cabinet portfolios. He wanted to act as ‘opposition’ within Cabinet, thus undermining the principle of consensus and collegiality. Chaudhry denied conditionality, and pressed for urgent negotiation, pointing out that as prime minister he had invited into his Cabinet parties whose policies, too, were different from Labour’s but who had managed to form a coherent government. When Qarase refused, Chaudhry sought the president’s intervention.⁵⁷ But the frail president, increasingly dependent on advisors openly sympathetic to the cause of Fijian nationalism, refused, swearing in Qarase and his Cabinet. Chaudhry took the matter to the Fiji Court of Appeal.

Qarase’s intransigence was the predictable result of many factors. Among them was his personal antipathy to Chaudhry. Qarase would have been able to work with another Indo-Fijian leader, his supporters say, less abrasive, less confrontational, someone like Jai Ram Reddy. But personality is only a part of the equation. Political survival is at stake too. Qarase knows that if he does not deliver on his electorally appealing but poorly costed promises to the Fijians and appease the nationalist fringe—small but powerful, capable of immediate mobilisation, and ready to take to the streets to be heard—he will suffer the same fate as his predecessors. He raided the public purse to bolster his campaign, and he succeeded, but that is an unsustainable approach. Qarase’s main aim was to keep Fijians united and on his side. To that end, he worked hard to coopt all potential Fijian adversaries and dissidents into his circle. Apisai Tora, the opportunistic western Fijian rebel, had been appointed to the Senate. Ratu Tevita

55 *Fiji Times*, 11 September 2001.

56 Chaudhry’s letter is reproduced in the *Daily Post*, 17 September 2001.

57 See the *Daily Post*, 21 September 2001 for Chaudhry’s letters.

Momoedonu, another westerner, had been appointed Fiji's Ambassador to Beijing. Ratu Epeli Nailatikau, the amiable but ineffectual high Bau chief and loyal deputy prime minister in the interim administration, had been appointed Speaker of the House of Representatives. The President of the Methodist Church, Reverend Tomasi Kanailagi, a powerful figure in the Fijian community and privately a staunch supporter of the coups, had also been rewarded with a seat in the Senate. The nationalist chair of the Constitution Review Commission, Asesela Ravuvu, was there as well. Ratu Finau Mara, the drifting, jobless son of the former president, had been made the roving Ambassador to the Pacific Islands. Sooner rather than later the cooption strategy would run its course, the well would run dry. What then?

Keeping his Fijian fragile constituency united and on side may not prove practicable in the long run. There was grumbling in government ranks. The Conservative Alliance had given Qarase 6–12 months to deliver on his promises. They demanded that the government facilitate the transfer of sovereignty over Fiji to the country's second-tier chiefs (who had supported the coup), declare Fiji a Christian state, return all Crown Schedule A and B land to their original owners, and entrench Fijian political leadership in perpetuity. The deep-seated social and economic tensions within the community would surface, as they had often done. There were deep fractures along provincial, rural–urban and class lines that had defeated previous efforts at unity. Racially based affirmative action policies, deeply contested by other communities, would face scrutiny when results did not match expectations. Rewriting the constitution to accommodate the nationalist sections of Fijians would be fraught. Investor confidence and economic growth would be stifled in an atmosphere rife with racial discrimination. Qarase's assurance to other communities, especially the Indo-Fijians, that they had nothing to fear from his government, that their legitimate political rights would be protected, rang hollow in the face of his nationalist pronouncements. The politics of ethnic chauvinism and confrontation would continue to keep Fiji in a state of perpetual turmoil. Qarase, a weak leader beholden to groups with divergent agendas and aspirations, cooped up in an opportunistic coalition of convenience, discovered, sooner rather than later, that winning the elections was easier than governing a deeply polarised country. He was riding a tiger he could not afford to dismount. His fate was sealed.

This text is taken from *Levelling Wind: Remembering Fiji*, by Brij V. Lal,
published 2019 by ANU Press, The Australian National University,
Canberra, Australia.