

Fiji Times publisher, editors charged with sedition

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The publisher and editors of the *Fiji Times*, one of Fiji's two main daily newspapers, as well as a letter writer, were last month charged with "sedition"—a crime that carries a maximum punishment of seven years' imprisonment. The case will go to court in Suva on May 9.

Publisher Hank Arts, editor Fred Wesley, and Anare Ravula, editor of the *Times'* iTaukei (Fijian)-language weekly, *Nai Lalakai*, were originally charged in August 2016 with inciting "communal antagonism" by publishing an anti-Muslim letter last April. The charges were laid under the Crimes Decree, passed by the military government in 2009, which prohibits any communication deemed likely to incite dislike, hatred or antagonism of any community.

The xenophobic letter was published without endorsement in the letters section of *Nai Lalakai*. It accused Muslims, who it described as "not indigenous" to Fiji, of invading foreign lands, "where they killed, raped and abused their women and children." It further alleged that Muslims had "gone to the extent of having a part in the running of the country." The writer, Josaia Waqabaca, was jailed after the 2000 military coup for his role in a plot to kidnap the then-armed forces commander, now Prime Minister Frank Bainimarama.

The four accused pleaded not guilty to the incitement charge in October and were released on bail. However, the Director of Public Prosecutions last month suddenly amended the charge to one of sedition. There has been no official explanation for the change. Sedition is the more explicitly political charge, involving a purported crime against the state.

On March 30 police executed a search warrant on the newspaper's Suva premises. Officers of the Major Crime Unit sought, and were given, copies of the employment contracts of staff under investigation.

Speaking to the Australian Broadcasting Corporation (ABC) "Pacific Beats" program on March 24, Arts described the sedition charge as "hard to believe." In a "normal environment," he said, any complaint over a letter would be dealt with by the Press Council.

Arts said the paper will contest the charge. He indicated that neither he nor Wesley read or speak Fijian, and were not made aware of the letter's contents before it was printed. For the six years he had been in charge, Arts added, the *Times* and its sister publication had "stuck within the rules" and was ready to "apologise and correct" if it got "something wrong."

The politically-motivated charge is bound up with deep-seated conflicts within the Fijian ruling elite. Bainimarama, who seized power in a 2006 coup, postures as a "national unifier," but his regime is oriented to sections of the Fijian capitalist class and pro-business members of the chiefly elite. His military junta adopted measures aimed at eliminating barriers to investment and private profit.

The ethnic Fijian nationalist wing of the ruling elite, seeking to maintain political and economic privileges for the traditional chiefs, is bitterly opposed to aspects of Bainimarama's rule. Led by the opposition Social Democratic Liberal Party (SODELPA) they are known for chauvinism toward the country's ethnic Indian minority.

Some, evidently including the letter writer Waqabaca, have seized on the fact that Bainimarama's Attorney General and Finance Minister Aiyaz Sayed-Khaiyum is a Muslim, in order to accuse Muslims of "running the country." The government in turn is simply exploiting the anti-Muslim comments to undermine its political opponents.

In August 2015, 70 nationalists accused of "separatist" activities were charged with sedition. Five,

including SODELPA parliamentarian Mosese Bulitavoare, were accused after allegedly spraying anti-government graffiti in various locations. Bainimarama ominously warned of “severe punishment,” including many years in jail, for anyone attempting to overthrow the government. He called on people to report “illegal activity” and vowed to “crush” any “insurrections.”

In a sign of deepening antagonisms, former Prime Minister Sitiveni Rabuka, a one-time chairman of the Great Council of Chiefs, was last year named leader of SODELPA. Rabuka, a former army major general, led two military coups in 1987 before becoming prime minister in 1992. Last September, six leading Fijian opposition figures including Rabuka were arrested for criticising the current regime’s 2013 constitution at a political forum.

The use of sedition charges underlines the thoroughly undemocratic nature of the Fijian regime, despite the fig-leaf of an election in September 2014, which was won by Bainimarama’s Fiji First Party. The election took place under conditions of strict press censorship, military provocations and severe restrictions on opposition political parties.

The ongoing anti-democratic measures, including suppression of the media, are ultimately directed against the working class and rural poor, and aimed at intimidating and silencing any opposition. The *Fiji Times* has previously fallen foul of the authorities. In 2013, it was fined \$US170,000 for contempt of court and editor Wesley received a two-year suspended sentence for publishing an article that called into question the independence of Fiji’s post-coup judiciary.

In 2009, Bainimarama abrogated the constitution and state censors entered newsrooms to decide what could and could not be published. Bainimarama justified the censorship by saying: “They can print whatever they want. But irresponsible journalism is not going to be tolerated.”

Many journalists protested the regime’s diktats, often leaving blank spaces and marking where their articles were due to appear with a note: “This story could not be published due to government restrictions.”

The Media Industry Development Decree 2010 imposed further draconian restrictions on the print media, television and radio broadcasts, and the Internet. It also limited foreign investors from owning more than

10 percent of any media outlet—a measure aimed at the *Fiji Times*, then 90 percent owned by Murdoch’s Australia-based News Limited.

The *Fiji Times*’ stance against the regime dovetailed with Australian and New Zealand strategic and business interests in the region. Australia’s then foreign minister, Stephen Smith, warned the junta that its “arbitrary move sends a very bad signal so far as future investment in Fiji is concerned.” The two local imperialist powers were not concerned for the democratic rights of the Fijian people, but opposed the junta because they feared the spread of political instability in the South Pacific and the growing influence of rival powers, particularly China.

During an official visit to New Zealand last October, Bainimarama announced he would rescind an eight-year ban on selected New Zealand journalists regarded as critical of his government. As part of a diplomatic offensive to repair relations with Wellington, Bainimarama said the journalists were now welcome in Fiji to witness “the progress we have made.”

Bainimarama claimed “the institutions of state are functioning properly and we are strengthening [them] to ensure they are truly independent and free from personal and political influence.” In fact the authoritarian Fijian state remains dominated by the military.



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