

## **The Perils of Majoritarianism in Fiji; The 2006 Polls in Perspective**

Jon Fraenkel

*This paper is not for citation without the author's approval. An abridged version appeared in the Fiji Times on 20<sup>th</sup> May 2006.*

Fiji's third election under the alternative vote system shows some startling developments, including a shift towards robust single political parties representing both the indigenous Fijians and Indo-Fijians. Strategic responses to operating under those voting laws have evolved over time, but not at all in the direction anticipated by the architects of the 1997 constitution.

At the first election under the new system, held in May 1999, two multi-ethnic coalitions emerged, and entered into deals with each other over the exchange of preference votes. The resulting government, led by the country's first ever Indo-Fijian Prime Minister, was overthrown in a coup a year later.

At the second election, held in August 2001, a 'Moderates Forum' emerged, bringing together several centrist parties. But this was badly defeated at the polls. Moderate party votes were mostly transferred to one or other of the more radical, mainly ethnically-based, political parties.

At the 2006 elections, there was no sign of either 1999's cross-ethnic alliances, or of any repeat of 2001's "Moderates Forum". Prior to the polls, moderate parties instead sought to make deals with the more ethnically-based parties, already anticipating that the contest would be a two-horse race between the Fiji Labour Party (FLP) and Laisenia Qarase's Soqosoqo ni Duavata ni Lewenivanua (SDL).

This experience suggests a major re-think is needed about the alternative vote (AV) system, and whether this is appropriate for Fiji.

The objective of introducing that system was to encourage moderation, and assist the formation of multi-ethnic governments. Party arrangements over the exchange of preference votes would, it was hoped, generate strong inter-ethnic coalitions. Many voters, so it was claimed, would back moderate parties of the other ethnic group. And political parties would moderate policies and manifestos to appeal to floating voters across the ethnic divide.

Yet, in practice, the alternative vote system has given little encouragement to inter-ethnic alliance building, parties have become more ethnically-centred than ever, and most voters (by ticking above-the-line) have indicated that they do not really want to rank preferences (as if in a negative referendum result on the voting laws).

The system has produced an extraordinarily high degree of invalid voting, 9% in 1999, 12% in 2001 and 9% again in 2006, despite the widespread introduction of ‘ushers’ who shepherded citizens into the polling booths and assisted even literate voters.

Major errors are regularly made during the extraordinarily complex vote counting process, a highly undesirable feature in a country where disputes over election results have been the major cause of the country’s constitutional crises (April 1977) or coups (1987, 2000).

Proposals for change after the 1999 election were met with the objection that this verdict was premature – ‘you can’t judge an electoral system after only one election’. Defenders of the AV system said that, with time, voters would become accustomed to the new system, would learn to rank-order candidates and that the rate of invalid voting would come down. Yet now there have been three such elections, ample time to assess the success or failure of the new electoral laws.

Let’s look in more detail at the 2006 outcomes.

**Chart 1; Seats & Votes won by Parties, 2006**

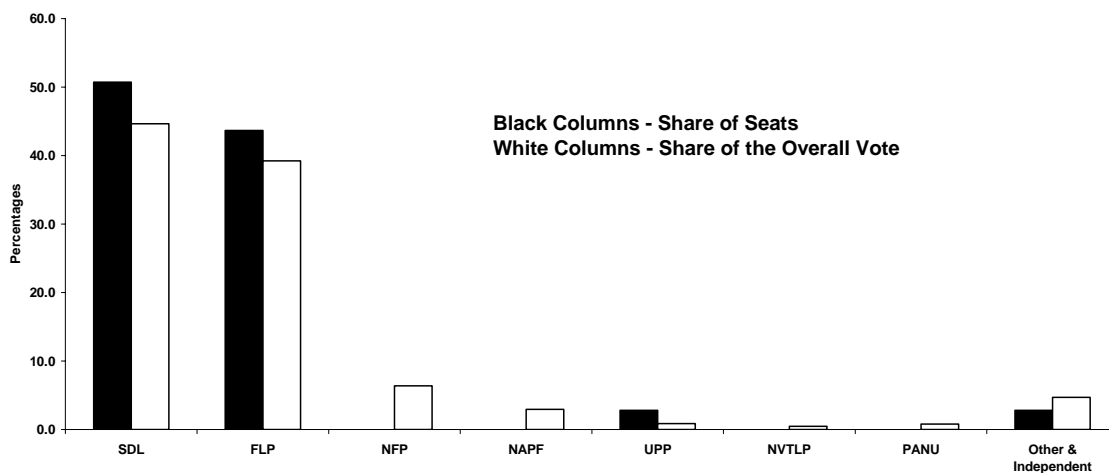
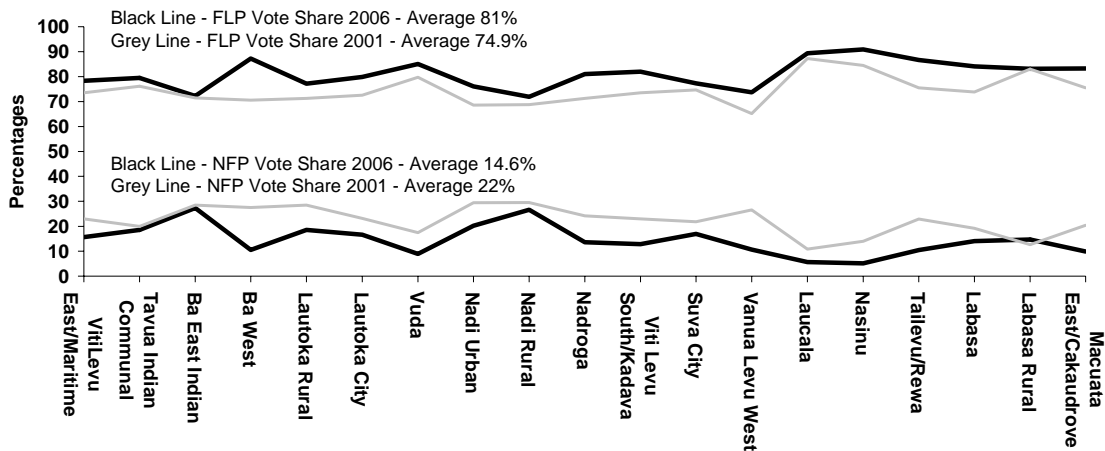


Chart 1 examines the percentages of votes secured and seats won at the 2006 polls. Together, the two largest parties secured 84% of all votes, and 94.4% of seats. In other words, both of the major parties secured a modest seat bonus; their shares in total seats were above their shares in the total vote. The SDL took out all of the 23 Fijian communal seats, while the FLP obtained all 19 of the Indian communal seats. And the SDL secured 13 of the 25 open constituencies, while the FLP took the other 12. This bipolarization of Fiji’s politics is, at least to some degree, a response to the electoral experience in 1999 and 2001. In 1999, the Fijians had been split, enabling the mainly Indo-Fijian backed

Labour Party to secure a landslide victory. In 2001, the longstanding split in the Indo-Fijian vote, and other centrist parties also ranking the FLP in last position, were sufficient to hand the predominantly indigenous-backed SDL the largest number of seats. In 2006, the Indo-Fijian parties settled their differences and exchanged preferences with each other, while the ethnic Fijian parties formed a “Grand Coalition” spearheaded by former Constitutional Review Commissioner Tomasi Vakatora. The middle-ground in Fiji’s politics had so diminished that centrist preferences decided fewer outcomes in 2006 than in 1999 or 2001, although some contests were so close that even tiny shares of votes could provide the margin of victory.

Of the registered voters, 53% were ethnic Fijian and 43% Indo-Fijian, reflecting an ongoing shift in the demographic balance towards the indigenous community<sup>1</sup>. As in 2001, the 2006 Fiji-Indian turnout (88.7%) was slightly above indigenous Fijian (87%), but the share of invalid ballots was slightly higher among Indo-Fijians (9.4%) than ethnic Fijians (8.7). In the General Voter constituencies both turnout and invalid voting were lower than average (83.9% and 6.8% respectively). Turnout was notably lower than average in the Fijian urban communal constituencies, and in many of the urban open constituencies. Nevertheless, at 87.7% the overall average turnout was well up on 2001 levels (79.1%).

**Chart 2; Major Party Vote-Shares in the 19 Indo-Fijian Constituencies, 2006**



### A Collision of Landslides

In the Indian communal constituencies, the FLP repeated its previous achievement of securing a clean sweep of all 19 seats. In 1999 and 2001, the FLP had secured respectively 66 and 75 percent of the Indian communal vote. This time around, the party obtained an average share of 81% of Indo-Fijian votes, again with little variation across

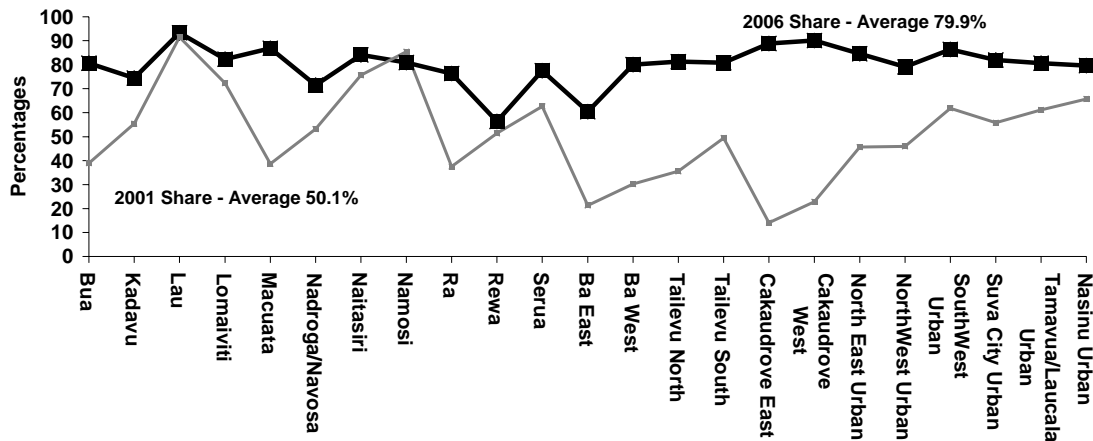
<sup>1</sup> In 2001, 51% of registered voters were indigenous Fijian, and 44.6% were Indo-Fijian. Population projections using the 1986 and 1996 Censuses of Population and more recent migration data would suggest a still wider discrepancy (56% as compared to 39.1% respectively for 2006), but these changes initially effect primarily the younger population (below the voting age of 21 years), and only with a lag will they come to influence the voter registration data.

the country (see chart 2). Claims of a likely Muslim rebellion or North/South Indian schisms denting the FLP vote again proved false. So too did the notion, repeating the 1970s illusions of Ratu Mara's Alliance Party, that the ruling SDL might make substantial advances in the Indo-Fijian communal constituencies, or even gain three Indian seats. Imraz Iqbal, former Fiji TV personality and SDL Deputy Campaign Manager who featured prominently in SDL TV propaganda, obtained only 222 votes in Nasinu, a seat easily taken by veteran FLP frontbencher Krishna Dutt. Overall, the SDL obtained only 2% of Indian votes, indicating a negligible level of Indian support for the governing party.

The National Federation Party (NFP) had been the largest of the Indo-Fijian parties in the 1990s, under the leadership of Jai Ram Reddy. But it slumped to 32% of the Indian communal vote in 1999 and on down to 22% in 2001. The NFP's Sugar Cane Grower's Association had long been fighting a losing battle with Mahendra Chaudhry's National Farmer's Union for the hearts and minds of the cane farmers. In the 1990s, the NFP's strength had been in the urban areas, but out-migration by middle class professionals led to an erosion of the party's support base. Continuing changes in the party leadership, and association with prominent Gujarati businessmen, lost the party support. The NFP also suffered from being left without seats in 1999 and 2001, and increasingly had to make appeals to past glories rather than present potential. In 2006, it gained only 14.6% of the Indo-Fijian vote, despite having strategically given strong preferences to the FLP in the hope of avoiding electoral annihilation. As in 1999 and 2001, the NFP was left with no seats in parliament. The FLP consolidated its claim to be *the* Indo-Fijian Party, leaving the NFP reliant on its base in the municipal councils if leaders opt for some kind of nocturnal survival.

The ruling SDL was able to mirror the FLP's performance in the Indo-Fijian constituencies, taking out all 23 of the Fijian communal seats all at the first count. Back in 2001, Mr. Qarase's party had faced more powerful rivals, both to the west and in the east. Then, the SDL was troubled by those provincial schisms that are usually more evident in Fijian politics. Localised *vanua* ties, and rivalries based on the never-ending struggle over hereditary titles, often underpin contests between indigenous candidates in a way that differs markedly from the more ideologically-based differences that define Indo-Fijian politics.

**Chart 3; SDL Vote-Share in the 23 Fijian Communal Constituencies, 2006**



Yet in 2006, the SDL secured close to 80% of the Fijian vote, well up on the 50% it received in 2001 (see chart 3), and its vote share was reasonably steady across the country. Only in Rewa and Ba East did SDL candidates face strong opposition. In Rewa, Ro Temumu Kepa saw off the challenge from her nephew, Ratu Filipe Tuisawau, who stood as an independent after having previously been unsuccessful in securing the official SDL nomination. In Ba East, the threatened re-emergence of a Western Viti Levu-based Fijian party was thwarted, despite the vanishing act done by the 2001 SDL front party in the west, the Bai Kai Viti. Even relative newcomers to politics, as long as they stood on an SDL ticket, were able to defeat sitting members or veteran politicians.

This was an election that confirmed the demise of the Fijian Nationalist Party, which had briefly commanded 25% of the indigenous vote at the polls in April 1977, and remained a small but significant force through the 1990s. Under the leadership of Sakeasi Butadroka, the party had been the standard-bearer of the Fijian extremist cause, even at one point calling for the expulsion of the country’s Indian population. The Nationalist Vanua Lavo Tako Party (NVTLP) managed 9.1% of the vote in 1999, but thereafter it faded.

After the 2000 coup, the emergence of the Conservative Alliance-Matanitu Vanua Party led by Cakaudrove chief Ratu Naiqama Lalabalavu and counting imprisoned failed coup leader George Speight as one of its MPs, led to an eclipse for the NVTLP. It obtained only 1.4% of the vote in 2001. The liquidation of the CAMV shortly before the 2006 polls, and the movement of most of its MPs into the SDL, gave negligible advantages to the older Fijian Nationalist party. It obtained only 1.1% of the Fijian vote in 2006. Party leader Ilesia Duvuloco mustered 15% of the vote in Tailevu North, well below what was required to dislodge the SDL sitting member Samisoni Tikoinasau, brother of the still imprisoned George Speight. NVTLP President Viliame Savu, recently released from prison for his part in the May 2000 coup, secured only 57 votes in Lami. The hallmark of the first SDL administration, looking over its shoulder at the threat from Fijian extremists, will no longer characterise its second administration.

There was no sign of the military's 'truth and justice' campaign having a major impact on the Fijian vote. In the weeks leading up to the election, army commander Frank Bainimarama made increasingly vociferous denunciations of the SDL government. The natural beneficiary of that campaign would have been the newly formed (or reformed) National Alliance Party led by former military commander Ratu Epeli Ganilau. Like the now defunct New Labour Unity Party back in 2001, the NAPF was the focus of greatly exaggerated expectations before the polls. Yet Ratu Epeli's party secured only 2.2% of the Fijian communal vote, and a similar share of the Indian communal vote. Ratu Epeli himself obtained only 14.6% of the vote in the Suva City open constituency, and the party's other major leader Filipe Bole, a former minister in the Rabuka-led governments of the 1990s, managed only 7.2% in Samabula/Tamavua. The failure of newly emerging moderate and multi-ethnic parties to make an impact at the 2006 polls was, at least in part, a product of a longer-run electoral system driven polarization. But it also reflects the fact that more centrist approaches, when they do emerge in Fiji politics, tend to come from within the major ethnically-based parties, rather than springing up afresh on un-nurtured ground.

The FLP's vote share in the Fijian communal constituencies was 6.3%, above its total in 1999 (1.9%) and 2001 (2.3%). This was partly because the increasingly well-oiled FLP party machine was able to stand a larger number of candidates in the Fijian constituencies. Only 4 FLP candidates stood in the Fijian communal constituencies in 1999, 6 in 2001, but 15 in 2006. On average, they obtained 10.2% of Fijian votes in 1999, 7.3% in the fraught post-coup circumstances of the 2001 elections and 8.6% in 2006. At this election, unlike 1999 and 2001, even the NFP stood candidates in the Fijian communal constituencies, hoping that some Fijian communal voters would also mark their ballots in favour of the NFP in the more winnable open constituencies.

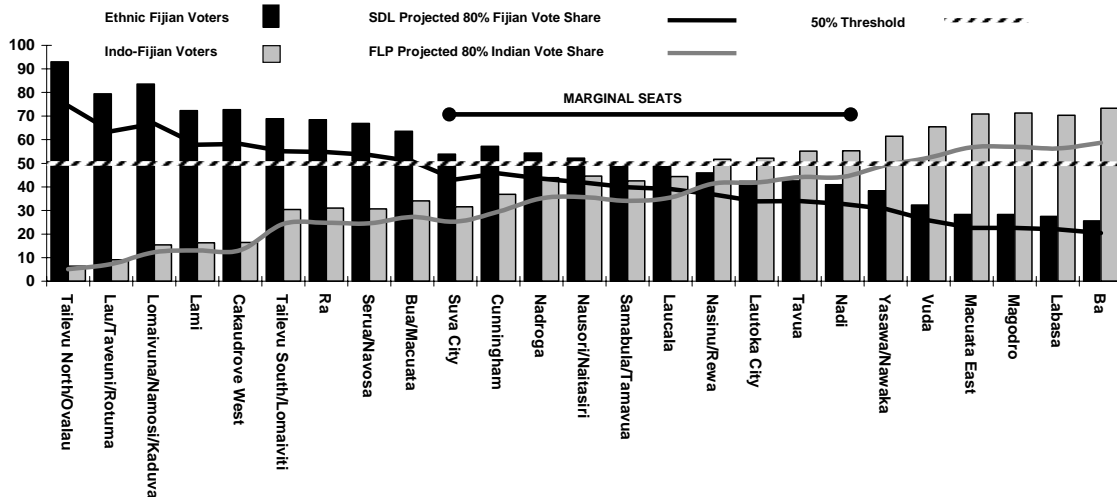
The strength of party affiliations in determining vote shares was evident even in the General Voter constituencies, where those other than the ethnic Fijians and Indo-Fijians vote. Sitting member for the Suva City General seat, Kenneth Zinck - who crossed the floor to join the Qarase government after the 2001 polls, but who had rejected the offer of an SDL ticket for the 2006 polls - obtained only third position behind the SDL's Aca Lord.

Nevertheless, it was only in the General voter constituencies and in Rotuma that independents or smaller parties stood any chance. The Suva City General seat was taken by Bernadette Rounds-Ganilau, a popular former radio show host and member of the United Peoples Party (UPP). Mick Beddoes, the UPP leader, narrowly took the Western General constituency, and the third and final General Voters seat was taken by an independent, Robin Irwin, whose anti-Labour economic philosophy led him to align himself with the SDL. The UPP had entered a pre-election coalition with Mahendra Chaudhry's FLP, signalling a major turnaround for the historically Fijian-allied General Voter parties.

## The Battle for the Open Seats

Since all the Fijian and Indian communal seats were divided between the two major parties, the ultimate election outcome was inevitably decided in the 25 open constituencies, as it was in 1999 and 2001. Yet this time around, the fracturing of the Fijian vote witnessed in 1999 was no longer in evidence, ensuring that the FLP could not repeat its 1999 absolute majority. On the Indo-Fijian side, the longstanding two-party FLP/NFP divide no longer had the same potential influence as in 2001, when NFP's cross-the-board ranking of the FLP as last preference gave the SDL several crucial marginal open constituencies. In the run up to the 2006 polls, the NFP entered negotiations with the SDL and was offered seats in the Senate as the price for favouring the governing party. Yet, shortly before the deadline for party preferences to be lodged with the elections office, the party mended its fraught relationship with FLP leader Mahendra Chaudhry. The two parties signed a Memorandum of Understanding in which the NFP promised the FLP superior preferences to the SDL in seven of the ten potentially marginal open constituencies<sup>2</sup>. SDL leaders and newspaper editorials fumed at the NFP betrayal, calling the party '*liu muri*' (trans. 'lowly and untrustworthy')<sup>3</sup>, but the governing party nevertheless gained two seats relying on NFP preferences. The NFP strategy had been to avoid giving 'blanket preferences' to either of the major parties, in the hope that, in that way, with one or two seats the party might hold the balance of power.

Chart 4; Ethnic Composition of Open Constituencies



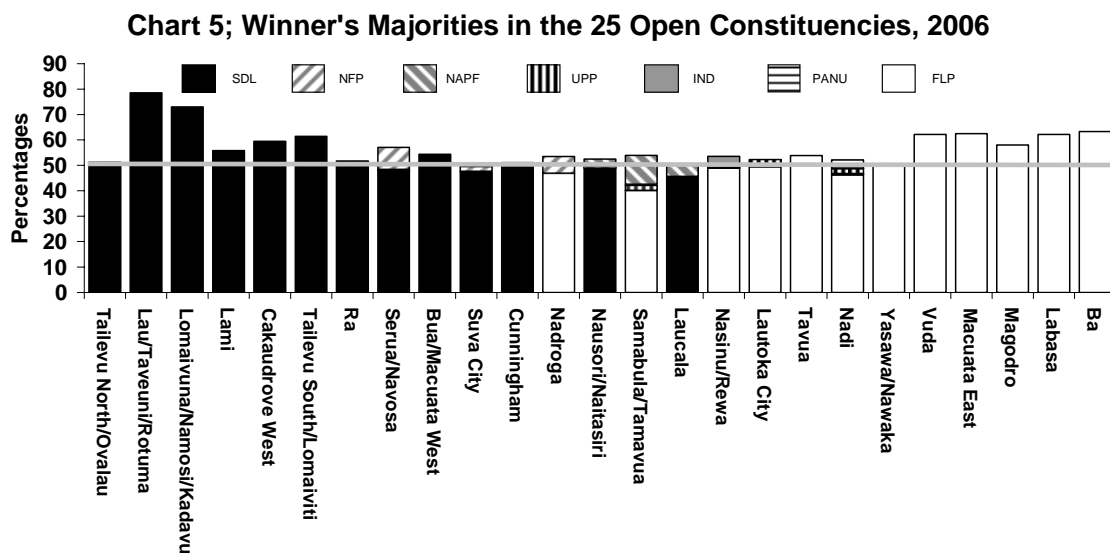
Our analysis of the 2006 elections emphasised the likely role of ethnically-based voting, using the model shown in chart 4. In that chart, the black columns show the ethnic Fijian share of electorates in the 25 open constituencies, which are ordered from right to left in

<sup>2</sup> The constituencies of Nadroga, Nausori/Naitasiri, Samabula/Tamavua, Tavua, Nadi, Lautoka, and Suva City. In return, the FLP agreed 'to rank the NFP above the SDL in its list of preferences for all Indian Communal, Fijian Communal and Open Constituencies contested by the NFP' ('Agreement between the National Federation Party and the Fiji Labour Party', 18<sup>th</sup> April 2006, copy obtained from NFP offices).

<sup>3</sup> *Fiji Times*, 22<sup>nd</sup> April 2006.

accordance with the ratio of Indo-Fijian to ethnic Fijian eligible voters. The grey columns show the Indo-Fijian electorate shares. Constituencies towards the right are those in the densely Indo-Fijian populated sugar cane districts of western Viti Levu and Northern Vanua Levu. Constituencies towards the left are mostly those outer island constituencies where ethnic Fijians form the overwhelming majority of the population. Those towards the centre of the chart are mainly in the Suva-Nausori corridor area, where Indo-Fijians and ethnic Fijians form close to 50% each of electorates, although recent demographic changes have ensured that some of the Western Viti Levu constituencies are now also much closer to having equal numbers of ethnic Fijians and Indo-Fijians.

The dashed horizontal line in chart 4, at the 50% mark, shows the share of the vote required to secure victory under Fiji’s alternative vote system. The grey sloping line shows the projected FLP’s 80% of the Indian vote, and indicates the seats that the FLP could be expected to take at the first count. The black sloping line shows a projected SDL 80% of the Fijian vote, and those seats towards the left-hand side which the SDL could be expected to take at the first count. In the middle of the chart are the marginal open seats where most results were always likely to depend on transfers of preference votes.



As chart 5 shows, results corresponded fairly closely with that model. This chart shows the 25 open constituencies, again ordered from right to left in accordance with the ratio of Indians to Fijians among registered voters. The block at the base of each column shows the ultimate victor’s first preference votes, and any additional blocks above the base block show transfers of preference votes required to take the victor over the 50% threshold (shown by the horizontal line). The only constituency, aside from the marginal seats identified by the method shown in chart 4, where the outcome was decided on preferences was Serua/ Navosa, a large, highly dispersed and mountainous constituency on the southern side of Viti Levu. This was a contest complicated by the fact that the sitting member Pio Wong had been de-selected by the SDL in favour of newcomer Jone Navakamocea, a civil servant previously employed in the Prime Minister’s Office. Mr. Navakamocea eventually won, at the 7<sup>th</sup> count, because NFP 6<sup>th</sup> preferences were for SDL and 7<sup>th</sup> (and last) preferences were for FLP. Negative ranking, and victory for the

penultimate placed party, featured in 2006, as it had done in 1999 and 2001, even though the number of seats decided on preferences was considerably lower than at those previous elections.

In both 1999 and 2001, 18 open constituencies were decided by transfers of preferences votes. This time around, only 9 were decided in this way. The middle-ground of Fiji's politics was much smaller than it had been in 1999 and 2001, due to the decline in the NFP's Indian vote and the weak performance of Ratu Epeli Ganilau's National Alliance Party (NAPF). The FLP secured Nadi, Lautoka City, Nasinu-Rewa, Samabula-Tamavua and Nadroga through transfers of preferences, either from the NFP, UPP or NAPF. Drawing on NFP and/or NAPF preferences, the SDL obtained Serua/Navosa, Suva City, Nausori/Naitasiri and, by only 11 votes at the recount, Laucala. The SDL tactic of fielding Labour renegades Tupeni Baba and John Ali in marginal urban open constituencies like Samabula/Tamavua and Nasinu/Rewa backfired. More effective was standing women candidates in the marginals, a tactic that gave victory to the SDL's Losena Salabula in Laucala and the FLP's Monica Raghwan in Samabula/Tamavua. Fielding popular Indo-Fijian former Naitasiri Rugby Team manager Rajesh Singh in Cunningham also proved effective, and gave the SDL what might otherwise have been a marginal seat at the first count.

Ethnically-based voting in Fiji has for long meant backing political parties because their policies are deemed to favour one or other ethnic group, not backing particular candidates because they are indigenous Fijian or Indo-Fijian. Ethnic Fijians had no qualms voting for Indo-Fijian candidates like George Shui Raj in Ra or Rajesh Singh in Cunningham because they were members of the pro-indigenous SDL party. Indo-Fijians were unperturbed about voting for ethnic Fijians like Poseci Bune in the Labasa Open constituency or for Sivia Qoro in Yasawa/Nawaka because they were identified with the solidly Indian-backed FLP. Racial politics in Fiji has long been much more sophisticated than the mere exercise of voter prejudice based on skin colour, culture, religion or language.

Overlaying the strongly ethnic dimension to Fiji's politics was a regional divide. FLP candidates performed more strongly in Western Viti Levu, taking out marginal open seats like Nadi, Tavua and Lautoka City. Also Nadroga in the West, a seat secured by the SDL in 2001, this time fell to the FLP, outcomes that were in both cases dependent on the ordering of NFP preferences.

Most remarkable was that, for the first time, below-the-line voting made a major difference in these highly marginal open constituencies. Across the country as a whole, the vast majority of voters – as in 1999 and 2001 – ticked their ballot papers above-the-line. In so doing, they endorsed their first choice party's list of preferences that had earlier been lodged with the elections office. Yet in all three elections, around 5-8% of voters chose instead to rank candidates in order 'below-the-line'. In most elections, the big blocks of above-the-line votes commanded by the parties make the overwhelming difference (a feature strongly condemned even by some of the greatest enthusiasts for Fiji's alternative vote system). But in this election, results were so close in the ten

marginal open constituencies, that below-the-line votes in some cases decided outcomes (e.g., in Suva City and Laucala). This was not the result of voters marking ballots below-the-line to any greater extent than previously. For example, in Laucala, where below-the-line votes decided the outcome in favour of the SDL's Losena Salabula, only 3.5% of ballots were cast in this way<sup>4</sup>.

## **The Case for Electoral Reform**

Some commentators suggest reforming Fiji's electoral system by simply abolishing the above-the-line section on the ballot paper, and counting a tick next to a party symbol, instead of a numbering of candidates, as endorsing party preference lists. The objective would be to reduce the high number of invalid votes, the vast majority of which are due to voters lodging ticks below-the-line. Yet such a reform would in fact still further strengthen political parties control over the redistribution of preference votes, a feature of Fiji's current electoral system strongly condemned by many observers (see, for example, Justice Gates comments in the post 2001 polls Prem Singh court case).

Because fewer seats than usual were decided on preferences in 2006 and also in part because below-the-line votes were more significant than usual, this aspect of Fiji's electoral system was less notable in 2006 than in 1999 and 2001. In a more fractured party setting at future elections, it would be likely again to figure more prominently. The proposed reform would make even more potent those kinds of officially-controlled preference vote transfers driven by alliances between strange bedfellows. At the 1999 polls, for example, party strategising led to preference swapping between parties at opposite ends of the political spectrum. This was also no accident. Parties tend to strategise much more than voters. In multi-party settings, they will use their control over preference votes to gang up against potential rivals, often in ways that are unlikely to be sanctioned by their voters.

If an AV system is to be retained, the better alternative would be to shift to an optional preferential voting system. This would also entail abolishing the troublesome above-the-line section, but in addition it would get rid of any party control over the ranking of preferences. Instead, the voter could choose to number candidates, or else, if he or she preferred, simply tick a political party (which would be counted as a first preference only). There would be no obligation to number 75% of candidates, as at present. A voter could simply number 1, or 1, 2, or 1, 2, 3, as preferred. Such optional preferential systems are used in Irish by-elections, and have been used in some of the Canadian provinces. In most cases, such systems operate very similarly to first-past-the-post.

There is a stronger case for a more radical reform, shifting the country away from the AV system towards a system based on proportional representation.

Fiji's 2006 election was much more like an election under Fiji's pre-1997 first-past-the-post system than the elections in 1999 and 2001. In eight of the nine open constituencies

---

<sup>4</sup> Data obtained from the O-39 completed by the Count Team Leader at the Suva Grammar School.

decided on preferences, it was the first count leader who won at the final count. Only Tupeni Baba, the former FLP Deputy Prime Minister who joined the SDL, saw his first count lead vanish at the fifth and final count.

Aside from the open constituencies, the only other constituency where a candidate leapfrogged to victory over a first-count leader was in one of the three general voters constituencies. In the North-Eastern General constituency Robin Irwin had only 17.2% of first count votes, as compared to the 40.2% obtained by the sitting SDL member David Christopher. Yet most of the other parties and candidates lodged preferences which put Irwin ahead of Christopher giving the independent candidate victory at the fifth count.

Aside from these two constituencies, preference transfers served to consolidate the position of those who received the majority of first preference votes.

The 2006 result shows Fiji's alternative vote system working in a strongly majoritarian fashion. The minor parties stood little chance, either in the Fijian or Indian communal constituencies or in the open constituencies.

Majoritarian electoral systems usually translate small swings in votes into big swings in seats. For that reason, they are often credited with bringing about 'strong government'. Giving a big seat bonus to the victorious party leaves it free to implement its manifesto, without having to worry about the need to sustain fragile or bickering coalitions.

But in Fiji, the 'winner takes all' hallmark of the majoritarian system does not produce strong government. Instead, it puts one ethnic group in power, and leaves the other on the opposition benches. Aware that such a set-up would not be favourable for Fiji, the architects of the 1997 constitution put in place a multi-party cabinet provision. All parties with more than 10% of seats are entitled to participate in cabinet.

Yet having a proportionality principle controlling government formation together with a majoritarian electoral system is a big mismatch. It makes it likely that the smaller party, or parties, in cabinet have insufficient strength on the floor of parliament to require cooperation and consensus in government, or to bargain over policy or portfolios. Their participation in cabinet becomes driven only by the goodwill of the Prime Minister, or by the law courts.

In Fiji's circumstances, a mixed member system of proportional representation (PR) or a list PR system of the type used in New Caledonia, would make much more likely the formation of inter-ethnic coalitions, and multi-party governments.

Such systems would lessen the perceived need of Fiji's political leaders to line themselves up in two block parties - one representing the Fijians, the other the Indo-Fijians - in the process ensuring that elections become an ethnically-driven battle for control over the state. There are far better ways of organising the country's governance than this.

20<sup>th</sup> May 2006  
Jon Fraenkel  
Senior Research Fellow  
Governance Programme  
PIAS-DG  
USP