

Reviews of Papua New Guinea and West Papua are not included in this issue.

FIJI

For the people of Fiji, the year 2000 was the most turbulent and traumatic in recent memory. The country endured an armed takeover of parliament and a hostage crisis lasting fifty-six days, the declaration of martial law and abrogation of the 1997 constitution, and a bloody mutiny in the armed forces. These events raised the specter of civil war and economic collapse, international ostracism, and a future plagued with uncertainty and hardship. Comparisons with the coups of 1987 were inevitable, but most observers would conclude that the crisis of 2000 left Fiji more adrift and divided than ever before.

The month of May has become synonymous with coups in Fiji. It was on 14 May 1987 the country witnessed its first military *coup d'état*, led by then Lieutenant Colonel Sitiveni Rabuka. On 19 May 2000 a group of nine gunmen attempted to repeat history, by taking hostage Prime Minister Mahendra Chaudhry and his People's Coalition government. While the precise details of who was involved and how the takeover was to be executed are still to be revealed, the gunmen who stormed parliament were no doubt banking on the support of various antigovernment forces to ensure they carried the day.

The campaign to oust Mahendra Chaudhry from office, which began covertly soon after the historic elec-

tion of May 1999, became more overt in the early months of 2000. Fijian political parties, led by the former governing party, *Soqosoqo ni Vakavulewa ni Taukei* (SVT), held meetings around the country to discuss ways to oppose if not depose the government and thereby return to power. These meetings helped fuel indigenous Fijian unease and animosity toward Chaudhry's leadership. Signaling its move toward a more nationalist stance, the SVT terminated its coalition with the Indo-Fijian-based National Federation Party in February, describing the coalition as "self-defeating."

In March, the Taukei Movement was revived with the aim, according to spokesman Apisai Tora, of "removing the government through various legal means as soon as possible" (*Sun*, 3 May 2000, 1). In 1987 the Taukei Movement had spearheaded nationalist opposition to, and destabilization of, the then Labor Coalition government. In 2000, the movement's battle cry was familiar: the People's Coalition government was not working in the interests of the indigenous people.

Tora's role in the Taukei Movement was a dramatic turnabout from his 1999 position, when he led one of the Labor Party's coalition partners, the Party of National Unity (PANU). Tora lost his bid for a seat in parliament, and subsequently blamed his defeat on Chaudhry's decision to field a Labor candidate against him. In January he announced his resignation as PANU secretary. This followed an unsuccessful attempt in September 1999 to pull the party out of the

coalition, a move that was rebuffed by PANU's four parliamentarians.

Splits deepened within all the Fijian-based parties in the People's Coalition, and between those parliamentarians and cabinet ministers loyal to Chaudhry and those opposed to his leadership. Labor's relations with its principal coalition partner, the Fijian Association Party (FAP), became especially fraught. With the deputy prime minister and FAP leader, Adi Kuini Speed, away on medical leave, the party leadership was taken over by backbencher Ratu Tu'akitau Cokanautu, a vocal critic of Chaudhry. In April a special general meeting of the FAP endorsed its withdrawal from the People's Coalition, but this was decided in the absence of the party's four cabinet ministers.

Anti-Labor and anti-Chaudhry sentiment was fueled by a number of contentious policy initiatives taken by the government. These included the Constitutional Amendment Bill, introduced in the House of Representatives in February. It proposed fifteen changes to the constitution, some of which the SVT had put forward when it was in power. Fijian critics claimed that the bill would dilute the power of the Senate and by implication that of the Great Council of Chiefs, as well as weaken other Fijian institutions, particularly in respect to advising the president. On the other hand, the bill alienated human rights and civil society groups by its attempt to remove constitutional provisions prohibiting discrimination on the basis of sexual orientation.

Also controversial was the government's Social Justice and Affirmative Action Bill. Among other things it proposed that assistance programs

previously limited to indigenous Fijians and Rotumans (such as Fijian Development Bank loans) be opened up to other races. Despite advice even from some allies, the government persisted with the proposed legislation. Leading the opposition to the bill was Senator Laisenia Qarase, a nominee of the Great Council of Chiefs in the Senate. His argument, which echoed that of other critics, was that removing special assistance for Fijians in commerce and industry, aimed at closing the gaps between the races, would lead to ethnic tensions and political instability. He labeled the government's approach "arrogant, belligerent and provocative" (*Sun*, 14 Mar 2000, 3). This led to a highly public feud, conducted through newspaper advertisements, between Qarase and the government, with the latter accusing Qarase of "running an orchestrated propaganda campaign to discredit the government based on lies and distortion" (*Review*, April, 17).

Perhaps most sensitive of all, however, was the government's land policy. The stand-off between the government and the Native Land Trust Board (NLTB) on the future of land leases continued into 2000. The urgency of resolving this issue was underscored by a report that up to 95 percent of cane leases, due to expire before 2002, would not be renewed (*Sun*, 16 Mar 2000, 1). Chaudhry's determination to retain the Agriculture Landlord and Tenant Act (ALTA) provided potent ammunition to his critics, eager to read in his actions a bias toward the interests of Indo-Fijian farmers. One newly formed organization, the Foundation of the Indigenous Fijian People, under the leadership of Rewa parliamentarian

Ratu Timoci Silatolu, warned non-indigenous Fijian leaders to refrain from commenting on ALTA. Another Chaudhry opponent, NLTB General Manager Maika Qarikau, was reportedly busy meeting provincial councils around the country, feeding antigovernment sentiment over land issues.

A key platform of the government's land policy was the proposal to set up a Land Use Commission. According to Chaudhry, the proposal aimed to deal with the problem of unused land. "The land can be developed and used to obtain a return for those who own it" (*Times*, 8 Mar 2000, 1). Critics, including Vice President Ratu Josefa Iloilo, described the proposal as an attempt to impose state control over land use, thus denying landowners their rightful ownership. A government-sponsored visit to Malaysia by ten chiefs, to observe land use policy there, was labeled "a ploy" to further divide the Fijian people.

Land issues gained greater political salience due to the potentially huge returns that would be realized from the country's vast mahogany plantations. In March it was announced that the Commonwealth Development Corporation (CDC) was the government's preferred strategic partner in the harvesting, processing, and marketing of the resource. The former chairman of Fiji Hardwoods (a company formed in 1997 to manage the plantations), George Speight, had been sacked from his position soon after the 1999 election by Agriculture Minister Poseci Bune. There were allegations of conflict of interest due to Speight's close association with a rival to the CDC—the US-based Anglo-Pacific Corporation (*Sun*, 9 Apr 2000, 15–17). Opposition members of par-

liament condemned the government's choice of CDC, saying it showed that Fijians "have no voice in deciding how their resources will be used" (*Post*, 8 Apr 2000, 2). In April the Great Council of Chiefs requested that the government defer any further decisions on the mahogany question, forming a committee to look into how landowners would benefit from the resource. This was chaired by Senator Qarase.

Fijian mistrust of the government was also stirred by the parliamentary majority it enjoyed. SVT's president and former deputy prime minister, Taufu Vakatale, claimed that the government had such an overwhelming majority that the SVT was powerless in opposition. Labor held 37 seats in the 71-seat parliament, but the total number for the Coalition was 58 seats (including the 3 Christian Democratic Alliance members and 3 independents). According to Vakatale, the only option for the people was to take to the streets.

In April a series of antigovernment marches began. The first, in Lautoka, attracted only about five hundred demonstrators. At the next march in Suva on 28 April, there were an estimated four thousand, led by prominent Fijian politicians and members of parliament. They called for the removal of the "anti-Fijian" government and for its replacement by an indigenous-based government. The demonstrators also called for the 1997 constitution to be replaced by the 1990 constitution. The government's response was to publish full-page advertisements in the daily papers listing all its initiatives to assist indigenous Fijians. When Police Commissioner Isikia Savua warned that the

police would not be able to control future protests, the home affairs minister ordered police not to issue any new permits. This move was overturned by the prime minister, but not before Fijian politicians threatened “to take the law into their own hands” (*Times*, 6 May 2000, 1). Another march was planned for 19 May.

By May there was growing speculation of another coup, with commentators likening the political situation to the lead-up to the coup of May 1987. Army Commander Frank Bainimarama “categorically” denounced such speculation, stating that “the military will not be used in any way to promote the downfall of any legitimate government” (*Post*, 9 Apr 2000, 1). However, media speculation pointed to the more likely possibility of an elite “civilian” coup rather than a 1987-style coup (*Review*, May 2000; *Post*, 15 May 2000, 4). While the government could not ignore such speculation, it did not appear too disturbed. In a mild rebuke to his opposition, Chaudhry remarked, “I hope the people engaged in such disruptive activities will realize that they are doing greater harm to Fiji” (*Post*, 18 May 2000, 1).

Taukei Movement anger was also directed at President Ratu Sir Kamisese Mara. The movement’s leader, Apisai Tora, castigated the president for not responding directly to a petition calling on him to dismiss the Chaudhry government, appoint an interim government, amend the 1997 constitution, and call new elections. The president’s response had been channeled through the media, where his officials had pointed out that he did not have the power to dismiss a

democratically elected government or to appoint an interim government (*Post*, 6 May 2000, 1). The first anniversary of the People’s Coalition Government occurred on Friday 19 May. The government celebrated with a special morning tea in their parliamentary offices. As parliament resumed its sitting that morning, about two thousand protesters gathered in downtown Suva to demonstrate once again their opposition to the Chaudhry government. Meanwhile a small group of armed men, wearing civilian clothes, made their way to parliament in two vehicles. At about 10:30 AM they burst into the parliamentary chamber, handcuffing government members and taking them prisoner. On hearing of the armed hold-up, the antigovernment demonstrators marched to the gates of parliament, where they formed a human shield. Later that morning rioting broke out in Suva. Looting and arson continued unchecked for the remainder of the day.

The spokesman for the armed group soon revealed himself as George Speight, the former head of Fiji Hardwoods. He announced that a “civilian coup” had taken place, carried out by “soldiers of the *vanua*” on behalf of the indigenous people, and that as a result the constitution was suspended as were the powers of the president. Appearing at his side (and named as the interim prime minister) was FAP parliamentarian, Timoci Silatolu. Also prominent in early negotiations with Speight’s group were SVT leader Ratu Inoke Kubuabola, acting FAP leader Ratu Tu’akitau, and former prime minister and current chairman of the Great Council of Chiefs Sitiveni

Rabuka. When asked by the media whether he supported the takeover, Kubuabola declined to comment and instead called for calm. The situation was confused further when neither the army nor the police appeared willing to stop the looting on the streets of Suva. While an announcement from the military headquarters indicated that the army did not accept the takeover and continued to recognize Chaudhry as prime minister, the army also claimed to be awaiting instructions from the Ministry of Home Affairs. But Home Affairs in turn claimed to be awaiting word from the new “interim Home Affairs minister,” named as Raquita Valalalabure.

A semblance of authority was finally imposed when President Ratu Mara spoke to the nation later that day and announced a state of emergency. He described the takeover bid as unlawful and pledged to do his utmost to resolve the situation. This included addressing the issues that had caused the unrest (namely indigenous Fijian concerns). He called for the release of all captives and for the perpetrators to “disband.” In response to the declaration of the state of emergency, the army deployed two battalions to assist police in restoring law and order, but not within the parliament building, where the hostage-takers remained.

Shortly after that address, Speight also gave a press conference where he declared himself head of state and announced that decrees would be drafted to establish the “legal framework” for his government. He claimed to have the support of all Fijian political parties as well as the police and army. However media

reports described Speight as an “undischarged bankrupt and failed businessman,” who had appeared before the High Court four days earlier on charges of extortion. Meanwhile, Rabuka was reported to be attempting to broker a settlement, meeting with Speight, Ratu Mara, and the captive government. Speight described Rabuka as acting in his personal capacity and not as the chairman of the Great Council of Chiefs (GCC), which he claimed no longer existed. At the same time, Speight reiterated that he was acting on a mandate from the indigenous people that “went beyond legal technicalities.” He challenged overseas governments to recognize his legitimacy and he confidently predicted that his “interim government” would be up and running by Monday.

So ended one of the most bizarre and shocking days in Fiji’s modern history. It was also the beginning of a ten-day stand-off between the hostage-takers in parliament (soon to be labeled the George Speight Group) and the president. While the more militant nationalist leaders as well as some prominent chiefs aligned themselves with the Speight group, other Fijian politicians appeared to waver and wait on the sidelines. With Ratu Mara standing firm against the group, a propaganda campaign was launched by Speight supporters aimed at discrediting the president. Meanwhile out in the farmlands of Naitasiri and Tailevu, another campaign was conducted, aimed at terrorizing Indo-Fijian residents and driving them from their homes. In the western provinces of Vitilevu, Fijian opposition to the takeover led to threats of economic

sabotage but also to calls for a separate western government. A meeting of the Great Council of Chiefs was convened to discuss the crisis and mobilize support for the president. But its deliberations were marred by deepening rivalries and divisions within the chiefly establishment. The resolution adopted at the end of three days was a vain attempt to give the Speight group most of what it wanted (pardon, interim government, review of the 1997 constitution) while retaining Ratu Mara as head of state. Not surprisingly the resolution was rejected by the Speight group, and Ratu Mara instead prorogued parliament and moved to set up an interim council of advisers with full executive powers.

With tensions deepening and ugly scenes of violence erupting around parliament and in downtown Suva, the army leadership made its move. A group led by Commander Frank Bainimarama met the president on the afternoon of 29 May and presented him with a traditional *isevusevu*, followed by a request that Ratu Mara “stand aside” and allow the military to assume control. This was reportedly in the interests of “national security” as well as to ensure the president’s safety. Later that night, Ratu Mara and some members of his family were spirited aboard a naval vessel that took them to Mara’s chiefly island of Lakeba. The army commander then declared martial law, a development broadly welcomed by the Fiji public as a last resort against anarchy and civil war.

Thus the first episode in Fiji’s political crisis ended, and another began. In what appeared to be an attempt to “neutralize” the demands of the Speight group, the first action of the

military was to issue a decree that abrogated the 1997 constitution. It also planned a decree granting amnesty to the Speight group once the hostages were released. An interim military government was set up, with Bainimarama as head of an executive council, initially planning to rule for six months then hand over to a civilian government. An impasse soon developed, however, over the Speight group’s demand that their Taukei Civilian Government be set up immediately with Bau High Chief Ratu Jope Seniloli as president. The army commander’s view was that none of the group had the credibility or the competence to be included in the civilian government. He also rejected their demand that the Great Council of Chiefs be reconvened to appoint a new president. “The military maintains its stance that we must secure the release of all hostages and return of all arms and other military stores before anything else is done. The GCC will be convened when we are assured of the peace and stability of the nation” (government press release, 4 June 2000).

Negotiations toward a “peaceful” end to the crisis dragged on through most of June and into July. During this time the government of Mahendra Chaudhry continued to be held hostage, while around them the grounds of parliament became the campsite (and at times fairground) for hundreds of Speight supporters. Many were from the villages of Tailevu (Speight’s province) and Naitasiri. The armed men who had originally stormed parliament were identified as soldiers from a special elite force known as the First Meridian Squadron and previously called the Counter

Revolutionary Warfare (CRW) Unit, set up by Rabuka after the coups of 1987 to deal with “terrorist” activities. They passed the time in parliament training “militia units” made up of young men and boys. While mostly confined to the grounds of parliament, the more unruly elements also engaged in criminal acts of arson, theft, and assault in the surrounding neighborhood, causing many residents to flee their homes. The army maintained a watchful, though mainly passive, role on the streets, except when provoked into occasional skirmishes with the “rebels.”

The stance adopted by the international community was one of cautious support for the efforts of the military to end the crisis, but at the same time unequivocal condemnation of the Speight group. Calls were made for a speedy return to democratic government, but trade and aid sanctions were not imposed as long as the hostage drama continued. At the end of June an agreement was reached between trade unions, employers, the military, and civil society groups to end union bans on Fiji. The crux of the agreement was that a constitutional resolution to the crisis should be pursued. Meanwhile an economic crisis was developing, with mounting job losses (many in the tourism sector), falling government revenue, and massive pay cuts. The Finance Ministry predicted that Fiji would experience negative 15 percent growth for the year, with a government deficit of 9 percent gross domestic product. (A 20 percent pay cut for civil servants was announced and later lowered to 12.5 percent).

In an effort to pressure the Speight group to end the occupation of parlia-

ment and release the hostages, the army commander on 4 July swore in an Interim Civilian Government, headed by former banker and Senator Laisenia Qarase. Comprising prominent Fijian technocrats and professionals, its task was to halt the slide in the economy as well as to address indigenous interests and concerns. The announcement of the interim government was described by Speight as “an affront to the objective of the coup and to the aspirations of the *vanua*,” and he dismissed the line-up as mainly “Mara’s men” (*Times*, 4 July 2000, 3). In the following days the crisis escalated. A group of Speight supporters seized control of the country’s main power station in central Vitilevu, shutting down power supplies to most of the island. In the northern town of Labasa, mutineers took control of the army barracks, backed by chiefs supporting Speight. The unrest spread to other parts of the country, with roadblocks erected, police stations occupied, and resorts and factories seized and shut down. At one major prison, inmates took wardens hostage, and a number also escaped.

To stem the rapidly deteriorating situation the military and the Speight group reached an agreement on the terms by which the hostages would be released and civilian government restored. Signed on the night of 9 July and known as the Muanikau Accord (after the neighborhood where most of the negotiations were held), it contained a number of concessions by the army. The most significant was an undertaking to hand over power by 13 July to a president and vice president to be appointed by the Great Council of Chiefs. This would pave

the way for the appointment of a new interim civilian government and the setting up of a constitution review process. While the Speight group undertook to release all hostages at the time of the GCC meeting, as well as to return all weapons to the army, the military promised to promulgate a decree granting immunity for all “political offences” committed between 19 May and 13 July. The two names that appeared to have the endorsement of both sides were Vice President Ratu Josefa Iloilo for president, and Ratu Jope Seniloli for vice president. George Speight was reported to be “ecstatic” over the outcome, describing it as a “great day for Fiji” (*Post*, 10 July 2000, 1).

On the evening of 13 July (and after the Great Council of Chiefs elected Ratu Josefa and Ratu Jope as president and vice president respectively), the hostages were finally released, ending fifty-six days in captivity. The *Fiji Times* editorialized, “The former People’s Coalition Government has returned to a country shaken and torn apart by events of recent months” (14 July 2000, 6). The international response was a mixture of relief that the hostages were free, and apprehension that Fiji was heading down an unconstitutional path. The end of the hostage drama did not bring any immediate relief to the country’s law-and-order problems, which seemed only to be worsening. With the swearing in of Ratu Josefa as president on 18 July, a tense standoff developed between the military and the Speight group over the position of prime minister and the composition of the interim government. This led to a delay in the announcement of

the cabinet line-up, with Ratu Iloilo abdicating any responsibility for the selection, leaving it to the military and the Speight group to finalize. The military’s preferred candidate for prime minister was Qarase, while that of the Speight group was Bau chief and Fiji’s High Commissioner to Malaysia Adi Samanunu Cakobau. (During this period Qarase and his team continued to govern in a caretaker capacity.)

The standoff ended dramatically on the night of 27 July, when Speight and some of his advisers were arrested at an army checkpoint, allegedly for violating the curfew and for illegally carrying arms. Early the next morning, the army stormed the school at Kalabu village, on the outskirts of Suva, where hundreds of Speight supporters had relocated after vacating the parliamentary compound. About three hundred people were arrested, including a number of the elite CRW soldiers who had taken part in the coup attempt. On 28 July, several other Speight supporters were arrested, including Timoci Silatolu, and on 29 July the core members of the group were transported to the nearby island of Nukulau, declared a prison zone by the military. It was reported that treason charges against the detainees would be investigated, with the military claiming that Ratu Iloilo’s life had been threatened (*Post*, 28 July 2000, 1). The army also claimed that since the terms of the Muanikau Accord had not been fulfilled (namely return of all weapons by the Speight group), immunity did not apply.

With the arrest of the group, a new episode in the crisis began. On 28 July the second interim administration was

sworn in, made up of 20 ministers and 8 assistant ministers. Laisenia Qarase retained his position as prime minister, and 13 members of his original cabinet were also returned. Among the new faces were SVT leader Kubuabola, Taukei Movement leader Tora, and FAP faction leader Tu'akitau, politicians who had publicly supported the "indigenous cause" of the Speight group, if not its "method." The "vigorous pursuit of indigenous Fijian concerns" was made the central objective of the Qarase administration, with policies to meet that goal outlined in a *Blueprint for the Protection of Fijian and Rotuman Rights*, initially unveiled on 13 July. It covered the drafting of a new constitution, land and resource issues (including abolishing ALTA), measures to strengthen Fijian participation in commerce, review of the Fijian Administration and the Great Council of Chiefs, and affirmative action for Fijians and Rotumans. The blueprint's adoption led many observers to conclude that the objectives of the Speight group had been realized.

In responding to the appointment of the new administration, Labor Party spokesman and deposed foreign minister Tupeni Baba, said it was unfortunate the president's advisers had not considered a government of national unity. "The composition of the (interim) government is discriminatory and an open invitation for further sanctionsThe government of national unity as provided for in the 1997 constitution offers Fiji a legitimate solution to the crisis" (*Times*, 29 July 2000, 2). Qarase, however, had firmly turned his back on any "constitutional" approach, asserting that the

reinstatement of the 1997 constitution was "not realistic." In order to have "enduring peace and stability" in Fiji, it was necessary to "look deeper into the root causes of widespread Fijian disaffection." This required the preparation of a new constitution to address issues of importance to Fijians and Rotumans, including their "collective desire" that the positions of head of state and head of government always be held by them (*Review*, Aug 2000, 26-29).

The administration's "road map" for the return to constitutional government was to promulgate a new constitution by August 2001 and to hold elections a year later (by September 2002). However, Qarase was unsuccessful in selling this plan to foreign governments. A meeting of the Commonwealth Ministerial Action Group, which closely monitored developments in Fiji, described the timetable as "inadequate in terms of the need to promote reconciliation and unity in Fiji" and reaffirmed its support for the 1997 constitution (*Times*, 19 Sept 2000, 5). The European Union also declared its dissatisfaction with the situation and stated that it retained the right "to use any action or measure in response to violations of democracy" (*PNB*, Nov 2000, 13). The appointment of a constitution review committee in October did little to reassure or allay concerns. Its chairman, Professor Asesela Ravuvu, made clear his position that "western concepts of democracy and human rights" were a threat to indigenous values and institutions and should be rejected. Not surprisingly the committee's public hearings, which began in November, were largely boy-

cotted by Indo-Fijians, as well as by most mainstream political groups and leaders.

While the Qarase administration drew its legitimacy from the upsurge of indigenous Fijian nationalism generated by the events of 19 May, it also sought to silence the most public protagonists of that uprising—the Speight group. Part of its strategy for national reconciliation and international rehabilitation depended on a full investigation into, and the prosecution of, those responsible for the coup attempt. But this required a delicate balancing act between bringing the guilty to justice and not alienating too many of the administration's supporters. A number of prominent people clearly owed their positions of power to the events of 19 May, and some were also under a cloud of suspicion for their alleged involvement. They included the vice president, several ministers in the Interim Government, some members of the constitution review team and the police commissioner. Investigating, let alone charging such individuals, would prove a highly sensitive, if not impossible, undertaking.

On 16 August, Speight and sixteen others were charged in the Magistrate's Court with treason and various related offenses. Over the next few weeks more "rebels" were charged with treason. Complicating the prosecution case, however, was the status of the immunity decree promulgated soon after the release of the hostages. The Magistrate's Court had earlier acquitted a Speight supporter for attempted murder on the grounds that he was covered by the immunity decree. This acquittal was subse-

quently overturned by the High Court, after it ruled that the decree was invalid. By year's end the issue remained unresolved, with a final decision pending in the Court of Appeal. Aside from the issue of immunity, prosecution efforts were also hampered by the inability of the office of the director of public prosecution to gather sufficient evidence against some of the accused to bring them to trial. On 11 October, nine CRW soldiers were discharged by the Magistrate's Court, after charges of treason against them were dropped. This was followed by the dismissal on 6 December of treason charges against four key members of the Speight group held on Nukulau.

The failure to prosecute certain individuals, despite what appeared to be very clear and public acts of intent to depose the People's Coalition Government, drew wide criticism and concern. Questions were raised about the integrity and competence of the prosecutor's office, about apparent inconsistencies in the application of the law, but most of all about the likely consequences for the country if the remaining members of the Speight group were to be released, including Speight himself. The court proceedings proved to be a double-edged sword for the interim administration, exposing its highly tenuous legal and political position, while seeking to contain the dangerous instability that still remained.

Just how dangerous this situation was became tragically apparent soon after the release of the nine soldiers in mid-October. In what was described as an act of compassion and mercy, the nine were accepted back by the

military and allowed to resume duties under close supervision. It was not long before some of these same soldiers allegedly joined forces with other members of the First Meridian Squadron (more often referred to as the CRW unit) in an attempt to overthrow the military commander. The plot, which reportedly involved a number of prominent chiefs, ultimately aimed to replace the Qarase administration with one more sympathetic to, if not including, the Speight group. A variety of motives for the mutiny were later reported: to thwart investigations into the events of 19 May, to avenge the perceived mistreatment of CRW soldiers and civilians by the army after the storming of the Kalabu village school, and to stop the rumored disbanding of the CRW unit.

The mutiny began at lunchtime on 2 November at the main barracks of the Fiji army outside Suva. A group of about forty soldiers (led by some officers) opened fire on the commander's office, taking control of the armory, the national command center, and the officers' mess, and holding a number of hostages. Public reaction was at first muted, as many assumed a minor internal fracas. But as casualties mounted, with Suva's main hospital having to cope with an unprecedented number of emergencies, the seriousness of the situation became apparent. The mutiny was probably doomed early on, when the commander managed to escape the barracks and assume control from the relative safety of a suburban army base. But the rebel soldiers continued to hold out well into the evening. It was later reported that a mass of civilian supporters were waiting at nearly Kalabu

village, to be bussed into the barracks, where they would provide a human shield in a re-run of the parliamentary takeover. However, the army sealed off access to the barracks, preventing the villagers from carrying out this plan. As evening fell, the largest unit in the army (the Third Battalion Fiji Infantry Regiment), which had been away on a training exercise at the time of the mutiny, together with the navy and other military contingents, mounted an assault on the barracks. They succeeded in taking back control of all installations and capturing a number of the mutineers. About twenty escaped, later to be captured or to surrender. The death toll was eight soldiers (three "loyalists" and five "rebels"). Over thirty people, including some civilians caught in crossfire, were injured.

The brutal killing of the three "loyal" soldiers (one shot dead while he slept, another while he worked at his desk), and the ferocious retaliation of the army against the mutineers, left the people of Fiji shocked and shaken. The mutiny showed how far the country's "civility" had been eroded and how close to the point of disintegration it had come. Apart from the obvious issues it raised—How could this have been prevented? What was Rabuka doing in the barracks at the height of the fighting? Who, apart from the rebel soldiers, was involved?—the mutiny confronted the country with some bigger questions. What was the answer to Fiji's steadily worsening economic and political problems? How could meaningful reconciliation and recovery be achieved? And did the interim government have a future? On the last question, many observers

had begun to doubt that it did, given its perceived failure to provide effective leadership and a clear sense of direction.

The Fiji High Court provided the interim government with perhaps its greatest challenge. In what would prove a defining moment for the country, High Court Justice Anthony Gates handed down a ruling on 15 November that declared the 1997 constitution extant, the parliament elected in 1999 intact, and Qarase's interim government without any "constitutional foundation of legality." He called for Ratu Mara (whom he declared still the president since there was "no evidence" that he had resigned) to reconvene parliament and appoint a prime minister who could command the confidence of the House, and suggested that a constitutionally based government of national unity be set up (*Times*, 16 Nov 2000, 7).

The reaction to this ruling was perhaps predictable. While it was warmly welcomed by members of the deposed government, their supporters, civil society groups, the legal fraternity, and foreign governments, it was received with hostility and skepticism by many others. The interim administration rejected the ruling entirely and vowed to take the case to the Court of Appeal (claiming that proper procedures were not followed and it had been prevented from putting its evidence before the court). But the administration also appeared to dismiss the relevance of the court's ruling, with Qarase claiming that his government drew its authority from its appointment by the president, who in turn was mandated by the Great Council of Chiefs, which in turn was acting in accordance with the author-

ity vested in it by the 1874 Deed of Cession.

Meetings of Fijian leaders, held to discuss the Gates ruling, created a new wave of instability and uncertainty. As the year ended, there were warnings of renewed violence should the Gates ruling be enforced, with many suggesting that political solutions come before legal solutions. Said one chief, "Do the judges want turmoil to continue in the country? The law is one thing but reality is another" (*Times*, 2 Dec 2000, 3). These meetings prompted the army to warn, in turn, against agitation and rumor mongering. The army's position, in the wake of the mutiny, was clearly to prevent any upsurge in civil unrest and threats to national security. But it faced a growing dilemma. While pledging loyalty to the president it had installed, Ratu Iloilo, and support for the interim government, the army also recognized the likely national and international repercussions of ignoring the court's ruling. Foreign governments, the union movement, and human rights organizations vowed swift retaliation should Fiji not return to a legal and democratic system of government.

The dawn of the new millennium saw the country poised precariously between disaster and salvation. The events of 2000 could not be undone, nor could the enormous price paid by the people and the economy be compensated. Yet it remained to be seen whether Fiji's leaders, particularly the interim government, the Great Council of Chiefs, and the army, had the vision and courage to put Fiji on the path to long-term recovery. A lasting solution would only be realized when all political leaders, and all the differ-

ent communities, were involved in a process of dialogue and reconciliation. This should include a full and honest debate about the reasons behind the coup attempt. But too many Fijian leaders had yet to embrace this notion, committed instead to racist prescriptions and policies that denied any voice to the country's other communities and ethnic groups. As it greeted the new year, what Fiji desperately needed was a chance to redeem its future, a future that continued to be held hostage—like the People's Coalition Government had been—by the greed and folly of an influential few.

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NEW CALEDONIA

Year two of the Noumea Accord (Chappell 1999) saw continuing movement toward self-government but also ongoing tensions in the fragile consensus that produced the fifteen-to-twenty-year agreement in 1998. In a May issue of *l'Express* a scathing article entitled, "The Discords of Noumea" (Conan 2000), highlighted contradictory interpretations by the signatories of what the accord meant, a lack of collegiality in the territorial congress, growing disunity among Kanak politicians, disputes over the provincial shares of a partial localiza-

tion of the *Société le Nickel* (SLN), and arguments over the role of indigenous Kanak custom in forming a common nationhood among diverse, often polarized, ethnic groups. It was a year filled with discord, but in October the country tried to put on a hopeful face by hosting the eighth Festival of Pacific Arts, a regional honor that its political strife had canceled fifteen years earlier.

Having experienced tragic intercommunal bloodshed in the 1980s, New Caledonian leaders voiced no support for the actions of extremists in neighboring Fiji in May 2000. Rock Wamytan, president of the *Front de Libération Nationale Kanak et Socialiste* (FLNKS) condemned the Fijian coup attempt by George Speight: "The nationalist claims of Melanesians must be taken into account, but in a democratic framework." Wamytan blamed Britain for the ethnic crisis in Fiji, but he also recommended that Indo-Fijians take steps to share economic power with native Fijians (NC, 25 May 2000). Likewise, Leopold Jorédié, Kanak vice-president of the New Caledonian executive council, said his government "will not support a coup. To us, it is obvious that any government must come out of the will of the people" (PIR 25 May 2000). Aloisio Sako, president of the Wallisian *Rassemblement Démocratique Océanien* (RDO), called the Fijian coup a dangerous case of misdirected ethnic antagonism that trampled on fundamental human rights (Sako 2000).

The issue of "collegiality" in the congress had come up soon after the 1999 elections, when millionaire Jacques Lafleur's loyalist *Rassemblement pour la Calédonie dans la République* (RPCR) gained a narrow

majority (28 to 26) by allying with Kanak dissidents of the *Fédération des Comités de Coordination Indépendantistes* (FCCI). This coalition enabled conservative Jean Lèques to become president of the new executive and Jorédié of the FCCI, vice-president—when both Paris and Wamytan had expected someone from the FLNKS to hold the latter position. In the cabinet, the RPCR-FCCI outnumbered the FLNKS 7 to 4, vindicating the concerns of critics like Gerard Jodor, of the pro-independence labor federation *Union Syndicaliste des Travailleurs Kanak et Exploités* (USTKE), who had predicted that the self-government measures delegated to the territory over the next generation by the Noumea Accord would simply replace French colonial rule with domination by Lafleur's local business "mafia" (Chappell 1999).

At the end of April, just before the second anniversary of the Noumea Accord, the four FLNKS cabinet ministers denounced the drift of the RPCR away from the consensual spirit of the accord. Wamytan accused the RPCR's dominating attitude of causing dysfunction in the country's institutions. The FLNKS had taken its complaints about lack of information-sharing to administrative court five times, because "the State must play its role of arbiter" (NC, 29 Apr 2000). French Secretary of State for Overseas Administrations Jean-Jack Queyranne visited the territory in early May to plead for more consultation between the RPCR and the FLNKS, to honor the spirit of dialogue embedded in the 1998 accord. Although the first portfolios, such as primary education, had begun to be transferred from Paris to the Territorial Congress in January,

"The French state has not withdrawn from New Caledonia," he said, "it is a full partner, a participant, and at the same time it must accompany New Caledonia in its evolution." Despite growing disarray within the FLNKS, Queyranne defended its status as one of three signatories to the Matignon (1988) and Noumea Accords, along with France and the RPCR. Wamytan threatened to walk out of the congress, but Lèques defended majority rule, and Lafleur said that if the FLNKS left, nobody would notice (NC, 2, 3 May 2000; PIR 2, 3 May 2000; Conan 2000).

The RPCR had its loyalist critics, such as Didier Leroux's *Alliance* and the right-wing *Front National*, but the four-party FLNKS has suffered more from internal splintering. As early as 1995, its second largest coalition member, the *Parti de Libération Kanak* (Palika) ran on a separate electoral ticket (Chappell 1999). In 1998, key dissidents such as François Burck, Raphael Mapou, and Jorédié broke away from the FLNKS to form the FCCI, while the *Parti Socialist Kanak*, a small party composed of talkative French leftists, became defunct, to be replaced by Sako's RDO. At the March 2000 annual congress of the FLNKS, more internal differences emerged. Victor Tutugoro, president of the *Union Progressiste Mélanésienne* (UPM), told the press, "We don't have a clear orientation, and no working methods." The FLNKS normally left to local committees the task of political mobilization, and members of the *Union Calédonienne* (UC), the largest and oldest Kanak party, questioned whether the FLNKS, while symbolizing a national liberation struggle, could also function as an electoral tool. In

early April, seven elected members of the UC vowed to act as an autonomous group in the congress, leaving only three UC delegates within the FLNKS, including Wamytan. Bernard Lepeu, recently displaced from the UC presidency by Wamytan, joined the new UC group, along with Nicole Waia, a Kanak news analyst at Radio Djiido. Wamytan called the secession by delegates elected on the UC-FLNKS list illegal and demanded a party disciplinary council (NC, 6, 22, 26 April 2000; PIR 20 Mar 2000).

Meanwhile, the results of the May 1999 election in the Islands Province were revoked by the French Council of State for irregularities in counting absentee ballots, a key factor since half of all Loyalty Islanders live and work in the industrial Southern Province. The new election in June 2000 revealed more factionalism within Kanak ranks. The UC-FLNKS, led by Richard Kaloi, ran separately from Palika, led by Charles Washetine, but collectively they hoped to retain their narrow majority in the provincial council with active support from USTKE, a former FLNKS member in the 1980s. Their opponents united under the banner of "A New Challenge for the Islands" and included four groups that critics called an "alliance against nature": former Kanak radical Nidoish Naisseline's *Libération Kanak Socialiste* (LKS), an odd reincarnation of just-deceased Kanak hardliner Yann Céléné Uregei's *Front Uni de Libération Kanak* (FULK), and the RPCR-FCCI, led by Simon Loueckhote, loyalist chair of the Territorial Congress.

Naisseline, a high chief of Mare, accused the FLNKS of trying to colonize his province with a bloated bureaucracy and of neglecting Kanak

custom—an issue that twenty years ago caused him to split off from Palika, which still espouses an eclectic brand of "scientific socialism." Kanak nationalist critics called him a "sniper" who wanted power only for himself, but former Kanak militant Cono Hamu, now head of the FCCI in the Islands Province, said the coalition wanted to open up the province to outside investment to create more jobs. Washetine, an emerging star of Palika, emphasized education, his specialty, and wanted to redirect the Islands Province economy toward the new mining projects in the Kanak-dominated Northern Province. The pro-independence parties won the election, 8 seats to 6, as in 1999, with the UC-FLNKS holding 6 seats to Palika's 2 (NC, 7, 26 June 2000; NH, 15, 22 June 2000). Palika celebrated its gains in the province, however, since it had been primarily a party of Grande Terre, the main island, since Naisseline split off in 1981 (*Kanak*, Aug 2000).

Pro-independence leaders dismissed the FCCI defectors who collaborated with Lafleur in the congress, including two former presidents of the UC, for needing Lafleur's patronage because of financial crises. In fact, Jorédié was indicted in late 1999 for financial corruption during his term as president of the Northern Province in the mid-1990s, when he still belonged to the UC. He had allegedly diverted (or allowed to be diverted) provincial funds to members of his family and hometown for business enterprises. In January, Jorédié received a one-year suspended sentence for illegally "ingesting" funds, and his wife and two daughters received one to three months of the same, while an aide and

his wife got prison terms of four and two years, respectively (NC, 13 Dec 1999, 5 Jan 2000). Jorédié described himself as a “nationalist, but realistic,” since France still directly finances the development of the country. “I’m not selling dreams,” he said. “To talk about independence these days is an exercise of demagoguery” (NC, 20 Apr 2000). Mapou, once a Palika hard-liner, also had serious financial difficulties before he joined the FCCI (Pabouty 2000; Wapotro 2000), though publicly he opposed the tendency for the three provincial governments to pursue their own development policies rather than coordinating a broader plan (NC, 21 Dec 2000).

Maurice Lenormand, former president of the UC in the 1950s, said that economic progress must take precedence over political sovereignty: “*Independence* is only a word.” But he observed that the younger generation, both Kanak and Caledonian, is seeking its own national identity in a regional context (NC, 6 Dec 2000). Billy Wapotro of the Protestant Educational Alliance predicted that increasing numbers of university-educated Kanak militants would change local politics, because they had precise plans for development projects, not vague ideologies. Washetine compared the rise of Palika in the North and Islands to the generational change-of-guard that occurred in the 1970s, when Palika emerged out of the radical student movements. He claimed that many, like himself, were attracted to Palika because of its long-term vision of socioeconomic change and grassroots organizational approach (Wapotro 2000; Washetine 2000). In November, Wamytan was reelected president of both the UC and the

FLNKS. The FLNKS decided to recognize the separate existence of the dissident UC group within its framework, at the same time expanding the membership and coordinating the powers of its Political Bureau to curb further splintering. The coalition reaffirmed its commitment to ultimate independence and improved relations with regional organizations (NC, 27 Nov 2000; PIR 30 Nov 2000). The UC declared its status as “founding father and nourishing mother” of the FLNKS, and Palika considered joining its allies on a single list for the municipal elections of 2001 (NC, 23 Nov, 18 Dec 2000).

In the French political system, municipal elections come directly under the control of Paris, as do local courts and police. Ironically, considering the promise made in the Noumea Accord to restrict the territorial electorate to long-term residents and establish a New Caledonian nationality, three thousand citizens of the European Union resident in the territory will be eligible to vote in the 2001 municipal elections (NC, 19 Dec 2000). Furthermore, in June the French Parliament voted 339 to 2 that its new rule requiring men and women to be represented in equal numbers on party electoral lists must be extended to France’s three Pacific territories, starting with the 2001 municipal elections. An amendment proposed by Loueckhote to exempt New Caledonia from the parity rule until 2003, on the grounds that the Kanak-dominated Northern and Island Provinces are not yet ready for such a measure, was hotly opposed by the Association of New Caledonia’s Women Citizens, who petitioned both the congress and the French Parliament and marched in

protest in Noumea on International Women's Day. The FLNKS and Leroux's Alliance, among other local parties, supported the reform (NC, 4 Mar, 23 June 2000; PIR 15 Mar 2000; *Kanak*, May 2000).

Sako said the RDO was organizing Wallisian and Futunan women for the upcoming electoral challenge. An issue of concern for migrants from Wallis and Futuna was the "particular accord" provided for in the Noumea Accord between that French Pacific territory and New Caledonia. More than half of all Wallisians and Futunans now live in the mineral-rich territory, and their homeland depends heavily on family remittances because it lacks other resources for income. The creation of a local citizenship in New Caledonia to restrict the electorate and working rights to long-term residents might call into question the presence of 6,000 Wallisians and Futunans in the territory who are recent migrants. In February and April, traditional leaders from the poorer territory met with officials and customary leaders in New Caledonia to discuss ways to maintain an open relationship while regulating immigration. Tino Manuohalalo of the RDO holds a cabinet post in the New Caledonian government responsible for health and social affairs, because several thousand poor Wallisians live as squatters around Noumea. Sako pointed out that in the past ten years, 2,000 Europeans have immigrated to the territory, compared to only about 1,500 Wallisians, so the "threat" from Wallisians to New Caledonian self-determination was exaggerated. The UC was more welcoming than Palika to Wallisians, he said, but either way new migrants will no longer have free

access to local jobs as French citizens. France would have to provide more economic development aid to Wallis and Futuna to keep the migrants home, but talks progressed slowly because of the poorer territory's dependency and continued to the end of the year (PIR 3 Feb, 7 Apr 2000; NC, 14 Oct 2000; Sako 2000; Moleana 2000).

Nickel mining remained contentious, beginning with strikes and blockades by the *Syndicat des Ouvriers et Employés de Nouvelle-Calédonie* (SOENC) against the SLN in February and March. The union protested restructuring plans by the SLN to increase output and lower production costs, which would mean job losses. SOENC slowed down smelting at the Doniambo plant in Noumea, blocked the loading of ore tankers, and put up roadblocks for seven weeks, and then, after signing a government-negotiated agreement, resumed its strike actions. The SLN lost about US\$20 million, and even other labor unions protested the "waste" caused by SOENC disputes (PIR 22 Feb, 13, 20 Mar 2000). Meanwhile, plans for other nickel-processing plants proceeded. The Northern Province, in partnership with the Canadian group Falconbridge, said that current studies of the Koniombo site should enable a decision to be made by the end of 2002 about the feasibility of the much-touted "northern factory," which Kanak leaders hope will create 800 jobs and produce 54,000 tons a year (PIR 20 Jan 2000). Another Canadian firm, Inco, said that its pilot project for a second "southern factory" besides Doniambo has been so successful that it plans to invest about US\$100 million in constructing the plant in 2001, hoping

to employ 1,000 people and produce 57,000 tons a year (NC, 15 Dec 2000). SLN-owned Doniambo normally employs 1,400 people and produces 57,000 tons a year (PIR 26 July 2000), and another consortium is exploring the possibility of building a fourth processing plant at Prony (NC, 21 Nov 2000).

New Caledonia has one third of the world's total nickel reserves and ranks third in world output. Nickel provides 90 percent of the territory's exports and employs 10 percent of the population. Profits have increased because the Asian stainless-steel market has caused a rise in the world price for nickel (PIR 20 Jan, 27 Apr 2000). The most contested issue of 2000 was the debate over provincial shares of the partial "localization" of 30 percent of the SLN and 8 percent of its parent, Eramet. The previous year, France had voted a credit of US\$1 billion to the new *Société Territoriale Calédonienne de Participation Industrielle* (STCPI) to enable New Caledonia to buy French state-owned shares of the SLN and invest the dividends in local development projects. The Kanak-ruled Northern Province was due to receive 50.5 percent of the devolved shares, and the RPCR-ruled Southern Province 49.5 percent, in order to promote the regional "rebalancing" called for in the Matignon and Noumea Accords. The FLNKS had been delighted, seeing the agreement as a needed boost to development in the relatively backward Kanak provinces, but in February 2000, Pierre Frogier of the RPCR withdrew his signature from the document, suddenly opposing the majority control of the STCPI by the North. Lafleur had dis-

liked the mining shares deal from the start, especially the possibility that the North could convert its Eramet shares into SLN shares and gain majority control of the SLN itself, thus making the SLN "hostage" to politics (Conan 2000).

This objection was ironic, considering that Lafleur himself had once sold the North the mining firm, the *Société Minière du Sud-Pacifique* (SMSP), that was developing the northern factory! Despite efforts by French High Commissioner Thierry Lataste and special envoy Alain Christnacht, the FLNKS and the RPCR could not come to terms by May, and France made threats to call off the whole deal (PIR 6 Apr, 14 May 2000). Finally, in July, Queyranne, Lataste, and French Prime Minister Lionel Jospin (who signed the Noumea Accord) announced the signing of a new agreement that would divide the shares 50-50 between the North and the South, with the Islands Province participating in the North's allocation. But the North and Islands will receive 75 percent of future profits and hold the chair of the STCPI (PIR 26 July, 23 Aug 2000). Tragically, SMSP Chair Raphael Pidjot, one of the educated bright lights of the independence movement, died in a helicopter crash in November at the age of forty, along with five SMSP technical and financial managers. Wamytan said, "Enough is enough. Enough of these suspicious deaths" (NC, 29 Nov 2000; PIR 4, 21 Dec 2000). Yet Mapou of the FCCI warned of the environmental costs of additional nickel mining, noting that a billion tons had so far been extracted, stripping away forests and polluting precious waterways (NC, 11 Dec

2000), a sentiment shared by the territory's small Green Party (Boengkih 2000).

The issue of working rights in New Caledonia, embodied in the Noumea Accord, produced a much-heralded "social pact" among the government, employers, and labor unions. In March, President Jean Lèques urged the creation of a "code of good conduct" to prevent the disruptive labor conflicts that characterized the territory. By August, five months of tense negotiations had generated a twenty-page draft, and on 20 October the "social partners" (employers and unions) and state officials signed the final document. The resulting agreement proclaimed a new vision of social relations, in which employers and workers would respect each other's viewpoints and rights in order to construct, in peace, a more developed, productive, and equitable economy. The pact recognized employers' managerial power while acknowledging workers' right to organize and to elect representatives to negotiate on their behalf. The minimum wage would gradually be increased to 100,000 CFP (about US\$1,000) per month by 2003, while comprehensive health care, pensions, lodging, and familial allowances would be made more widely available, job-creation would receive new emphasis, and long-term residents would be favored in local hiring. To avert costly strikes, the pact included measures such as mandatory negotiating and mediation periods and government-supported agents and commissions to promote dialogue, as well as restrictions on the right to strike in essential air and maritime transport industries and a

required minimum of social services. The pact was said to safeguard both social democracy and public order and was endorsed by loyalist and independence parties, the major employer associations, and eleven of fifteen labor unions (NC, 4 Mar, 21 Nov 2000; PIR 20 Aug, 22 Nov 2000; *Baniam*, Oct 2000; *Kanak*, Nov 2000).

Unfortunately, the mining branch of SOENC called a wildcat strike on 16 November, putting up roadblocks and destroying buildings. While 180 police confronted the strikers, Lafleur authorized Jorédié to grant SOENC's primary demand: raising the minimum wage to 100,000 CFP by July 2001, two years earlier than the social pact had called for. Lèques, the employers, and other labor unions immediately decried this concession to force, arguing that the hard-won social pact was almost moot under such conditions. The pro-independence parties boycotted the next meeting of the Territorial Congress and accused the RPCR and the FCCI of betraying the pact and demonstrating yet again their lack of collegial consultation. Didier Guenant-Jeanson, secretary-general of the largest labor federation, said that voters who approved the Noumea Accord did not want "a banana republic," and in early December he led two thousand marchers in support of democracy, not dictatorship. Sylvain Nea of SOENC responded by organizing more barricades on roads and mine sites on 20 December (NC, 18–28 Nov, 13, 21 Dec 2000).

Pierre Frogier of the RPCR, one of New Caledonia's parliamentary representatives in Paris, accused the UC of opposing the minimum-wage increase in order to keep rural Kanak clans

out of the cash economy and without access to education, and thus allow its party elite a free hand without accountability (*NH*, 23–29 Nov 2000). Pro-independence USTKE had refused even to sign the social pact, calling it “deceitful.” Its new president, Gérard Jodar (who replaced Louis Kotra Uregei), withdrew his federation from the *Intersyndicat* of the four largest unions, strengthened its ties to metropolitan leftist labor movements, and declared USTKE’s intention to form a new political party, if necessary, to protect the interests of workers. He cited the police action against his union when it was striking in front of the Numbo cement factory in April–May as evidence of government efforts to restrict the rights of workers. That clash had resulted in several injuries and protest marches (*NC*, 24 May, 5 Dec 2000; *PIR* 22 Oct 2000). Nevertheless, congress voted the accelerated raise in the minimum wage as a “law of the country” in late December, with the support of all parties but Waia’s UC group, who said it discredited the social pact (*NC*, 29 Dec 2000).

Enacting new “laws of the country” is one of the powers devolved from Paris to the territory by the Noumea Accord. The proposed fifteen-to-twenty-year transitional period has already yielded changes in local tax laws to compensate for the withdrawal of some metropolitan funding, since a self-governing country-to-be needs to find ways to finance itself, at least partly. French monetary transfers still constitute the largest source of income for the territory, and though administrative funding has dropped, development aid from Paris has increased 16 percent since the

Noumea Accord, mainly for health care, education, rural electrification, and road building (*NC*, 8 Dec 2000). To sustain local government funding, congress introduced a 4 percent tax on services in March, except for essentials such as public transport. In July, eight old taxes were scrapped and replaced with an 11 percent duty on all imported luxury goods, and another 11 percent tax on “cultural and sports” products, such as bicycles and musical instruments. In November, SOENC and two other labor unions protested with sit-ins against the tax-driven rise in fuel prices, asking for an immediate increase in the minimum wage (*PIR* 3 Mar, 31 July, 17 Nov 2000). But congress still enacted a tax on air freight of 8 percent to finance the expansion of Air Caledonia International (Aircalin), and taxed imported agricultural products to subsidize local farmers (*NC*, 5 Dec 2000).

The expansion of Aircalin, which is 84 percent owned by the territorial government, was a major issue in congress for much of the year. The goal was to develop New Caledonia’s air links within the Pacific region by acquiring three Airbuses, mainly to bring in more Japanese tourists from Osaka and Tokyo. Marianne Devaux of the RPCR, vice president of the Southern Province and president of the Agency for Air Service in New Caledonia, saw Aircalin’s growth as crucial to development: “Without financing by Paris, we will remain dependent on Air France” (*NC*, 29 Dec 2000; *PIR* 29 Mar, 23 Nov 2000). But Paris stalled on releasing the funds for the Airbuses until the end of the year, and Air France said it was determined to remain in the region, despite

recent losses and labor disputes. Both Leroux's *Alliance* and the UC opposed the financial risk of expansion (NC, 22–30 Dec 2000). In late December, congress passed a US\$600 million budget for 2001, of which 75 percent was slated for the three provincial governments. The territory would invest in public buildings, roads, and sporting facilities, and give special funding to health, petrol subsidies, and agriculture, but cut spending on tourism, job creation, the arts, and libraries (PIR 28 Dec 2000; NC, 28 Dec 2000). The Southern Province allocated more money to health care, education, housing, employment, and tourism, but complained that it did not get enough budgetary help, considering that it was home to 68 percent of the population (NC, 14 Oct, 14 Dec 2000). The North, its main rival, has created not only the nickel smelting project but also a commercial tuna fishing fleet, and funded tourism and agriculture, despite criticisms by political opponents and labor unions of Paul Neaoutyine's Palika-dominated regime (NC, 4 May, 19–30 Dec 2000; PIR 11 Dec 2000). Recent exploration for offshore oil and gas has generated lively speculations (NC, 16 June 2000).

The Noumea Accord called for Kanak identity to be the centerpiece of the new, albeit multiethnic, nation. Talk of socioeconomic modernization inevitably raises questions about the role of indigenous custom in future development. The FCCI proposed constructing a single nationality, not "a Kanak nationalism of the ghetto," by promoting individualism and democracy. Elie Poigoune of Palika organizes students within schools, finds retirees to tutor young Kanak, and urges the

creation of a "common elite." According to Burck, a former UC president, "Those who now claim Kanak identity the most are often those who live completely like Europeans!" Women increasingly rebel against Kanak custom, as do migrants to Noumea for education and jobs, and the Kanak rate of success in French schools is still very low (Conan 2000). The 1998 accord recognized Kanak vernacular languages as appropriate to teach in schools, but instructors need training. Octave Togna of the Kanak Culture Development Agency suggested choosing one widespread local language to counter the use of French exclusively, but the Kanak peoples have twenty-eight languages and immigrant groups another half dozen (PIR 22 Mar 2000). Louis Mapou of the Agency for Rural Development and Land Reform held a June conference on the thorny issue of how to decide which lands belong to which Kanak tribe, given that both precolonial migrations and colonial administrative and reservation policies altered customary ownership claims (NC, 3 June 2000).

The cultural highlight of the year was the eighth Pacific Arts Festival, held in October and early November in Noumea and some upcountry towns. Jean-Marie Tjibaou's 1975 Melanesia 2000 festival had received financial and technical support from moderates in the French administration but also generated protests from radical Kanak, who called it a "folklorization" of their culture. People who supported that festival saw it as the Kanak reclaiming their "place in the sun," as Tjibaou put it. Jacques Boengkih of the Tjibaou Cultural

Center has long promoted respect for traditional Kanak leadership and protocol, including the consultative customary Senate created by the Noumea Accord. He said that France had canceled the planned Pacific Arts Festival in Noumea in the mid-1980s when the country was in turmoil. This time around, local politicians, both loyalist and pro-independence, tried to coopt the ceremonies, but the gathering was again a prime opportunity to represent Kanak identity to the region (Boengkih 2000). Déwé Gorodey of Palika, a Kanak activist, writer, and educator, and now the cabinet minister for culture, youth, and sports, supported the Arts Festival, but she admitted that exclusively “Kanak independence” is no longer a realistic option (Gorodey 2000). Lafleur published his autobiography in May, in which he criticized French officials who had backed the Kanak against Caledonians (PIR 7 May 2000).

The opening of the festival in late October was delayed by three days, officially because of bad weather but also because of protests by Kanak artists and musicians over cultural property rights and a strike over promotions by USTKE that prevented Radio France Overseas (RFO) from broadcasting the festival on television. Independence parties, however, condemned such disruptions: “At a time when the Noumea Accord consecrates the full recognition of Kanak culture, the gathering of other cultural groups of the country around it, and the opening of the country to its geographic surroundings, the FLNKS Political Bureau regards boycotts of this effort as unwelcome.” Christian Paul, the newly appointed French Secretary of State for Overseas Administrations,

thus had to face his first crisis when he arrived, but the RFO and USTKE finally reached agreement (NC, 5 Oct 2000; PIR 1 Sept, 23–26 Oct 2000).

For the first few days, Festival Village in Noumea, on the site of the old United States military headquarters in World War Two, was the center of activity, but then the cultural performances moved to the Northern and Islands Provinces. Some visitors complained that too many French were running the show, especially in Noumea, and that the official translators did not always properly convey messages intended for the people of “Kanaky,” while others complained about facilities or food logistics. But the mayor of Koné and the president of the Northern Province praised the sharing of Oceanian cultures and voiced the heartfelt pride of the often-isolated Kanak hosts, and many visitors from other Pacific islands seemed to find the experience of indigenous intercultural contacts moving. Neaoutyine explained, “There is a strong will and in the end no need for language because people recognize each other through their customs. We watch and we understand” (PIR 31 Oct, 14 Nov 2000).

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SOLOMON ISLANDS

Solomon Islanders have not experienced a worse start to a year in decades. In January 2000, Solomon Sunaone Mamaloni, one of the country's veteran politicians and its first leader, passed away. Sir Peter Kenilorea's approbation of his friend and schoolmate as "the father of modern politics in Solomon Islands" could not have been more apt (SS, 18 Jan 2000, 5). In politics, Mamaloni was an all-rounder. He was a real "man of the people." He would fit most Solomon Islanders' honor list. When in need, Solomon Islanders, especially ordinary villagers, found him most accessible, even when he was prime minister. And without fail, Solo (as he was

endearingly dubbed) would go an extra mile to help another *wantok*. Solo had long fiercely defended Solomon Islands' sovereignty and the right of Solomon Islanders to "do their own thing." If they learned from their mistakes, they should not fear making them. His experience during British colonialism taught him an important lesson—it was far better for Solomon Islanders to carve their own futures and destiny than be subject to ignominious racism, vacuous high-mindedness, and mindless arrogance, which Solomon Islanders detested. Mamaloni has left a leadership lacuna that will be difficult to fill for a long time, as events that unfolded in subsequent months have attested.

The 1999 census revealed that the population of the country had increased by 43 percent overall, from 285,176 in 1986 to 409,042. The growth rate declined markedly from 3.5 percent per year to 2.8 percent per year. Some 41.5 percent of the population is aged under fifteen years. But the census showed that only 23 percent of the population (57,472) were paying taxes. Conversely, 45 percent (111,905) were involved in unpaid labor (SS, 8 Sept 2000, 3).

The sporadic ethnic fighting that began in late 1998 between the Malaita Eagle Force (MEF) and the Isatabu Freedom Movement (IFM) continued. However, it was limited mostly to areas around and peripheral to Honiara. In February, the Malaita Eagle Force claimed responsibility for several killings at Pelaha and Lunga areas (SS, 23 Feb 2000, 1). These intermittent insurgencies and killings merely escalated animosity between the two groups. In early July, the Malaita Eagle Force mounted opera-

tion “Eagle Storm.” A bulldozer was converted into a “tank,” which helped them mount raids. The Malaita Eagle Force was able to gain greater control of the area from Alligator Creek to Solomon Island Plantations Limited (SIPL; *SS*, 4 July 2000, 1).

On 5 June a “civil takeover” of the government of the Solomon Islands Alliance for Change occurred. Prime Minister Bartholomew Ulufa‘alu was put under house arrest and asked to “voluntarily” resign within forty-eight hours by the newly formed Joint Military Operation (JMO), which comprised the Malaita Eagle Force and members of the Paramilitary Force (*SS*, 4 July 2000, 6). The main reason given for the takeover was Ulufa‘alu’s delay in seriously and urgently addressing the ethnic uprising. The Joint Military Operation claimed he seemed to have done very little to stop the conflict. Meanwhile the Isatabu Freedom Movement continued to harass or kill innocent people and brew mayhem around the capital.

The Joint Military Operation seized the Rove police armories and weapons on patrol boats and controlled the country’s telecommunication facilities. It also called for the removal of the police commissioner who, like the prime minister, seemed not to have done much to abate the conflict (*PIM*, June 2000, 12).

The expulsion of the prime minister instilled fear in the capital. Later in the month there was a mass “release” of prisoners from Rove prison. Soon foreign nationals began leaving the country. Australians, New Zealanders, and Canadians were evacuated by *HMAS Tobruk* (*SS*, 4 July 2000, 6). Many Solomon Islanders found this confusing, if not amusing.

It was clear from the start that the foreigners were not the target. It was a row between Solomon Islanders.

On 30 June an election was held to choose a new prime minister. Three candidates, Manasseh Sogavare, Bishop Leslie Boseto, and former prime minister Billy Hilly stood. The first two were from Choiseul, and Billy Hilly from Western Province. He later decided to withdraw. In a close election, Manasseh Sogavare emerged as the new prime minister, with 23 votes to Bishop Boseto’s 21 (*SS*, 30 June 2000, 8–9).

From the start, Sogavare was clear. His new government would concentrate on “regaining peace.” It would strive for a cease-fire, followed by the signing of a peace agreement, surrender of arms, and then the return of police to their normal duties of maintaining law and order. Compensation demands would be addressed, not from legalistic concerns, but by using Melanesian perspectives of “conflict resolution” (*SS*, 11 July 2000, 3).

The Isatabu Freedom Movement lost no time in contesting the legitimacy and legality of the election, which they alleged was undemocratic because it was carried out under duress. The Isatabu Freedom Movement had learned that, because of fear for their security, six members of the former prime minister’s team were unable to attend and vote. To accept the result of such an election would be a mockery of democratic principles and processes. The Isatabu Freedom Movement decided to refuse any dealings with the new government (*SS*, 5 July 2000, 4).

Sogavare retorted that the governor-general had given members of parliament plenty of time to attend. The

election itself was carried out in a proper democratic manner without intimidation. "I was democratically elected," Sogavare declared (*SS*, 5 July 2000, 4). But the election for a new prime minister was held after the illegal ouster of Bartholomew Ulufa'alu, a fact that should not be easily erased from the "national memory."

As time goes on, crime increases, affecting the country in many ways, particularly national investments. A vessel of Solomon Taiyo, the biggest fishing company in the country, was raided. Three armed men boarded a pole-line fishing boat in Maravovo Lagoon and forced the captain to take them to Honiara (*SS*, 1 Aug 2000, 1). Solomon Taiyo decided to suspend operations in August. It was further alleged that lives, safety, and the security of its employees and property had been threatened by militants (*SS*, 23 Jan 2001, 1). The government would just have to take control of the operation.

In early July a more heinous human atrocity was perpetrated on the weakest in society. Gunmen walked into the national referral hospital and shot dead two patients who were members of the Isatabu Freedom Movement (*SS*, 11 July 2000, 1). The killings were in retaliation for other murders.

Later in August, a group of men in camouflage uniform forced their way into Honiara Casino and stole S1\$100,000 (*SS*, 29 Aug 2000, 1). The mid-afternoon incident highlighted the immediate and critical need for law and order in the capital. On 5 October, a prominent furniture factory was burnt. The owner, one of the few successful Solomon Islands businessmen, lost millions. Later in November, the owner of the Placemaker Building

lost it to arson. Andrew Nori's Bridge Law Firm was housed there. The perpetrator sought protection in police custody, but members of the Malaita Eagle Force forced their way in and shot him.

Due to damage, the reopening of the Gold Ridge mine was delayed. Resource owners have decided to revise the mining agreement, claiming that they were not adequately compensated under the previous agreement. As the member of parliament responsible for that area explained, the returns to his people were severely underestimated. There were more gold reserves than had been projected (*SS*, 24 Nov 2000, 5). Resource owners also claimed that compensation ought to be paid for the tailing-dam area, timber trees, taboo sites, and loss of income from alluvial mining. Furthermore, former IFM members demanded S1\$120,000 from the mine for providing security during the ethnic crisis. As Patteson Tara explained, "without our presence, Gold Ridge Mining Ltd could have lost everything because some have decided to burn down the whole site" (*SS*, 30 Nov 2000, 6).

Although other provinces expressed interest in becoming independent states, the Malaita premier committed the province to remaining part of a united Solomon Islands. During a Malaita Leaders Conference, he called on Malaita people to be more self-reliant. He called on other provinces to understand the position of his people, adding that "if we have done you wrong forgive us, and we will do our best to bring peace once again in Solomon Islands" (*SS*, 17 Aug 2000, 1).

As the conflict dragged on, a number of provinces saw an opportunity

to declare statehood. Choiseul and Western Provinces declared their statehood, signaling disapproval of the provincial system of government. They wanted a system that devolves more functions to the provinces, and state government was their choice (SS, 6 July 2000, 7). Makira Province also indicated its preference for state autonomy. Even Temotu Province in the Eastern Solomons had an interest in state government. Despite this enthusiasm, there were disagreements.

Some said that the size and population of some provinces would make it politically and economically unwise for them to separate (SS, 17 Aug 2000, 4). Some suggested that public education was needed so that people would well understand the decision they would be making (SS, 24 Aug 2000, 5). Others mentioned that state government alone would be inadequate. Solomon Islanders need to address issues such as land tenure, migration and mobility, and the need to maintain unity and build a sense of nationalism through education (SS, 30 Aug 2000, 6). Finally, one mature writer summarized most people's aspirations: to achieve the "ultimate goal of living together in harmony" (SS, 8 Sep 2000, 5).

The peace process was ongoing, even at the height of the crisis. The government and the churches have been deeply involved. As part of its ongoing contribution toward peace, the Solomon Islands Christian Association organized occasional church services "for all religions to come together to pray for peace." Some churches also declared twenty-one days of national humiliation, prayer, and fasting. During that time, all mature Christians in all churches

were asked to abstain from one or two meals each day and devote their time to prayer (SS, 15 Aug 2000, 5).

The National Peace Conference called on all parties to assist in the restoration of peace and normalcy to the country, for the unity of Solomon Islands as one country, and for the upholding of democratic principles. Communities, women, nongovernment organizations, and churches were urged to be proactive participants in peace activities (SS, 29 Aug 2000, 1).

The Solomon Islands Christian Association continued to be concerned with the increasing break-ins in the capital. The property of non-Melanesian ethnic groups was targeted during the social unrest. The Peace Office also reiterated the need to restore law and order: "restoring the rule of law is an immediate priority in the peace process" (SS, 31 Aug 2000, 1).

Mention must be made of the extraordinary patience, bravery, and selflessness displayed by Solomon Islands women in brokering peace, long before their menfolk embraced it. The women slowly brought the two warring sides to "see" their common humanity. The women started with food, the basic but most fundamental commonality. Brushing aside fear, very early on 1 August thirty-eight Guadalcanal women walked to an MEF bunker waving a white flag. To their surprise, MEF members not only met them but escorted them to town to do their shopping (SS, 2 Aug 2000, 3). In a big way, that began the process of peacemaking.

Even before the Townsville Peace Agreement was signed, optimism and hopes were high. Included on the teams representing the warring groups,

especially the Isatabu Freedom Movement, were people the former government should have engaged right from the beginning. The Malaita Eagle Force had their leading attorney, Andrew Nori, as their spokesman. This time, the Isatabu Freedom Movement engaged their dynamic academic, Tarcisius Tara, as their spokesman. It was obvious that these were two people who were not only well respected but among the most well-educated and experienced Solomon Islanders. Unlike previous peace agreements, this time hopes were high for a lasting peace. And lasting it was.

The thirty-page agreement, among other things, narrated the roots of the ethnic tension and how it spread, the failures of past peace accords, and the attempts of governments in search of lasting solutions. There is provision for the granting of amnesty conditional to the surrender of arms and ammunition and demilitarization on Guadalcanal and in other provinces (SS, 18 Oct 2000, 6). On arriving home, Andrew Nori declared that the “war” on Guadalcanal was over. “As far as the MEF–Joint Operation is concerned, the war on Guadalcanal is over. I have said this in a telephone interview in Australia and I repeat it again here. Everyone in the Solomon Islands should be happy about this agreement. The IFM delegation to the talks is also satisfied with the agreement” (SS, 17 Oct 2000, 1).

“Peace has come, war has gone. Solomon Islands is heading on the right path.” That was the joy expressed by General Secretary of the Development Services Exchange Casper Fa‘a-sala (SS, 20 Oct 2000, 3). Rintu Taloi-fai wrote, “no country in the world had entered into fierce fighting and in

less than a week were hugging each other, crying with tears of joy, handshaking, . . . celebrating peace together.” The Isatabu Freedom Movement and the Malaita Eagle Force combined in a celebration that extended along the Honiara road from White River to Gold Ridge, the Central Development Corporation, and the Balasuna area, and lasted for three days. It laid the ground for forgiveness, genuine respect, and mutual trust for members of both sides (SS, 3 Nov 2000, 4).

On 18 December 2000 the national parliament passed a bill granting amnesty to former militants. Members of both the Malaita Eagle Force and the Isatabu Freedom Movement, the Joint Military Force and advisers are all covered. But the granting of amnesty was subject to conditions: first, all weapons and ammunition and stolen property in the custody of militant groups must be surrendered and returned to the International Peace Monitoring Team within the period specified in the peace agreement; second, criminal acts committed during the conflict were qualified under clause 3 of the bill. However, the minister of police, who introduced the bill, was cautious: “We have gone through the most trying times in our nation’s existence. It is not for me to judge whether what had happened is right or wrong. I shall leave that to others, to history and to God. . . . What is important now is to learn from what happened and work hard together to ensure that this situation does not revisit the Solomon Islands in the future” (SS, 19 Dec 2000, 1).

The statement received a backlash from Amnesty International headquarters in London, among other

international organizations, which described the blanket immunity for crimes and human rights abuses committed in two years of ethnic conflict as “a black day for human rights. . . . Impunity for torture, rape and killing of civilians, including children, is an outrage and contributes nothing to lasting peace or reconciliation.”

Compensation was a critical and foremost issue for reconciliation in the twenty-two-month conflict. To be sure, the formation of the Malaita Eagle Force occurred after the former Ulufa'alu government did not respond to claims for compensation by the Malaita people affected. On the *HMAS Tobruk*, a substantial compensation payment was made. Some \$16 million was paid to Malaita Province and another \$3 million to Guadalcanal Province (SS, 10 July 2000, 2).

However, compensation claims appear to have been inflated and complicated in terms of righting past wrongs on the one hand and the temptation to make a “fast buck” given the “broad” goodwill of the government in its desire to achieve lasting peace.

Toward the end of the year, it was obvious that government coffers were straining to keep up with multiple payments of one form of compensation or another. The government was therefore forced to seek monetary assistance from anywhere possible. It decided to ask the Republic of China (Taiwan) for \$300 million—\$175 million in grant assistance and \$129 million in the form of a loan. The main reason for such a desperate move was the need to meet commitments under the Townsville Peace Agreement (SS, 30 Oct 2000, 3). In early November,

Solomon Islands opened an embassy office in Taipei to galvanize diplomatic relations between the two countries.

Equally fortuitous, the Solomon Islands received a STABEX allocation from the European Union to the tune of \$200 million. Commenting on the occasion, a huge relief in terms of development assistance, Minister for National Planning and Development Michael Maena said, “We have been waiting for this day somewhat impatiently and also eager to realize the beginning of a new chapter of relationship between EU and Solomon Islands government. The transfer is signed at no better time than now when the government is desperate to have assistance from its kind development partners.” In December, the Sogavare government sought \$62.2 million in its Supplementary Appropriation Bill 2000. Again, most of this was to meet the costs of Townsville commitments and the peace process (SS, 14 Dec 2000, 6).

After rebounding from a twenty-two-month conflict that almost sunk the country's polity and economy, the Sogavare government received recognition and support from outside and respect from inside for its tenacity and diligence. At the beginning of a new millennium, the nation of Solomon Islands seems to have just begun—again.

JOHN MOFFAT FUGUI

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VANUATU

The year 2000 was generally stable for the Vanuatu government, especially when compared to the governance situation in neighboring Melanesian countries. Somewhat surprisingly perhaps, given the previous instability in Vanuatu politics and the difficulty of successfully operating a coalition government, the five-party coalition formed at the end of 1999 under the leadership of Barak Sope has remained in power. Various rumors circulated that a change in parliament would occur. These included rumors that ministerial posts would be reallocated in contravention of the coalition memorandum of agreement (VW, 22 Jan 2000; TP, 14 June 2000), that a motion of no-confidence action was to be tabled by the opposition (VW, 7 Oct 2000), and that the Vanua'aku Party had offered to form a coalition with the Union of Moderate Parties and thereby change the government (VW, 2 Sept 2000). However, none of the rumors amounted to anything and no changes to parliament occurred. There was some factionalism and infighting within the major parties, but none of the wrangling has had any significant impact on Vanuatu's political scene.

Although the government was largely stable, progress on the Comprehensive Reform Program has been somewhat erratic. A number of review boards were established in key areas, including decentralization and land administration. The Decentralization Review Commission, whose role is to "ensure that the fruit of CRP is shared down to the rural areas," has been actively engaged in consultation

throughout Vanuatu since July and is expected to make recommendations on decentralization by mid-2001 (VW, 22 July 2000). Land dispute administration has long been a problem due to inactive and inappropriate island courts and an appeal structure that brings customary disputes to the Supreme Court. After two months of consultations in mid-2000, the team responsible for reviewing the land dispute system has recommended the creation of a dispute resolution system that is more appropriate to custom than is the current system. Draft legislation has been written, and, if passed, will see the creation of village-level lands tribunals, composed of people who are recognized as being knowledgeable about custom (VW, 28 Dec 2000).

A third area where review began in 2000 is revenue collection. The Revenue Strategy Committee was established in November and will, in accordance with the Comprehensive Reform Program, primarily consider options for widening the tax base (VW, 11 Nov 2000). However, this revenue review seems to be driven more by concern about Vanuatu's tax-haven status than by concern for achieving the targets established by the Comprehensive Reform Program. Recent agitation by the Organization for Economic Cooperation and Development (OECD) on unfair competition from tax havens (a seemingly hypocritical attack on competition by countries who usually champion competition in the form of free trade) is creating considerable pressure on countries to reconsider their revenue bases (PIR, 13 Mar 2000). While Vanuatu's tax base has not yet been

modified in the face of OECD pressure, it is a member of a joint Commonwealth and OECD Working Group on cross-border tax issues that has been set up because of concerns about tax havens (*Samoa Observer*, 30 Jan 2001). It remains to be seen whether the outcomes of the Revenue Strategy Committee are in any way influenced by international anti-tax-haven pressures.

These anti-tax-haven pressures are at least in part driven by fears that small open economies such as Vanuatu's may be used for money laundering. Vanuatu has responded to accusations that its open economy can be misused for money laundering by passing the Financial Transactions Reporting Act, which establishes a Financial Intelligence Unit. This act requires that all suspicious transactions involving foreign currency be reported to the new Financial Intelligence Unit who can then investigate reports or share information with the relevant authorities (VW, 26 Aug 2000).

Other significant acts passed in 2000 include the Nurses Act, which requires the establishment of a Nurses Council to regulate the profession in Vanuatu; the Judicial Services and Courts Act, which is aimed at improving standards within Vanuatu's judicial system by prescribing minimum qualification standards for justices; the Interactive Gaming Act, which allows for the establishment of internet casinos in Vanuatu, an activity that will hopefully generate significant government revenue; and the Copyright and Related Rights Act, which was introduced largely in order to meet the standards of the World Trade Organization.

Although good governance reform was promoted by the government in

2000 by these activities, a number of government-created setbacks also occurred. In March parliament passed the Leadership Entitlement Act, which provides the president, the prime minister, and the chair of the National Council of Chiefs a pension of 20 percent of their salary when they leave office. The fiscal irresponsibility of this act was opposed, but Prime Minister Barak Sope justified it on the grounds of needing to reward and honor leaders for their work. At the time, Sope also stated that in the future parliament would amend the act so that it also applied to members of parliament and the judiciary (VW, 25 Mar 2000). The Parliament (Members Expenses and Allowances) Amendment Act was also passed during the same session. This act increased members' salaries from 120,000 vatu per month to 166,000 vatu, backdated to 1 January 2000 (TP, 25 Mar 2000).

The second legislative action to shake the good governance agenda was the passage of two Private Members Bills introduced into parliament in March by Tanna member and government backbencher Iaris Naunun. The first of these pieces of legislation aimed to amend the Public Service Act 1998 by deleting provisions that prohibit political interference in the operation of the public service. In particular, the amendment would allow for director generals and other public servants to be removed by a directive of the prime minister. The second aimed to amend the Government Act 1998 by removing requirements that any submission to the Council of Ministers involving legal issues be first approved by the attorney general. Similarly, it removed the requirement that the director general

of Finance and Economic Management first approve any submission to the Council of Ministers involving financial matters (VW, 1 Apr 2000). These bills were approved by parliament on 10 April then forwarded to the president of Vanuatu, Father John Bani, for ratification. With doubts about the constitutionality of the bills, Father Bani refused to sign them and instead referred them to the Supreme Court (VW, 13 May 2000). The alleged unconstitutionality of the bills stemmed from article 60(4) of the Constitution, which reads “The [Public Service] Commission shall not be subject to the direction or control of any other person or body in the exercise of its functions.” In August, Acting Chief Justice Lunabeck ruled that giving the prime minister the right to fire public servants by issue of directives was in breach of that article. The remaining content of both bills was ruled constitutional, and both have now been promulgated (TP, 2 Sept 2000).

Other notable incidents that negatively affected the government’s reputation include misbehavior by then Deputy Prime Minister Stanley Reginald, and the appointment of Amarendra Nand Ghosh as Vanuatu’s honorary consul to Thailand. Reginald’s drunken behavior attracted media attention twice in 2000. In March he assaulted two people and punched his hand through a glass door in a bar in Port Vila (TP, 1 Apr 2000). The second incident, in Luganville, involved threats to security guards and management when Reginald was asked to leave a club at closing time. It was alleged that one of Reginald’s guards assaulted a security officer and threatened him with a pistol (VW, 5 Aug

2000). These incidents resulted in an ombudsman’s report recommending that Prime Minister Sope remove Reginald from any ministerial positions. The report also urged the police to investigate the complaints and lay charges as required (TP, 14 Oct 2000). Although no criminal charges have been laid against him because of these actions, Reginald resigned as deputy prime minister at the end of August and was replaced by James Bule (TP, 30 Aug 2000).

Ghosh’s appointment as honorary consul for Vanuatu in Thailand occurred in April, soon after he had given 10 million vatu to Vanuatu for disaster relief. He was also awarded honorary citizenship, as one must hold citizenship in order to be a consul for Vanuatu (VW, 8 Apr 2000). The opposition objected to this action, feeling that Ghosh had bought himself a diplomatic passport. Both Leader of the Opposition Edward Natapei and Deputy Leader of the Opposition Willie Jimmy expressed concern that the actions of the government would create an environment whereby people could “buy” the government. This concern arose out of Ghosh’s steadily expanding business interests in Vanuatu, including an offshore bank, and from his allegedly close friendship with Dinh van Than, president of the National United Party (VW, 29 Apr 2000). The government, however, denied that Ghosh’s appointment was a political decision, stating that “Vanuatu, as a member of the Commonwealth, should have consulates in other member countries” (VW, 8 Apr 2000). In November further news stories about Ghosh surfaced, with the *Trading Post* running a headline that read “Ghosh Accused of US\$12m

Fraud in Singapore” (*TP*, 22 Nov 2000). Ghosh responded to these allegations immediately by explaining that the Singapore incident involved a dispute between banks, and did not involve him personally (*TP*, 25 Nov 2000). Soon after, he presented the government with a ruby that is allegedly worth US\$174 million. This ruby was stated to be a gift to Vanuatu “to help the country so that it could be used as collateral to get financial assistance” (*TP*, 6 Dec 2000). Subsequently, questions were raised by a gem expert about the true worth of the stone. The question of what Mr Ghosh is receiving from the government in return for this gift has also been raised by skeptical observers (*TP*, 27 Dec 2000).

The relationship between Ghosh and the Vanuatu government becomes more disquieting when events of early 2001 are considered. On 19 January 2001, Marc Neil Jones, editor of the *Trading Post*, was deported from Vanuatu for publishing “negative and baseless” stories about the relationship between Ghosh and the government (*PIR*, 20 Jan 2001). Jones returned to Vanuatu after two days, following an interim order by Acting Chief Justice Lunabeck that allowed him back into the country until the legality of his deportation could be resolved in court. After further threats by the government a customary reconciliation ceremony was performed between Jones and the government. This ceremony, which was prompted in part by a public outcry against the government’s actions, appears to have settled the dispute.

This attack on press freedom does not come entirely as a surprise. At the

end of 1999 Sope made statements directed at opposition leaders, journalists, and the public to the effect that conspiracy and treason are criminal offenses with a life sentence, and news stories that show the government in a bad light can be considered treasonous (*TP*, 15 Dec 1999). Signals that media freedom in Vanuatu was under threat continued to appear with regularity throughout 2000. In *Policy 2000: Government of the Republic of Vanuatu Statement to the Nation*, it was stated that “the Government recognises and supports media freedoms as outlined in the Constitution and will promote these principles. *However, the media must be a constructive contributor to Vanuatu society. Rumours in the media can be very counter-productive to the nation not only internally but internationally*” (my italics). Shortly after this statement was released the *Trading Post* was warned by Minister for Tourism and Ni-Vanuatu Business John Alick “not to publish any article relating to the MV *Latua* and its passengers.” The sinking of the MV *Latua* in 1999 resulted in a Commission of Inquiry, which released a public report that the *Trading Post* had quoted in a front-page article, an action that prompted Alick’s written warning to the newspaper. The *Trading Post* filed an official complaint to the ombudsman over Alick’s actions. Although publicly agreeing that Alick’s actions were in breach of constitutional provisions on the freedom of expression, the ombudsman declined to initiate an investigation into the matter (*VW*, 29 Jan 2000).

In April further government complaints were raised about the *Trading*

Post, this time relating to its reporting of the Private Members Bills issue. In this particular instance the newspaper, quoting former Prime Minister Donald Kalpokas, ran a headline reading "Government Celebrate CRP's Funeral" (*TP*, 12 Apr 2000). The minister for the Comprehensive Reform Program expressed concern that the media was misusing its privileges. Minister for Energy Carlot Korman was very outspoken on the allegedly misleading nature of the headline, stating that "we never made any celebration as stated by *Trading Post*. Now people overseas will say that in Vanuatu they make celebration whenever there is a funeral and we know that it is not true." When the government called for an urgent debate of the *Trading Post* report, Leader of the Opposition Edward Natapei questioned the need, saying, "I believe that the *Trading Post* front-page headline touched you on the Government side" (*VW*, 15 Apr 2000). In this instance, although no warning to the *Trading Post* resulted, the government intention to limit press freedom was fairly apparent. Not long afterward the government, in a press statement, gave a general warning to the media "to always maintain balanced reporting" (*VW*, 6 May 2000).

The government attack on freedom of expression has caused concern to proponents of the good governance agenda. However, it appears that the local and international outcry over the deportation of Jones may be a sufficient reminder to the government that constitutional rights cannot be breached without just cause.

Possibly the largest issue for the government in 2000 has been that of

law and order. The first part of the year was dominated by Operesen Klinim Not 2000. This police operation was prompted by deteriorating order in Luganville, Santo. Although efforts had been made to use the customary authority of local chiefs to maintain order, over Christmas and New Year a number of violent and destabilizing incidents occurred, such as the open display of guns and threats at gunpoint to businesspeople. This law-and-order problem has been growing in Luganville for some time and appears to be largely caused by unemployed and disaffected youth. After the incidents over the Christmas period, the police decided to tackle the problem and mounted an operation that saw a number of people arrested and charged with various crimes, including theft, assault, and unlawful entry (*VW*, 15 Jan 2000). Some, including the chiefs of the area, who have been losing authority in the existing atmosphere of lawlessness, applauded the police operation. However, very soon after the police campaign commenced a number of complaints were made about heavy-handed police behavior, such as using guns unnecessarily during arrests and keeping people in custody without charge for undue lengths of time (*VW*, 5 Feb 2000; *TP*, 26 Jan 2000). It is unclear how many of the approximately 200 people arrested in Operesen Klinim Not were charged with any offense or subsequently convicted, although a number of prosecutions were subsequently dismissed due to errors in prosecution procedure (*TP*, 9 Feb 2000). A group of about 50 individuals arrested during the operation, who claim to have been badly beaten

while in police custody, held for more than twenty-four hours without charge, or held in unsanitary cells is seeking compensation from the police. The aggrieved individuals may proceed to court with their complaints and are filing for damages of 100 million vatu (*TP*, 27 May 2000).

The focus on problems with the police in Luganville continued when it was revealed that files relating to the prosecution of a rape incident went missing from the prosecutor's office. Prisoners, including one who was a suspect in the rape case, had been taken to clean the office around the time the files went missing. The commissioner of police, who described the incident as "a sign of total negligence," revealed that other incidents of missing files resulting in no prosecution had occurred (*VW*, 4 Mar 2000).

The perception of a growing lack of respect for, and effectiveness of, law in Vanuatu was compounded by the Council of Ministers decision to release all prisoners, including people convicted for rape, serious assault, and homicide, on New Year's Eve 1999. Within two days two of the released prisoners were returned to jail for committing further crimes (*VW*, 15 Jan 2000). Not until the middle of the year was the most serious ramification of the decision felt, however. In early June a businessman, Justin West, was killed by one of the released prisoners who had broken into West's home to steal the keys to his shop. He was rapidly apprehended and subsequently sentenced to fourteen years' imprisonment. West's death renewed public calls for politicians to exercise restraint in decisions to release prisoners, a message that has so far been heeded.

The death of Justin West also served to highlight the growing law-and-order problem in Port Vila. Police there have mounted a number of operations aimed at clearing the backlog of incomplete investigations and reducing alcohol-induced public disturbances (*VW*, 19 Aug 2000). Perhaps the most interesting response to the issue has been from the Vatveve Kaea Council of Chiefs in North Pentecost. This council, because it "hates to see our people who are without jobs causing problems around [Port Vila]," sent a paramount chief to Port Vila to order unemployed people from the council's area back to Pentecost (*VW*, 8 July 2000).

Increasingly, politicians and the general public are becoming concerned about escalating crime. Patterns of behavior that were notable in Papua New Guinea at the beginning of its law-and-order problem are now being noted in Vanuatu. Increasing urban migration, youth unemployment, and inadequate law enforcement leading to confidence among criminals are all becoming evident (*TP*, 28 Oct 2000). Ethnic tensions in Port Vila arising because of land use disputes among traditional owners also contribute to the problem (*TP*, 24 June 2000). The increasing presence of guns in Vanuatu, which in part prompted Operesen Klinim Not, is another cause for concern. This issue was highlighted by police purchases of fifty Berretta handguns through a gun dealer in Vanuatu in September, accompanied by rumors that the police were wanting to acquire an arsenal of M16 assault rifles (*TP*, 13 Sept 2000). This police action has led to public fears that, as in Solomon Islands and Papua New Guinea, police

weapons may be stolen by criminals and used in violent crime. Although this may seem an alarmist opinion, there is no denying that the maintenance of law and order is becoming an increasingly significant issue for urban Vanuatu. From the experiences of our Melanesian neighbors, it seems that unless Vanuatu takes steps to address this issue now, the breakdown of law and order could become a defining issue in the development of Vanuatu in the future.

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