

4. Peace processes

Towards Townsville

Some more inclusive peace negotiations were held on the Australian Navy ship *Tobruk* in July 2000. Militant leaders from both the IFM and the MEF sat down with representatives of the government, the Solomon Islands Christian Association, NGOs, women's organisations, the Chamber of Commerce and the Chinese and Gilbertese communities (Moore 2004:143). But key IFM commanders Harold Keke, his brother, Joseph Sangu, and nephew, George Gray, did not attend. The MEF expressed great concern about the absence of their signatures on the IFM cease-fire proposal. Things fell apart when other IFM leaders said they could not sign because Keke would not sign the cease-fire. Keke in mid-2000 became the decisive spoiler of the peace. Fraenkel (2004a:96) says that the bloodiest engagements of the IFM–MEF conflict occurred in early July 2000. Nori alleges that Kemakeza then paid Keke and others large sums of money to buy their signatures. Nori also said (something others confirmed) that as late as 28 May 2002 Kemakeza asked the MEF not to give up their weapons until Keke did. Then a purchased cease-fire agreement was signed. This was a shaky foundation for negotiating the terms of an enduring peace agreement, which consequently stalled. Nevertheless, on 2 August, the MEF let women from Guadalcanal in to the Honiara markets for the first time. While this was a large gesture of progress, no disarmament occurred during August and considerable violence and looting continued.

An even more inclusive National Peace Conference was conducted on the New Zealand Navy ship *Te Kaha*, organised by the Civil Society Network, with 150 participants, on 25–27 August 2000. Militant leaders were, however, intentionally excluded, which resulted in its communiqué being ignored. The conference validated the grievances of both sides and called for a National Truth and Reconciliation Commission and amnesties, among other things. Further talks occurred on the *Te Kaha* during September. Keke continued to play the spoiler role in September, hijacking a Solomon Islands Airlines aircraft and demanding a ransom to hand it over with its pilot. One thing agreed in September was the holding of the meeting to settle a Townsville Peace Agreement. The MEF insisted the Townsville meeting exclude the civil society groups; the MEF was concerned about losing its control of the agenda based on its military superiority. This ended the one period of integrated engagement of both militants and civil society in the peace process of July–September 2000. It led to a brief moment in

Townsville when reconciliation for Solomon Islands was dominated by militants and their political accomplices, particularly Andrew Nori. This was followed by years up to the election of Jimmy Rasta to parliament in 2010 where militants were again excluded from peacemaking and treated simply as common criminals.

Nori led the MEF negotiating team; the IFM team was led by scholar Tarcisius Tara Kabutaulaka with assistance from Bougainville peace negotiations veteran and Brisbane lawyer Leo White. Some 143 people attended—approximately equal numbers of MEF/Joint Force, IFM and government delegates. Keke did not show—nor did delegates from the Marau region of Guadalcanal, who conducted a separate and more protracted peace process on the unique complexities of their local conflict. Australia imposed a decidedly un-Melanesian deadline of three days for the talks to be completed.

The Townsville agreement asked the Parliament to pass an Amnesty Act once all weapons and ammunition had been surrendered in 30 days under the supervision of an International Peace Monitoring Team and indigenous Peace Monitoring Council (PMC). In the event, the *Amnesty Act* was passed long before most weapons were handed in.¹ Only 800, mostly homemade weapons were surrendered within the 30-day deadline (Dinnen 2002:292). Other important issues such as the pursuit of greater ethnic equality in the composition of the security forces were agreed. Donor funds would be used to compensate all who had lost property and militants would receive a payment for demobilising and returning unarmed to their villages. Many returned and collected a payment, then went back to Honiara and collected a second and third time. A flaw of the Townsville agreement is that it assumed Solomon Islands government capacity to implement its provisions; the government had little such capacity and was compromised in its relationship with the MEF side in particular. Part of the agreement that created a monster was absorbing large numbers of militants onto the police payroll as ‘special constables’ or ‘police reserves’. There were 2000 of them, mostly ex-MEF, by the end of 2001. They further criminalised the security sector. At Townsville, the understanding had been that only 200 ex-combatants from the MEF and IFM would be demobilised as special constables (UNDP 2004:25).

The Townsville agreement was greeted by scenes of jubilation in Honiara as combatants from both sides left their bunkers and walked across the lines to hug their enemies and chew betel-nut together. The euphoria did not last long. Some of the new spirit of cooperation was in organised crime; some former

¹ There were in fact two *Amnesty Acts*. The *Amnesty Act (2000)* was passed on 18 December 2000 and assented to on 19 February 2001 (<http://www.paclii.org/sb/legis/num_act/aa2000111/>; <http://www.paclii.org/sb/legis/num_act/aa2000111/>). The *Amnesty Act (2001)*, covering the Marau Peace Agreement, was passed on 2 April 2001 and assented to on 23 May 2001 (<http://www.paclii.org/sb/legis/num_act/aa2001111/>; <http://www.paclii.org/sb/legis/num_act/aa2001111/>).

Guadalcanal militants took to growing marijuana; some former members of the police Joint Operation began to trade weapons and ammunition to them for the marijuana. Many militants gamed repatriation to their villages, returning home for a short period, collecting their repatriation payment and then returning to their militia groups. As in earlier peace negotiations, here there was concern, especially from conflict-affected Western Province, that the Townsville settlement was one between Guadalcanal and Malaita to have the rest of the country pay extortionate compensation for the damage they had inflicted on each other. Civil society groups, among others, saw it as a flawed document—‘a militants’ charter’ (Fraenkel 2004a:101)—rushed and ridden with loopholes and premised on unrealistic assumptions as to the integrity and capabilities of the Solomon Islands Government.

The International Peace Monitoring Team

Australian diplomat and scholar David Hegarty (2003) was the first head of the International Peace Monitoring Team (IPMT) of 14 New Zealanders and 35 Australians, who were unarmed police, military and civil servants, with smaller representation from Vanuatu, Cook Islands, Tonga and other Pacific island states. By July 2002, 2043 weapons and 2.86 tonnes of explosives had been handed in to be held in IPMT containers—mostly World War II and homemade weapons—with only a small proportion of the high-powered weapons surrendered (Fraenkel 2004a:102, 142). While this was very partial success, it was more than modest. The real significance of the IPMT was in supporting confidence building. The Peace Monitoring Council organised a ‘Walkabout for Peace’ in March 2002 in which 10 000 people are estimated to have marched. Some MEF insisted on returning some weapons to the police rather than to the peace monitors, which was seen as tantamount to returning weapons to the control of their own side, as weapons continued to ‘disappear’ from police armouries. Nevertheless, at the hot-spot monitoring posts that the Peace Monitoring Council established, the council worked with the Melanesian Brothers and Sisters and other religious organisations to persuade villages to become weapon free.

Increasingly during the time of the IPMT, Harold Keke came to be seen as the big problem for the peace. He became increasingly mentally unstable and continued to be murderous, ultimately facing 24 murder charges (Allen 2007:237). Keke and those who joined him in refusing to sign the Townsville Peace Agreement split from the IFM to form the Guadalcanal Liberation Front (GLF). Even joint operations between the remnants of the IFM, the MEF and the police failed to kill or capture Keke and increased his defiant resistance to peace, as well as adding significantly to the suffering of Weather Coast communities (Kenilorea and Moore 2008:390). In his rugged Weather Coast homeland, he

seemed impregnable. Seven Melanesian Brothers who went to the Weather Coast as peacemakers were kidnapped and all were eventually murdered by Keke and his men (Carter 2006). The division that opened up between a large group of Weather Coast militants under Keke and IFM militants mostly from the rest of Guadalcanal was one of a number of divisions that rendered the conflict increasingly complex. There were also divisions within groups from the same area, often within the same families and kinship groups—some longstanding (predating the conflict), some new. There was also division between MEF fighters from the north and those from the south of Malaita and even conflict played out between different factions of the Bougainville Revolutionary Army (BRA) in Western Province.



Figure 4.1 Harold Keke (centre, front) with Guadalcanal Liberation Front (GLF) fighters, Mbiti village, Weather Coast, July 2003, a month before his surrender

Photo: Ben Bohane

Keke had been arrested soon after his involvement in the raid on the Yandina armoury in December 1998. When Premier Alebua and a Catholic priest posted bail, Keke absconded to the Weather Coast and ratcheted up the conflict across Guadalcanal from that base in his home district. Absconding with these serious charges hanging over him, he had little to lose except his sanity, which progressively slipped from him. Some informants we interviewed rated the court's decision to grant bail to Keke one of the most tragic errors that escalated the conflict. While the IPMT and PMC laid a valuable foundation for peace, they were not viewed as successful because in their time the worst spoilers, notably Keke, became even more determined spoilers of the peace, and success in weapons surrender was very partial.

The IPMT departed in June 2002. In January 2003, the work of the PMC, which had provided the indigenous leadership for the peace process in civil society and an architecture of monitoring posts (Hegarty et al. 2004a)² was handed over to a National Peace Council led by Paul Tovua.

The work of the National Peace Council

Like the Peace Monitoring Council, the National Peace Council (NPC 2006) has not received the credit it deserves for contributing to the peace process. While the accomplishments of the NPC were also partial, RAMSI was inclined to take full credit for work that was overwhelmingly done by the NPC. Collecting weapons was a good example of this credit taking in RAMSI media statements, when 55 per cent were handed in to the NPC or to the Melanesian Brothers acting on its behalf and then passed to RAMSI (NPC 2004:15). One member of the NPC, the highly respected Sir Alfred Soaki, the retired first indigenous police commissioner of the nation, was assassinated while working for the council. Another councillor was lucky to escape with his life in the same attack.

It was a backward step for the Sogavare government to shut the NPC down in 2006 instead of building on its work and on the infrastructure of indigenous monitoring posts it had developed on the foundational efforts of the PMC. The government at the time was no fan of the leadership of the NPC and did not like the way it provided a platform for leaders who were not supporters of the government. The Australian Agency for International Development (AusAID, the lead NPC funder) provided technical assistance to the government for the production of reports that were hatchet jobs on the work of the NPC. One widespread criticism we heard in 2006 from senior people in both the government and RAMSI, sourced from these reports, was that the NPC did not even have a strategic plan. Indeed, it had a particularly sophisticated, self-critical strategic plan that was transparent about the limitations of what had been achieved in the peace process, visionary about what could be achieved and practical about steps for achieving this. It had been developed at a participatory one-week retreat (NPC 2004). When John Braithwaite pointed out this particular error in the hatchet job that was being done on the NPC at very senior levels of RAMSI and the government, there was no interest in correcting the error in a report that had not been finalised and no interest in taking up an offer to organise for a copy of the strategic plan to be delivered. The claim that the NPC should be dismantled because it had not even developed a strategic plan continued to be the currency of its execution.

² The PMC was itself actually a continuation of the Ceasefire Monitoring Council of community leaders set up to monitor the 1999 Ceasefire Agreement between the Guadalcanal Liberation Front, the MEF and the government.

The greatest tragedy of the dismantling of the NPC was that it had dispersed networks on the ground, in the villages, encouraging traditional leaders to mediate conflicts (including all-important land disputes) locally, to support the local rebuilding of the legitimacy of the Solomon Islands police, to watch for weapons, to provide an early warning of rekindling hot-spots and to involve schoolteachers and churches in peace education and assisting children recovering from trauma. In other words, a strength of the NPC was that it was participatory, indigenously led and under the thumb of neither the government nor RAMSI. Those from Honiara and Australia who killed it off had an agenda of more centralised control of, and spin about, the peace process from the capital.

Worse than that, the dismantling of the NPC was done hastily in a way that created risks for the peace. One of the successful programs of the NPC, building on the work of the PMC, was the 'Weapons Free Village Campaign'. When the council certified a village as weapons free after passing through an audit process, it would receive a large sign from the council certifying that it was weapons free. This was important not only in allowing villagers to signify their pride in having created their own local peace. In many cases, two communities that were in conflict would agree together to go through the Weapons Free Village program, so that each community could give the other assurance that they were safe from them. When the budget was suddenly cut off in 2006 for production of the signs certifying the weapons-free status, there were communities complaining that they had played their part in meeting the requirements of certification, but because they had received no sign, neighbouring communities that distrusted them were alleging they had received no sign from the government because they had cheated on weapons disposal.

Central to the philosophy of the NPC was a praxis of unity through diversity:

Kastom law leaders are beginning to:

- Sit down together to search for the common principles underlying all the kastoms of Solomon Islands
- Provide skilful and appropriate support for parents to pass on common norms to all Solomon Island children. (NPC 2006)

The NPC facilitated youth peace rallies to nurture youth leadership in the peace. The NPC worked with local organisations to resurrect the practice of all children and adults working one day a month on civic clean-up. Part of the council's school education priorities in terms of land disputes as a root cause of conflict were that 'All children know their genealogy' and 'All children know the land laws of the Solomon Islands' (NPC 2004:Appendix 4). National networking to support midwives to in turn better support new parents and encourage them to take responsibility for peace education for their new child was a support

strategy attuned to the evidence from criminology on the importance of social support for parents and small children for reducing violence (Cullen 1994). This work included teaching families non-violent methods of resolving conflict within families. Probably the most important work of the council was simply facilitating reconciliations such as that described in Box 4.1.

Box 4.1 'Reconciliation makes good relationship even without the culprit of perpetrators of crime'

Story of Ronald Gugui, recorded by Dykes Angiki

This is a story relating to an incident which took place in 2002 on Guadalcanal.

A family, a Malaitan husband and a Guadalcanal wife, were driving back from Tina village on their way back to town, when their vehicle was shot at by someone. One of their teenage daughters was hit and died almost instantly. Her sister also received injury but survived. It was dark as the journey was taken at night, that the family had any idea even to date, who the perpetrators were or are.

Three weeks after the incident, a reconciliation was arranged to take place at White River in the West Honiara constituency. Councillor Ronald Fugui was involved in facilitating the reconciliation (as he is related to the family).

Chiefs, grandparents and village elders all came down to White River bearing gifts of foods and traditional shell money. They met and exchanged gifts with family members and relatives of the husband's family in a reconciliation ceremony.

This case represents an interesting, as well as a very important aspect of kastom reconciliation. For though the perpetrators of the fatal shooting incident had never been found or identified, reconciliation was still necessary in order to restore and maintain good relationships between the relatives and communities of the Malaita husband and his Guadalcanal wife.

Source: NPC (2004:36).

Out of the dialogues conducted by the NPC at the village level came a different analysis of the sources of governance failure from that prevalent in Honiara and Canberra. This analysis saw the problem as

- an independence in 1978 'based on educated leaders without strong support from villages'
- the 'Government centred in Honiara'
- 'Economic development centred in Guadalcanal'
- 'Ministry of Justice and Royal Solomon Islands Police failing to enforce decisions of traditional leaders'
- 'Chiefs and traditional leaders with responsibility for resolving land disputes having no place in emerging constitution of Solomon Islands' (NPC 2004:27).

In addition, this analysis saw a culture of centralised corruption in Honiara producing a culture of decentralised monetarisation of compensation in response, so that local actors could secure their share of the peace payout.

In the wide-ranging consultations of the recent Parliamentary Inquiry (2009) into RAMSI across the archipelago, the peacebuilding debate finally returned in a productive way to these NPC concerns. It was not only civil society actors from many islands who were responsible for this, it was also some of the most thoughtful and respected members of the Honiara elite. The Chief Justice, Sir Albert Palmer, in his testimony, 'acknowledged the lack of legislation recognising the role played by community chiefs' (Parliamentary Inquiry 2009:196). Several former prime ministers asserted that a peacebuilding priority was reversion of the erosion of the authority and support for the traditional justice system.³ More broadly, the then Prime Minister, Dr Derek Sikua, said:

When we adopted our form of government upon independence what we have done is putting our worthy customs and traditions outside government. We have put our laws, our traditions, our customs, our practices outside of government and we put a government in that doesn't link in very nicely to our worthy customs and traditions and practices, so there is no connection. (Parliamentary Inquiry 2009: 195)

The 2009 Parliamentary Inquiry hearings into RAMSI deeply engaged civil society again by being beamed from the islands where sittings occurred to the nation's television sets. Most specifically, much testimony saw a failure to support dispute-resolution mechanisms that might reconcile customary and formal land laws as a root cause of the conflict. The 'rule of law' as a core pillar of the state was seen as part of the problem:

Much of the origin of the tension was based on outsiders, especially but not only Malaitans, who followed the 'rule of law', that is the written 'western-based' laws of Solomon Islands. They paid money for pieces of land to people of Guadalcanal and then claimed that they were owners in perpetuity according to 'western' customs and laws. The people of

³ The report also emphasised that the People's Surveys in 2007 and 2008 found, respectively, 93 per cent and 84 per cent of respondents favoured resolving disputes 'entirely within their own community through the chief, customary law, or through the Church' (Parliamentary Inquiry 2009:174). Picking this up, lawyer Andrew Nori testified: 'if we are talking about improving the capacity, capacity building of our justice administration system, of our law enforcement system, we should be building the capacity of those people who are dealing with 90 per cent of the disputes and grievances in Solomon Islands, and they are down in the villages, the chiefs and our church leaders. In other words, in that area we need to persuade RAMSI and ourselves to allocate more resources to the rural mass where the volume of disputes are great and where the population is located and where there is a need to ensure that leaders in the churches and in the chiefly tribes are placed in a position to manage disputes at a community level' (Parliamentary Inquiry 2009:174).

Guadalcanal, following Melanesian laws, said 'NO', this is still our land and we now want it returned, so you have to leave. (Julian Treadaway quoted in Parliamentary Inquiry 2009:196)

The NPC had a more networked vision of how to unify the nation as an alternative to the view that a nation would simply follow from the creation of a state. Its strategy was to:

Strengthen and increase the number of national bodies and groups that unite the Solomon Islands

- National business associations
- National sports associations
- National professional associations
- National youth associations
- National church associations
- Church women's groups
- Mother's Union
- CDOCAS
- National Council of Women. (NPC 2004:Appendix 8)

Dance, stories in Pidgin and music were also seen as forming a shared heritage that different ethnic groups participated in together. The Solomon Islands Broadcasting Corporation was seen as having an important national role here and also in broadcasting 'Story Bilong Solomons' and three-monthly NPC reports.

Compensation

The Solomon Islands case fits the common pattern of conflict initially driven more by grievance than greed being captured by opportunistic leaders who saw opportunities for personal enrichment. Dinnen (2002:285) sees this as an 'instrumentalisation of disorder' with elements in common with that phenomenon in Africa (Chabal and Daloz 1999). We saw criminalisation of the conflict: exploiting local monopolies of force to extort or just loot from businesses, to steal cars, stage armed robberies, occupy commercially attractive land and demand tax remissions. Another form of opportunism was demanding compensation payments, mostly from the government. In many other cases, perpetrators demanded compensation from the very victims they attacked—attacked with the intention of eliciting offensive behaviour in response that could justify a demand for compensation. Donors, particularly the Government of Taiwan, which bankrolled government compensation funds, were also

attacked with the intention of setting up a justification for compensation claims against them. As Satish Chand (2002:158) points out, in circumstances of grievance being harnessed to personal greed, the availability of compensation funding can exacerbate the conflict. In the Solomons case, it not only did this by creating an economic incentive for gaming compensation demands, compensation also made things worse by bringing the integrity of customary reconciliation into disrepute, making meaningful reconciliation harder for the future. It also underwrote profoundly counterproductive philosophies of peacemaking such as Prime Minister Sogavare's 'justice before peace', discussed in the next paragraph.

There were many ways in which the events of June 2000 were not a conventional coup. One was that we can conceive the agenda of the MEF leadership less as running the state and more as using a temporary monopoly of force to demand financial compensation from the state for the loss of Malaitan lives and property. Security for Malaitans and positioning of men such as Andrew Nori, Alex Bartlett and Jimmy Rasta as kingmakers within a shadow state of sorts (Reno 1998, 2000)⁴ were also part of the agenda. A paramount reason for the fall of the Ulufa'alu government was the Prime Minister's refusal to agree to the compensation payments demanded by evicted Malaitans. Hence, the Sogavare government of 2000–01 implemented a 'justice before peace' philosophy that it defended in terms of Melanesian *kastom*, in which justice meant financial compensation for both sides. This resonated with Guadalcanal Premier Alebua's earlier (1999) philosophy/demand of 'compensation before reconciliation' (Fraenkel 2004a:52). In the event, the militia leaders of both sides were allowed to capture the compensation payments, with most ordinary victims missing out. Jon Fraenkel's research does a fine job of documenting the detail of the development over two decades before the crisis of a politics of responding to genuine grievance against some ethnic other by extorting cash compensation from the state (as opposed to the ethnic other) and justifying this through *kastom*. The Ulufa'alu government made compensation payments of this kind as well, but it sought to reverse the trend towards meeting such demands as they became ever more fiscally unsustainable. And that is the main reason it fell.

Politicians who advocate cash compensation payments by the state can be sincere in believing that this is a Melanesian way of running the state. But of course traditional Melanesian societies did not pay compensation through the state; mostly it was paid collectively to the offended lineage of kin from the offending lineage. They also did not traditionally pay with money issued by the state's central bank. They paid with traditional shell money and in pigs primarily, but often other kinds of gifts such as root crops were also provided. Throughout Melanesian societies, there are many words that represent different kinds of

4 The applicability of the idea of the shadow state here is discussed in more detail in Chapter 9.

compensation. David Akin (1999) in his ethnographic work among the Kwaio of Malaita found the primary meaning of goods transferred in compensation was restoration of dignity and recognition of status. The restitution manifests recognition that offence has been given and seeks to repair that harm. That is, it is not compensation that pretends to be monetarily proportionate, as in the pretensions of Western law, to the losses actually suffered. Indeed, traditional payments after warfare on Malaita mostly seem to be unaffected by the number lost on each side (Fraenkel 2004a:110) (as opposed to much of Highlands New Guinea, where traditional fighting tends to continue until there is a moment of rough balance between lives lost on the two sides). Just as for the Kwaio, in many Melanesian societies, payment symbolises mainly restoration of dignity and status; the payments made symbolise how precious is the spilt blood of those who have been killed and injured. It does not put a monetary value on human life in the way Western law and economics do. Indeed that would be an insult to Melanesian sensibilities. This is not to deny that offers of traditional payment are often rejected in pre-reconciliation negotiations as so insufficient as to be an insult. Yet an unusually poor family might offer an extremely modest payment that would be accepted as appropriate recognition of the harm done because it would be seen that this payment is a big sacrifice for such a poor family. Therein lies the risk with grafting this form of *kastom* into the state. Because the state is seen as having the deepest of pockets, even payments that would be interpreted as massive in traditional lineage-to-lineage compensation can be interpreted as insultingly low when proffered by the state. In Solomon Islands, feverish attempts by politicians who wanted to avoid the fate that befell Ulufa'alu actually bankrupted the state.

A list of compensation payments that were made by the Ministry of National Unity, Reconciliation and Peace between October 2000 and May 2001 was leaked. There were 269 payments, costing S\$18.8 million. Some were in effect bribes to militants to join the peace, such as a 'disarmament allowance' of S\$123 840 to IFM commander Andrew Te'e (Moore 2004:163). An investigation by the Acting Auditor-General found that half the claims for compensation that had been paid were fraudulent (Fraenkel 2004a:122). There were considerable problems of kickbacks to civil servants and politicians to have compensation payments approved. In the 12 months from August 2000, the government also granted S\$140 million in duty remissions—much of it to MEF commanders who had gone into business or acted for businesses (Moore 2004:168). MEF commander Jimmy Rasta, for example, ran a bottle shop and received S\$280 000 remission on spirit and beverage imports. Logging companies and certain leading Chinese businessmen were also major beneficiaries. Sir Allan Kemakeza was the minister who was sacked for the corrupt administration of the compensation payments and Snyder Rini was the finance minister responsible for the corrupt administration of duty remissions. After the 2001 election, these leaders became

prime minister and deputy prime minister, respectively. In 2006, Rini, with vote-buying support from Chinese business leaders coordinated by Sir Thomas Chan, was elected prime minister by the Parliament—a result that led to the 2006 riots at the Parliament and the razing of Chinatown.

When it became clear that Ulufa'alu was right—that the state could not afford to keep up the pace of the compensation payments without becoming insolvent—the Sogavare government turned to the Republic of Taiwan, to which it continued to grant diplomatic recognition while gesturing at a threatened shift of recognition to Beijing, for at least S\$20 million in assistance. Most of the Taiwanese cash was for compensation payments.



Figure 4.2 IFM commander Andrew Te'e in June 2000 with his fighters at a checkpoint on the road into Honiara

Photo: Ben Bohane