

Fijian junta discards draft constitution

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The Fijian junta has dispensed with a draft constitution drawn up by its own constitutional committee, and assigned Attorney General Aiyaz Sayed-Khaiyum to produce a new draft by the end of the month. While elections are still to be held next year, the decision makes clear that the military intends to have a major role in government.

The announcement was made in a TV broadcast on January 10 by self-appointed Prime Minister Commodore Frank Bainimarama, who led the 2006 military coup, and President Ratu Epeli Nailatikau. Just days earlier, police confiscated 600 copies of the draft constitution that had been released by the head of the constitutional committee, Kenyan legal academic Yash Ghai.

During the TV broadcast, President Nailatikau criticised aspects of the draft constitution, declaring that “it has unfortunately perhaps succumbed to the whims of the few who have an interest in perpetuating divisions within our society.” This was a reference to the draft’s retention of the Great Council of Chiefs (GCC), although with less powers than in the 1997 constitution that was overturned by the junta.

The GCC consists of unelected representatives of the Fijian chiefly elite, who previously selected the country’s president and had reserved seats in the upper house. Bainimarama has based himself on other sections of the ruling elite that regard the GCC and the entrenched political discrimination against the country’s large ethnic Indian population as a barrier to much-needed foreign investment.

Nailatikau was also critical of the proposed establishment of a National People’s Assembly (NPA), saying it would consist of “unelected people deciding on key issues pertaining to the people of Fiji.” The NPA was to include the president, prime minister and opposition leader, 10 members of parliament, 20 local government representatives, the Ombudsman, the heads

of some government commissions, and 92 people involved in so-called civil society. It was to meet once a year with powers to select the president and propose constitutional amendments to the parliament.

The junta’s objection to the NPA was not that it was “unelected” and therefore undemocratic, but rather that it included no role for the military. In fact, the constitution as a whole was premised on the military returning to the barracks—something that Bainimarama clearly found objectionable. Ghai proposed giving the military immunity from prosecution only if it agreed to swear an oath of allegiance to the new constitution.

The junta agreed to draw up the constitution and hold elections in 2014 under considerable pressure from the US and regional powers, Australia and New Zealand. Bainimarama is desperate for international recognition and the lifting of economic sanctions after years of economic stagnation.

The US originally supported the sanctions imposed by Australia, New Zealand and other countries on Fiji after the 2006 coup, but shifted its approach after the junta began drawing closer to China. As Washington began to open up relations with Fiji, in line with its “pivot to Asia,” Canberra and Wellington fell into line and agreed to the 2014 timetable for elections.

Responding to the scrapping of the draft constitution, Australian Foreign Minister Bob Carr declared that he found the junta’s objections “understandable.” He criticised the document, referring to the “largely unelected National People’s Assembly” and the danger that the GCC’s role would entrench ethnic divisions.

Carr’s comments have nothing to do with defending the democratic rights of Fijians, but rather are directed at advancing the interests of Australian imperialism and its allies. Both Australia and New Zealand have considered the South West Pacific as their strategic and economic “patch,” to be defended against the intrusion of rivals like China.

New Zealand Foreign Minister Murray McCully was critical of the junta's decision, saying it was "a very disappointing development... a backward step of some proportions." But this posturing about the military's arbitrary actions has not prevented Wellington from continuing its re-engagement with the junta.

It is already clear that the military will retain a significant role in Fijian politics, which will in all likelihood be guaranteed by the constitution now being drafted. The army seized power in a coup in 1987 and was behind another coup attempt in 2000 that forced out an elected government. Since taking control again in 2006, Bainimarama has not hesitated to use police-state measures to crack down on any opposition. For most of its existence, the junta has acted under emergency decrees, with the media strictly censored. Critics and political opponents have been subjected to arbitrary arrest and beatings.

The junta's determination to dictate the political framework for elections was undermined by the decree on political parties issued on January 16. To be eligible for registration, parties must have 5,000 members spread over Fiji's four districts—a major obstacle given the population is only 870,000—and pay \$F5,000 (\$US2,800). Existing parties have just 28 days from January 18 to reregister.

The decree prevents unregistered parties from operating at all. "If you hold yourself out to be a political party and you're not registered under this decree you commit an offence," Attorney General Sayed-Khaiyum explained.

Many of the 16 existing parties will have difficulty obtaining re-registration. Small parties will be eliminated and political debate will be circumscribed within the narrow framework sanctioned by the junta.

The decree could rule out the proposal by Fiji Trade Union Congress (FTUC) general secretary Felix Anthony to create a new party, as trade union officials are barred from holding positions in a party.

Anthony, previously a member of the Fiji Labour Party (FLP), has worked closely with the junta on the Board of Fiji National Provident Fund and Telecom Fiji. He criticised the FLP, saying it was mostly made up of ethnic Indians, and declared that he wanted to create a so-called multi-racial party.

His alternative to the FLP represents a stratum of the trade union bureaucrats, positioning themselves for the

2014 elections, not the interests of the working class. In 2007, the FTUC played a central role in derailing strike action by civil servants against the junta's draconian cutbacks to the public sector.

Bainimarama's aim is to closely manage the 2014 elections to give a semblance of democracy, thus enabling Washington, Canberra and Wellington to resume full relations, while ensuring that the military and its backers remain in control.



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