In 1987, Fiji had its first change of government since the country became independent in 1970. In a general election, a coalition of the National Federation Party (NFP) and the Fiji Labour Party (FLP) won four more seats than the ruling Alliance Party. Dr Timoci Bavadra replaced Ratu Sir Kamisese Mara as Prime Minister. Both were indigenous Fijians, but most of the Coalition’s electoral support was non-indigenous. A month later the new government was deposed by a military coup. A second coup, later in the year, forestalled implementation of a political compromise between party leaders. The country was declared to be a Republic, and was refused re-admission to the Commonwealth. The former Governor-General became President, and established an Interim Government.

A new Constitution was drawn up to replace the one adopted at Independence in 1970. Its preamble explained how the ‘events in 1987’ were occasioned by a widespread belief that the 1970 Constitution was inadequate to give protection to the interests of indigenous Fijians, their values, traditions, customs, way of life and economic well being (Fiji 1990:498).

The new 1990 Constitution contained provisions that its designers believed would protect and promote the interests of indigenous Fijians, including disproportionate parliamentary representation, more influence for the Great Council of Chiefs, affirmative action in the public service, and the reservation of the office of Prime Minister for indigenous Fijians. Its affirmation of indigenous rights attracted some sympathy from governments elsewhere in the region, but the Constitution was also criticised for its impact on non-indigenous
Fijians, particularly the Indo-Fijians whose forebears had come as indentured labourers to the country during colonial rule. Emigration increased and investment fell. Constitutional change became the test for investor confidence and a return to the Commonwealth.

The 1990 Constitution contained provisions for its own review within seven years (Section 161). The Review was eventually commissioned in March 1995, and reported in September 1996. Parliament approved the following terms of reference:

The commission shall review the Constitution promoting racial harmony and national unity and the economic and social advancement of all communities and bearing in mind internationally recognised principles and standards of individual and group rights.

Towards these ends the Commission shall:
(1) Take into account that the Constitution shall guarantee full protection and promotion of the rights, interests and concerns of the indigenous Fijian and Rotuman people.

(2) Scrutinise and consider the extent to which the Constitution of Fiji meets the present and future constitutional needs of the people of Fiji, having full regard for the rights, interests and concerns of all ethnic groups of people in Fiji.

(3) Facilitate the widest possible debate throughout Fiji on the terms of the constitution of Fiji and inquire into and ascertain the views and opinions that may exist in Fiji as to how provisions of the Fiji constitution can be improved upon in the context of Fiji’s needs as a multi-ethnic and multicultural society.

(4) Report fully on the above matters and, in particular, to recommend constitutional arrangements likely to achieve the objectives of the Constitutional Review as set out above (Fiji 1996:744–55).

The chairman of the Constitution Review Commission (CRC) was Sir Paul Reeves, a former Archbishop and Governor-General of New Zealand with an indigenous Maori background. Its other members were Tomasi Vakatora, an indigenous Fijian businessman and former cabinet minister, and Dr Brij Lal, an Indo-Fijian academic historian at The Australian National University (ANU).

The chapters in this book assess the CRC’s recommendations about the system of electing members of Parliament. Although they are only one aspect of the CRC’s report, they are a critical, and
controversial, aspect of its approach to achieving cooperation between ethnic groups.

Ethnic divisions are typical of modern states (Smith 1995:86). Ethnic conflicts have become more salient since the end of the Cold War, but have always been a feature of the politics of developing countries like Fiji. Relations between indigenous people, and the descendants of migrants, are also a matter of constitutional debate in Fiji’s neighbours, including Australia, New Zealand and New Caledonia.

**Background to the chapters**

The following chapters are based on papers presented at a workshop held at ANU’s Research School of Pacific and Asian Studies in Canberra in January 1997. The workshop brought together the former Commissioners (Reeves, Vakatora and Lal, and their Counsel, Alison Quentin-Baxter), Professor Donald Horowitz, whose arguments about voting in ethnically divided societies had influenced the Commission, and other academics and students with interests in electoral systems and Fiji politics. Members of the Select Committee of the Fiji Parliament which was then reviewing the CRC report were invited to the workshop, and several were able to attend. It was organised by the editors of this book as part of a wider research project in the Research School of Pacific and Asian Studies on ‘State, Society and Governance in Melanesia’, funded from the ANU’s own resources and the Australian Agency for Aid and Development (AusAID), and convened by Professor Ron Duncan of the National Centre for Development Studies.

Tomasi Vakatora, and Professor Yash Ghai, who were academic visitors to ANU in late 1996, helped design the workshop and identify participants. Professor Cheryl Saunders, of the University of Melbourne, Michael Maley of the Australia Electoral Commission, and Dr Marian Simms, Dr William Sutherland and Anthony Regan of the ANU contributed as rapporteurs and discussants. Ghai was adviser to the NFP-FLP, and he, Saunders and Larmour had been advisers at various times to the Citizens Constitutional Forum, a non-government organisation (NGO) that had held a number of workshops in Fiji on constitutional issues, and had made a submission to the CRC. Another NGO, the International Institute for Democracy and Electoral Assistance (IDEA), contributed to the
publication of this book, through Ben Reilly, Programme Officer at IDEA and a PhD scholar in the ANU’s Department of Political and Social Change.


Under the 1970 Constitution, there were separate electoral rolls for Fijians, Indians and so-called General Voters (the rest). The country was divided into two kinds of constituency: 27 communal constituencies, in which voters from one ethnic group chose among candidates from their group; and 25 national constituencies, in which candidature was limited to members of one or other ethnic group, but all three groups voted. Thus any particular elector had four votes: one for a candidate from his or her own ethnic group, competing only for the votes of that group; and one each for a candidate from each of the three ethnic groups, competing for three national seats. The candidate with the largest number of votes in each seat won. There were no seats without ethnic restrictions on candidature and/or voting. However ‘cross voting’ in the national seats was meant to encourage accommodative behaviour. For example, the candidate in a Fijian national seat had to be a Fijian, but could seek support more widely from other ethnic groups. In ethnic terms the outcome was fixed, and balanced, in advance: there would always be 22 Fijian MPs; 22 Indian MPs; and 8 ‘General’ MPs (who were thus over-represented compared to their numbers in the population).

Fijian and Indian leaders had agreed that the 1970 arrangements were not final, and that a Royal Commission would look again at the electoral system. The commission, chaired by Professor Harry Street, reported in 1975 and recommended retaining the 27 communal seats, but opening up the 25 national seats to any candidate, regardless of ethnicity. Elections to the open seats would be by Single Transferable Vote. The government did not act on the report (Lal 1986:78, Scarr 1988:20).

The Alliance Party held power under this electoral system for 17 years. The Alliance was formally a coalition of different ethnic organisations. Though it was dominated by its Fijian wing, it always attracted a substantial Indian vote. It faltered briefly in 1977, when it narrowly lost a general election. However, the opposition was so divided that they could not form a government and the Alliance was...
restored with a large majority in a second general election held later in the year. It faltered fatally in 1987, when the opposition coalition briefly took office, before being removed in a military coup.

The 1990 Constitution retained the separate electoral rolls of its predecessor, and created an additional roll for the indigenous people of the offshore island of Rotuma. It eliminated the cross voting national seats, and increased the total number of communal seats, but reweighed them to give the Fijian members an overall majority. Thirty-seven of the 70 seats were reserved for Fijians, 27 for Indians, 5 for General Voters and 1 for Rotumans (who had previously voted with Fijians). Thirty-two of the Fijian seats were filled from multimember, provincial constituencies. All elections were conducted via a First-Past-the-Post (FPP) electoral system.

When parliamentary government was restored after the first general election in 1992, the Alliance had been replaced by the Soqosoqo ni Vakavulewa ni Taukei (SVT) as the largest Fijian party. It was led by Sitiveni Rabuka, who had led the two coups in 1987. Ratu Mara, the former Prime Minister, became President. The SVT did not try, nor did it have any electoral incentives, to appeal outside Fijian constituencies, and claimed a special relationship with the country’s chiefs. In the 1994 election it increased its number of seats.

Meanwhile, emigration had affected the demographic balance between ethnic groups. In 1966, indigenous Fijians had formed 42 per cent of the population. In 1986, just before the coups, they formed 46 per cent. By 1996 they were 50 per cent (Norton 1990 Table 1; Fiji CRC 1996: 790–91, Tables A and B). There had been a net outflow of about 40,000 Indo Fijians, compared to 5,000 people from other communities, since the coups (Fiji CRC 1996: 37, para 3.67).

**What the chapters say**

**Horowitz: the arguments for the Alternative Vote system**

Donald Horowitz’s chapter argues from first principles, particularly that a politician’s primary objective is to ensure election, and from the recent history of other, ethnically divided societies. He identifies several ways of reducing inter-ethnic conflict: by dispersing it; by encouraging conflict within rather than between groups; by creating incentives for cooperation; and by encouraging cleavages such as class or territory, that cut across ethnicity.
Horowitz proposes that politicians will be more moderate on ethnic issues if they have to rely, to some extent, on the votes of people who are not members of their ethnic group. Their moderation is enforced by the votes, and the threat of withholding them, of voters from other ethnic groups. He contrasts this approach, which he calls ‘vote pooling’, with ‘seat pooling’, where candidates successful within their own ethnic group form a coalition with candidates from other ethnic groups after the election. These coalitions, he says, quickly break down without the backing of voters. He finds three conditions are required for pre-electoral coalitions in divided societies: party proliferation (so no party can govern alone); heterogeneous, or mixed constituencies (so that candidates cannot rely on the votes of their own group alone); and ‘strong electoral incentives to make vote pooling politically profitable’, particularly the Alternative Vote (AV).

Horowitz finds the CRC’s arguments for the AV ‘impeccable’ but he disagrees with some of their detailed recommendations, particularly their way of adding preferences, and their proposal for multimember seats in which all candidates compete against all other candidates. He suggests other ways of counting preferences, and proposes that if large constituencies are necessary they need not be ‘multimember’: three members would be chosen by the same electorate, but candidates competing for one of the seats would only compete with other candidates competing for that seat, and preferences would be transferred only within single seats. Horowitz thus deals with the major concerns raised in the workshop against multimember AV.

Horowitz also includes ‘discouraging words’ about the relationship between the process of negotiation, and the outcome. Just because two sides can agree on something does not mean it will work. And things that are agreed to as transitional often later prove hard to dislodge (as the fate of the Street Commission shows). It is important to get things right at the start.

**Lal: the Commission’s thinking**

Brij Lal introduces and summarises the Commission’s thinking and recommendations about electoral systems. He sets out the logic of the Commission’s approach: analysing the weaknesses of the 1970 and 1990 constitutions, comparing Fiji with other countries, giving
priority to inter-ethnic cooperation, and then making recommendations to achieve it. Among these were the recommendation that all elections to both Houses of Parliament, and to the Presidency and Vice Presidency, should be by “the preferential system known as the ‘Alternative Vote’” (Fiji CRC 1996:304).

The chapter treats the AV as a refinement of the FPP system, designed to ensure that the successful candidate receives a majority of the votes cast. The AV contrasts both with proportional systems, designed to ensure that the seats a party receives in Parliament are proportional to the number of votes it receives in the election. Importantly for the debate in the January workshop, the chapter argues that the Alternative Vote can be used in multimember as well as single-member constituencies.

The Commission evaluated these electoral systems according to their impact on inter-ethnic cooperation and multi-ethnic government. They studied the impact of electoral systems in other ethnically divided societies, including Mauritius (discussed in Mathur’s chapter). They saw politicians and political parties as the significant actors, responding to incentives and restraints imposed by the electoral system. Provided that there were a number of political parties, and constituencies contained a mixture of ethnic groups, the Alternative Vote could encourage some politicians and parties to seek the second or third preferences of people from another ethnic group. If they wished to get re-elected, they would continue to take into account the interests of the voters who had given them their preferences.

The Commission went on to evaluate AV against their other criteria: representation of constituents; voter participation; minority representation; fairness between parties; effective government and effective opposition; provenness elsewhere; and legitimacy. The CRC recommended that 45 open seats in Fiji’s Lower House should be filled by AV in 15 three-member heterogeneous constituencies. Boundaries would be determined by a standing, independent Constituency Boundaries Commission. Another 25 seats should be reserved for ethnic groups.

Lal’s chapter concludes with his own comments, particularly to counter criticisms of the use of AV in multimember constituencies. Fiji already used multimember constituencies for Fijian seats, and the purpose of the CRC’ s recommendation was to achieve the ethnic
heterogeneity within the seats that was necessary for AV to encourage inter-ethnic cooperation.

**Reilly: the Alternative Vote in Australia and Papua New Guinea**

Ben Reilly's chapter follows Horowitz and Lal in granting a central place to electoral systems in shaping political competition, and the Alternative Vote in achieving accommodation. His contribution is to show in detail how AV works in Australia, and worked in its former colony, the ethnically divided state of Papua New Guinea. He disagrees with the CRC, however, over the use of AV in multimember constituencies.

Reilly shows how AV can be seen as a refinement of the Single Transferable Vote system of proportional representation. The arguments for AV assume that politicians behave rationally, and strategically, taking into account the characteristics of the electorate, their bases of support, and their expectations of what other candidates will do. To ‘pool’ their own first preferences, and the second preferences of other candidates, politicians will, he says, tend to move to the centre. The Australian Labor Party’s reliance on the second preferences of Green voters in the 1990 Federal election is a good example.

Reilly identifies three strategies adopted by candidates under AV in Papua New Guinea: candidates with a small base of first preferences sought the second preferences of other groups; candidates with a larger base sought secondary support from outside it; while others campaigned together, urging supporters to give their second preferences to each other. Preference distribution became increasingly important in deciding the outcome of successive elections (and, by implication, the highly competitive, and sometimes violent, style of campaigning in some parts of Papua New Guinea may be related to its adoption of FPP in 1975).

While the PNG evidence supports AV, Reilly faults the CRC’s recommendation for AV in multimember constituencies, and their recommendations about the way second and third preferences should be counted. The Alternative Vote in multimember constituencies, he argues from Australian Senate examples, can produce highly disproportionate outcomes. He shows from a hypothetical example, that giving second and third preferences the same weight as a first preference may lead to the elimination of more
popular candidates, and disproportional outcomes. He concludes that AV utilising single-member constituencies is the best option, but if multimember constituencies are needed to achieve ethnic heterogeneity, then Fiji should use the Single Transferable Vote.

**Arms: arguments for Proportional Representation**

David Arms dissents from the consensus among previous chapters in favour of the Alternative Vote. He goes back a step further to dissent from the priority that the CRC gives to multi-ethnic government. Instead, he argues, the electoral system should try to represent the whole spectrum of opinion in the electorate, including minority views, even if these are racist, or extreme. Arms is suspicious of deals, accommodations and engineering outcomes. People in Fiji, he suspects, will continue to vote on ethnic lines, and a system that tries to marginalise these expressions of opinion will only drive them outside it.

Arms is sympathetic to the use of AV when one official is being elected (for example, a President). However, when a number of representatives is being elected simultaneously (as in a parliament), he is concerned that a minority interest or viewpoint may be systematically unrepresented. (Supporters of AV might say they would nevertheless be able to influence the outcome through the use of their preferences.)

The first part of Arms' chapter uses examples to show how different electoral systems can deliver different results from the same initial distribution of votes. He notes Block Voting is already operating in some elections in Fiji, and generally finds it, and AV, to be hostile to minorities. He points out that the CRC has been sufficiently concerned about under-representation to allow the President to make appointments to the Upper House to compensate for it, and that the CRC is content to continue the over-representation of General Voter and Rotuman minorities in the reserved seats.

Arms favours the Single Transferable Vote (STV) as a means of ensuring that parties, interests and viewpoints (including expressions of ethnic sentiment) are represented in parliament in proportion to their distribution among the electorate. Coalitions might then follow by a process of what Horowitz called seat pooling rather than vote pooling, but the electoral system is not enlisted to encourage them. The second part of the chapter engages point-by-point with the
arguments of the CRC, using its own criteria. He notes the stress that requirement for ethnic heterogeneity puts on the boundaries to be drawn by the Constituency Boundaries Commission. The third part advances Arms' argument for STV, and admits some mainly technical drawbacks.

Mathur: accommodation without the Alternative Vote in Mauritius

First-Past-the-Post (FPP) voting received short shrift in the CRC report, and in all the chapters reviewed so far. Raj Mathur shows how FPP has allowed dramatic disproportionality between seats and votes in general elections in Mauritius. Twice, the opposition has been wiped out, with a winning coalition obtaining 100 per cent of the seats with 64 per cent of the vote in 1982, and a different coalition achieving a similar clean sweep with 65 per cent in 1995. Nevertheless, Mauritius has achieved ethnic accommodation, and national, rather than communal parties, in spite of FPP.

Mauritius uses a system of three-member constituencies in which the top three candidates, regardless of the percentage obtained, are elected (rather like the Block Vote described in Arms chapter, and used in most Fijian constituencies under the 1990 Constitution).

Disproportionality has been somewhat mitigated by the filling of eight additional 'Best Loser' seats. Four of these are awarded on ethnic grounds, by calculating which community is least represented, compared to its population. However, Mathur says that the system is associated with increasingly unwelcome entrenchment of ethnic differences.

The Constitution of Mauritius recognises the existence of different ethnic communities, but does not enrol them separately, or require that they vote separately, as does Fiji. All are descendants of migrants (whereas the conflict in Fiji is increasingly expressed in terms of relationships between indigenous people and immigrants, rather than races, or ethnic groups). Mauritian parties have learned ethnic accommodation and power-sharing. They enter into coalitions before or after the election, pooling votes and seats, and none has tried to govern alone. Parties have striven to become 'national' and now no party is ethnically-based. In terms of Horowitz's criteria, there is a
proliferation of parties, so none can govern alone. Not all constituencies, however, are heterogenous (Hindus, we are told, predominate in rural constituencies). Nor are electoral incentives particularly strong, as candidates require only a plurality to win.

Ghai: what the parties wanted

Yash Ghai compares the CRC report with the submissions to it from the opposition parties and the governing SVT. He criticises the CRC for its commitment to a 'Westminster' system of government, and its reluctance to mandate power-sharing in the constitution.

The SVT submission supported the continuing political predominance of indigenous Fijians, reinforced by majority representation in a parliament of seats reserved for particular ethnic groups. Coalitions or power-sharing might not be excluded, but the constitutional system did nothing to encourage them.

The NFP-FLP submission favoured ‘constitutionally mandated sharing of power’ between parties and ethnic groups. Any party that received more than 20 per cent of the votes would be entitled to a similar proportion of seats in Cabinet. The Prime Minister would be required by the constitution to ensure that Cabinet membership was racially balanced. Electorally, the NFP-FLP recommended 40 open seats elected by proportional representation from party lists, treating the whole country as a single constituency. It also recommended continuing, for the time being, with 30 communal seats, elected from single-member constituencies by the Alternative Vote. Parties would be required to open their membership to all ethnic groups.

Ghai associates the CRC’s preference for encouraging power-sharing indirectly, through the electoral system, with their conservative endorsement of the Westminster system (in particular, he implies, the adversarial relationship between Government and Opposition). He questions whether the CRC’s assumptions about Westminster, and the continuing vitality and proliferation of political parties, are valid. Generally, he concludes that while the CRC’s proposals may work, there are too many uncertainties to rely on an untried electoral system, rather than constitutional mandate, to ensure power-sharing.
The issues raised

Achieving heterogeneity by multimember constituencies

Horowitz was clear that AV would not encourage accommodative behaviour on its own. Constituencies also needed to be heterogeneous for candidates to see the need to make appeals outside their own ethnic group.

It was the difficulties in achieving heterogeneity that drove the CRC from the uncontroversial use of AV in single-member constituencies to its controversial use in multimember constituencies where, according to Reilly, 'the majoritarian features of the system become overwhelming'.

Can sufficiently heterogeneous constituencies be drawn up in Fiji? The answer depends on demography and what counts as sufficient. The CRC made its own calculations, finding

the choice between single-member and three-member constituencies did not affect the potential for heterogeneity in the more densely populated areas in the western Division, Macuata and the Greater Suva and Nausori area. Using three-member constituencies made it marginally easier to achieve a reasonable degree of heterogeneity by combining the less densely populated areas, such as the maritime provinces, with other areas having similar interests (Fiji CRC 1996:314, para 10.50)

The CRC was prepared to accept as heterogenous 'a mixed population ranging from more or less equal balance between Fijians and Indo-Fijians, to a proportion as high as 85–90 per cent of one community and 15–20 per cent of the other' (Fiji CRC 1996: 315, para 10.51). In the latter situations there might be few pickings for ethnic moderates.

Horowitz proposed a solution: that constituencies large enough to be heterogeneous need not be 'multimember'. Two or three members could be separately elected by the same large, heterogeneous, electorate. Candidates competing for one seat would compete only with each other, and preferences would not be transferred between the seats. However, some felt this might be confusing and was untried.

In either case, several contributors pointed out the stress that the use of the electoral system to achieve ethnic accommodation put on the Constituency Boundaries Commission. Careful calculations,
independent judgements, and unfamiliar combinations of population would be required to achieve and maintain the heterogeneity that was required for the CRC’s scheme to work.

The priority of multi-ethnic government

Arms’ chapter questions the priority CRC gave to multi-ethnic government, and the subordination of other democratic values to it (though as Ghai points, the CRC was required to do so by the terms of reference Parliament gave it). Horowitz points out that the arguments for AV are quite different from the arguments that animate discussions about electoral systems in homogeneous countries (proportionality, party strength, relations with constituents, and seat bonus for FPP).

Some participants questioned the assumption that lay behind the CRC’s priorities: that Fiji was, in fact, ‘deeply divided’ by race. They cited the amiable day-to-day relationships between members of different ethnic groups, or the importance of other social divisions such as class or region (see Sutherland 1992). Different views of the salience of ethnicity were also expressed in different interpretations of ‘the events of 1987’. Were these the last gasp of colonially-inspired racism, or a mild precursor of the violence that might come if ethnic tensions were not addressed?

The relationship between recommendations

The Commission and several participants emphasised the interconnectedness of its recommendations. These chapters and the workshop focused only on the electoral system. Other recommendations, such as the proposal for a ‘Compact’, and those dealing with human rights or indigenous institutions were meant to reassure communities, and encourage accommodation between them. Seamlessness is particularly important for the electoral system which is enlisted by CRC to encourage power-sharing. The CRC’s approach is self-consciously indirect, but Ghai worries that it put too much reliance on the electoral system to achieve power-sharing that might have been achieved directly. The system lacks the ‘redundancy’ of Horowitz’s engineering metaphor. Inability to achieve heterogeneity in constituencies may weaken the electoral incentives on politicians which in turn may reduce cooperation in government.

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The evidence from Mauritius, with accommodation in spite of an electoral system that all the other chapters condemn, shows how many other factors may be important. These are difficult to disentangle in ad hoc international comparisons that are made to support a point in a domestic argument.

**Consociation and/or integration**

The Commission contrasted two approaches to encouraging inter-ethnic cooperation: its own integrationist approach, that used the electoral system to encourage parties to seek support from more than one ethnic group; and the ‘consociational’ approach, which assumed communal voting, and sought to achieve accommodation between leaders. The two approaches follow Horowitz’s distinction between vote pooling (which creates continuing electoral pressure on leaders to accommodate) and seat pooling (which he found to be unstable).

‘Consociation’ was defined classically by Lijphart (1977:25) in terms of four features: a grand coalition government; mutual vetoes to protect minority interests; proportional representation, employment and expenditure rules in the public sector; and community autonomy. There has been much written about the degree to which the 1970 constitution was consociational and the relevance of the model to Fiji (for example, Premdas 1986:118 and 1993). Horowitz argued that consociation had, in fact, failed to produce accommodation in countries that tried it. Leaders were easily tempted to abolish the restraints it imposed. Ghai suspected the CRC of a ‘doctrinal objection’ to post-election coalitions.

Taken as a whole, the CRC’s report has consociational elements, such as the idea of a ‘Compact among the people of the Fiji islands’, separate Fijian institutions, reserved seats, and the proposal that the composition of the state services, including the army ‘broadly reflect the ethnic composition of the population’ (Fiji CRC 1996:472, para 14.26). The CRC argued that it did not favour its approach ‘to the exclusion of relevant aspects of the consociational model’ (Fiji CRC 1996: 312, para 10.38).

The NFL-FLP submission to the CRC had taken a consociational approach with its proposal for constitutionally mandated power-sharing, though its proposals for thresholds to get into Parliament and Cabinet, and for ethnically inclusive parties, were more ‘integrationist’.

*Peter Larmour*
The issue in the workshop was whether the outcomes expected by the application of electoral incentives might not be guaranteed directly by constitutionally mandated power-sharing—at least for a transitional period. Such guaranteed outcomes would also, politicians pointed out, be easier to explain to their constituents. Horowitz pointed out that elections were intrinsically unpredictable, while institutions could only hope to reduce ethnic conflict, not eliminate it altogether.

**The interests of politicians and parties**

The interests of politicians and parties, rather than voters, are referred to positively and negatively at different points in the chapters. They are crucial to the CRC’s scheme of enlisting the self-interest of politicians to an achievement of accommodative behaviour. Heterogeneous constituencies and Alternative Voting guide the vote-maximising politician to take the interests of other ethnic groups into account.

Arms recognised that some politicians’ behaviour might be expressive (for example of ethnic identity) rather than rational and instrumental. The CRC’s scheme assumes that at least some politicians are rational, in the sense that they calculate the best way of maximising their votes and chances of re-election (even if this involves them appealing outside their ethnic group). Horowitz argues it would work if just some politicians are rational, hewing to the centre while leaving the fringes to the fundamentalists.

The CRC is comfortable with parties: ‘in our view the formation of a government must continue to depend on the party system’ (Fiji CRC 1996:79, para 5.48). The CRC’s scheme requires that there be proliferation, so that no one can govern alone. While they would be bound by the Compact, the CRC does not seek to regulate specifically the parties’ internal mechanisms for selecting candidates or admitting members (matters addressed, Ghai notes, in the NFP-FLP submission). Arms sees parties as potentially obstructive of voters’ wishes (for example, in dealing with criticism that minority parties may exercise undue influence, he points out that the real villain is party discipline). Good or bad, Ghai wonders if parties will in fact continue to play the central role they have in Fiji politics. They are much weaker elsewhere in Melanesia.

*Introduction*
Reilly's work on Papua New Guinea, however, suggests strongly that AV can encourage accommodative behaviour in heterogenous constituencies without parties. The calculations, deals, and swops involved in vote pooling are simply made by individual candidates relying on concentrations of support.

The relative importance that the CRC and others give to the electoral system is partly because it seems to be the most manipulable part of the political system, that most conducive to 'engineering', though the interests of the current generation of politicians may act as a dead weight on change. They may rationally resist choosing rules that would subject them to unwelcome incentives.

The interests of politicians were also involved in Horowitz's cautionary words about the outcomes of constitutional bargains, which might not lead to the best outcomes, and the dangers of transitional measures.

Several contributors also referred to the ability of politicians and parties using the system to learn. Reilly showed how vote pooling took hold over several elections in Papua New Guinea, while Mathur described politicians and parties learning from early conflict. Part of the historical thrust of the CRC’s report is to learn from the failures of the past, both 1970 and 1990. Clearly an indirect system like the CRC recommended will need time, and several elections, to work.

The possibility of democracy in Fiji

Horowitz identifies limits on democracy in a deeply divided society. Democratic elections assume no permanent majority or minority, and that voters may switch between parties. In divided societies, people are assigned identities at birth, and parties tend to attach to them.

Much depends on what is implied by 'democracy': the CRC took it to mean 'governed by the people through their elected representatives' (Fiji CRC 1996:66, para 5.13), though the CRC also put great emphasis on human rights. The scheme of heterogeneous constituencies, party proliferation and AV may be valuable in moderating inter-ethnic conflict, but does not of itself enhance democracy. Other parts of the CRC’s report, for example those dealing with human rights, expand the conditions for democracy in Fiji, but that is a secondary criterion for evaluating the electoral system, which is aimed at inter-ethnic accommodation. That was the basis of Arms’ critique.
Several contributors to the workshop questioned whether it was appropriate to talk about a ‘return’ to democracy in Fiji. Commentators from quite different points of view have questioned the earlier existence, and continuing possibility of democracy in Fiji’s circumstances of Chiefly power, Fijian traditions, ethnic divisions, and a politicised military. For Ravuvu, ‘Democracy was an illusion, a facade, a parting whim of a colonial power that had itself only practised dictatorship’ (1991:87). Scarr concludes ‘the independence constitution itself was not democratic at all’ (1988:23). Lawson points to the system’s intolerance of an opposition becoming the government (1991:287–8). Comparative research on the social conditions for democracy finds that landowners are generally resistant to democratisation. A linkage between constitutional and land issues is often made in Fiji (Larmour 1994).

Other issues of ‘state, society and governance in Melanesia’

The relationship between the electoral system and ethnic conflict is of significance more widely in Melanesia (the scope of the project that sponsored the workshop). A return to Alternative Voting has been canvassed for Papua New Guinea, particularly by Tony Siaguru (Reilly 1997:6). Vanuatu provides an example of the use of a simple form of Proportional Representation to reassure linguistic minorities (Van Trease 1995a:145–50). The ethnic impact of voting systems and constituency boundaries is also an issue in New Caledonia, where a large indigenous minority coexists with the descendants of settlers, and recent migrants, in what is constitutionally part of France.

Conceptually, the CRC’s indirect approach to achieving multi-ethnic government is consistent with new approaches to governance that rely less on restraints and more on incentives. Their approach assumes rationality—at least among sufficient voters and politicians—to elect an accommodative coalition. Such indirect approaches may be particularly relevant to so-called ‘weak states’ in other parts of Melanesia, but the analysis of the conditions for AV to achieve ethnic accommodation shows that it requires some strong institutions, particularly Boundaries Commissions. The political parties that play a central role in the CRC’s scheme are also much weaker, or absent, in other parts of Melanesia, though Reilly showed that AV could nevertheless encourage accommodative behaviour between candidates themselves, regardless of the party system.
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