

Program 4: Roles and Structures of Government

After independence many Pacific countries attempted to decentralise power through provincial governments. Pacific nations also sought to combine the authority of customary leaders and chiefs with new instruments of government such as ombudsmen and auditors. How successful has this been?

PEARSON VETUNA: Hello, I'm Pearson Vetuna.

This is 'Time to Talk', our series on governance in the Pacific, and today we look at the role and structures of government.

SIR MEKERE MORAUTA: The administrative structure left and created behind to help function the new independent nation was fairly basic, the judiciary was basic, the police force basic. What I do remember was highly developed was the public service, the executive arm of government, that was highly developed and modelled of course on Canberra.

VETUNA: Sir Mekere Morauta, Papua New Guinea's Prime Minister reflecting on the 25th anniversary of his country's independence in September 2000.

At independence Pacific nations adopted government systems based on the Westminster model of representative democracy.

For many the model was new and unfamiliar. The transition came with little preparation, and to this day the Western-style institutions sit awkwardly alongside traditional leadership.

MERELYN TAHI: The parliamentary model we inherited. The chiefs are feeling that they are being neglected, they think they're supposed to have a Senate, I think something similar to what Fiji has...

GORDON NANAU: I would think that the two modes of governance, the traditional one, the modern mode contradicted each other more than corresponding...

SUSAN SETAE: Now we have too many governments, we have national government and then we have provincial government and then we have local level governments - three lots of governments...

MAIAVA IULAI: Unfortunately we have not reached the stage yet when our bureaucracy understands their role properly...

EDWARD NATAPEI: The members of parliament who came in at the beginning really were not trained up in their roles as members of parliament.

VETUNA: Edward Natapei became Prime Minister of Vanuatu in 2001.

EDWARD NATAPEI: Most of the members of parliament have never visited their own constituency to talk to their people, find out what they want and come back and find funding for projects. This is generally the failure of most members of parliament. I think it is also because unless you train up the members of parliament in their roles, it's very difficult to expect them to know exactly what they're supposed to be doing and how they can go about sourcing funding for projects that would benefit their own people. So in that respect I think it's partly a failure on the members of parliament not being able to do their own job.

VETUNA: In Papua New Guinea, the Constitution adopted at Independence proclaims people as the source of power, but the people themselves now feel alienated from the system. Over time, Papua New Guinea's government structures have become bloated and inefficient. That's the view of Port Moresby's Archbishop, Brian Barnes.

ARCHBISHOP BRIAN BARNES: We have a system of government inherited from Australia and it was a good system as set up by them, it worked. It could still work. It was fairly highly organised and centralised. Now with provincial governments it's been decentralised to a large extent and a lot of government people are disillusioned because they'd like to work but the funds are not there for all sorts of reasons. That's the comment in many places, you hear it in pidgin, they say; "moni sot ia, nogat moni". And so many government workers just sit back and say: "Well that's it, nothing can be done so I'll just collect my pay". The system of government in Papua New Guinea really needs a very good overhaul. It's top heavy, there are too many people doing nothing and they're being paid to do nothing and there's a very serious need to overhaul the whole system.

VETUNA: Like Papua New Guinea, the Solomon Islands decentralised the government in order to better meet the needs of the people. But has decentralisation worked?

Gordon Nanau from the Solomon Islands College of Higher Education.

GORDON NANAU: The greatest contradiction I see is that present political structures and systems are seen to be alien by Solomon Islanders. Maybe those with good educational background see it differently, but the majority of ordinary Solomon Islanders regard current political structures as alien institutions. There are so many politicians at the national, provincial and even area council levels duplicating tasks that there are no clear cut functions of the three different levels of government. There is definitely a need to review the current system and even simplify it to ease the problem of confusion caused by the current systems of government.

MERELYN TAHI: People have to come to understand the role and the responsibility, what is an MP, what can they do for us? And also to look at the other side, what does the MP know about themselves that they can deliver to their people?

VETUNA: Merelyn Tahi is chairperson of the Vanuatu Association of Non-Government

Organisations (VANGO). She is also concerned about the lack of women in the decision making process.

MERELYN TAHI: One thing that is burning is that no woman is in there and the men of this country doesn't agree that the woman can be a member of parliament. We did have MPs, female MPs, but as soon as women stand up for parliament they quote Bible. They say that women shouldn't be there, they should be somewhere else in the kitchen and the men should lead. Anyway half of the nation's population is not represented in there. The men who go in on women's tickets are not thinking about the women. But then the women are still believing that the men are the leaders, so that attitude has to change if we want women to go in.

VETUNA: Susan Setae from Papua New Guinea's National Council of Women, also believes there needs to be a change in attitude in relation to politics.

SUSAN SETAE: Well I think it's the people who are in the system because of our big men mentality and attitude. I think the political system somehow has encouraged this big men attitude and so it has made it in such a way that men are in control of everything. And so it's the people who get into the system that have tasted power and it is very good, it is you know somehow they're benefiting it and abusing it for their own benefits rather than serving the whole community and whole country.

VETUNA: One concern shared by many people is that the inherited parliamentary democracy system is, for various reasons, becoming less and less representative.

Henry Vira is the Co-ordinator of the PIANGO Secretariat in Port Vila. PIANGO is the Pacific Islands Association of Non-Government Organisations.

HENRY VIRA: I think the Westminster system does exist in Vanuatu nowadays. OK it's supposed to be democracy, it's supposed to be representative. We have leaders that are voted in constituencies and in a lot of the islands they end up living in Port Vila day in, day out. I mean to me if you voted in a particular constituency you are supposed to be living in that constituency so the people get access to you, they can come and express their own opinions and feelings about things. But the system as it is in Vanuatu is that we have a parliament that's based in Port Vila, so what happens is people in Port Vila go on campaign in the islands and they get voted in, you know depending on how they do it, and then basically the public, especially those in the rural areas simply get forgotten until the next election comes along and then you know you find politicians and whoever wants to get into a position of power comes around again.

URSULA RAKOVA: People in the villages become really frustrated, they begin to wonder why their government is there and like the only means they can really, really express themselves is when there is an election. They try to put in people whom they think will help them. But then again you know because of this frustration and this lack of development taking place back in the communities the people are then left there to basically fend for themselves.

VETUNA: Ursula Rakova from the Environmental Law Centre in Papua New Guinea says these frustrations often have dire consequences.

URSULA RAKOVA: And this is why you know they sign agreements really without getting to think as to why the outcome of these projects you know, what will happen later on. This is somebody with a bag of money, you know, walking up and down the village and they think that this bag of money will always be there, so then they sign contracts and you can't really blame them. They are looking for something that can sustain their subsistence way of living in the communities.

VETUNA: This is 'Time to Talk' on Radio Australia and Radio National.

Voting systems have also contributed to less representative parliaments. Henri Vira questions the election process.

HENRY VIRA: Democracy is supposed to be about giving everybody the right to vote, it's about transparency and accountability and then you have to question: "Now why do you have the secret ballot if it's supposed to be about transparency and accountability?" In the past we don't have secret ballots, everybody talks openly. In my society and in the area that I come from, in the past decisions are made based on consensus. And you know who your leader is, you don't have to convince anybody because people know by your actions, by everything that you're a leader. I think one of the flaws in the current democratic system is that it encourages competition between individuals. People want to prove that I'm better than somebody else which is the basis for all sorts of wrongdoings that do occur in Vanuatu and other parts of Melanesia as well.

VETUNA: In Papua New Guinea, the Constitutional Development Commission recommended changes to the voting system, replacing the 'first past the post' adopted after Independence to a limited preferential system.

Mel Togolo, Vice President of the Papua New Guinea Business Council, believes this will result in a more representative Parliament.

MEL TOGOLO: Since the 'first past the post' most of the leaders that are elected come into parliament with less than 10 per cent of the vote which is not good. But one important thing is that 'first past the post' has encouraged I guess what I was speaking about, the village is encouraged, tribal voting, village voting. So if you have a big tribe like in some parts of our Highlands provinces you get voted in because you've got the sheer numbers. So therefore what happens then is that your tribe put pressure on you to say look, we are the people who vote for you, anything you want to develop just be developed here in our area but maski the rest of the province. So it encourages unequal development. Whereas if you have a limited preferential system I think the guy who's going to come in to be elected will be forced in many ways to look after the other minority groups in the area as well. So it will introduce more discipline in the voting system, in the selection system and also it will encourage our leaders to think a little bit broader than just for your tribe.

VETUNA: Meanwhile Henri Vira says voting systems should blend traditional and modern ways.

HENRY VIRA: There should be a mix. There shouldn't be vote, vote, vote, shut your eyes and put your name in a ballot to choose anybody. We should be able to bring back trust and be able to talk openly about anything. In Vanuatu we have a National Council of Chiefs, at the moment there's still some talk about how the traditional way of dealing with problems can be amalgamated into the modern legal system. But they're still trying to see ways of marrying the two systems.

VETUNA: Constitutions in most Pacific countries have special provisions for traditional leaders.

In the case of Vanuatu, the National Council of Chiefs 'the Malvatumauri' is an advisory body which the government should consult on matters relating to custom and tradition.

Chief Tom Numake from Tanna Island is President of the Malvatumauri. Although he thinks traditional leaders should have greater powers, he believes custom and politics should not mix.

CHIEF TOM NUMAKE: True chiefs of Vanuatu should not involve with politics, they should be separate so that when there is a problem they can fix the problems. Otherwise if they're all involved with politics then no one can put peace in this country. And for example we're now asking for power, actually after we had our Independence the Supreme Court have dealt with the customary lands and before that only the chiefs were settling the matters if there was a dispute. But because after we had our Independence then the Supreme Court comes up again to deal with the land cases and then we find out there's a conflict there. There should only be one, so what we're asking our government now is if we can handle the land cases, only the chiefs would be settling the land disputes in this country.

VETUNA: In Fiji, the Great Council of Chiefs also started as an advisory body but over time became a controversial key player in the political arena.

Alumita Duratolo from the University of the South Pacific.

ALUMITA DURATOLO: It was not an authentic institution because prior to that there was no Fijian political unity. So a council was created to enable the smooth rule of the colonial government and it basically started off as an advisory body. They would give advice to the colonial government on what to do or which customs were really important, and based on that the colonial government did away with some of the Fijian customs that they thought was time wasting or money wasting. And they were left with a few that was decided upon by both the council at that time, which included not only chiefs but also traditional chiefly advisors. But over the years if we look at the history of the Council of Chiefs it was very open in the beginning, but over the years it had come to assert full political power and had become an exclusive club, mostly for chiefs from eastern Fiji who were dominating. And then later on after political independence also chiefs with big leases from the West.

VETUNA: True democracy is "government of the people, by the people, for the people".

One very important institution in modern democracies - to protect people's rights and check abuses of power - is the ombudsman.

MAIAVA IULAI: The ombudsman is an officer of parliament. He is independent from government and he is in power to investigate complaints from members of the public regarding actions or inaction of the executive government in matters of administration.

VETUNA: Maiava Iulai, Samoa's Ombudsman.

MAIAVA IULAI: Our institution is not in the written constitution, that's because when we became independent there was not such a thing as an ombudsman anywhere in the world except Scandinavia. So it wasn't until about 30 years after our independence that we introduced the idea of ombudsman, and we did so simply following the experience of overseas. The concept seemed to have spread very quickly and was embraced enthusiastically as a desirable addition to the constitutional machinery of the modern democratic state.

VETUNA: In Papua New Guinea, the Ombudsman Commission is mostly dealing with leadership and management issues.

It is increasingly becoming the champion of democratic rule and even stepped in when Parliament failed to fulfill its role.

Ila Geno is Papua New Guinea's Chief Ombudsman.

ILA GENO: In my view parliament is the number one and the best check and balance for any democratic institution in place in the democratic societies throughout the world. Now the parliament itself must be at work and monitor the performance of these democratic institutions. If any of these activities' conduct run foul where the Ombudsman Commission has the authority or power to deal, we will deal with it. I can give an example now - there was a long adjournment of parliament for seven months in 1999. Although there had been a Supreme Court decision in 1990 that parliament did have the power to adjourn the parliament whatever length of period of time they want to do, but in the Ombudsman Commission's view we disagreed with that and then we took the parliament to court. According to the Constitution the Parliament shall sit minimum six to eight days in one parliamentary year if you like this is the spirit of the constitution. If the parliament is not at work constitution is dead, it's not active, it's not vibrant, so therefore the democracy is not ensured for the period when parliament is on adjournment. Anything can happen, who could address it? The parliamentarians are put there by the people so if they're at recess they're not serving the people.

VETUNA: Noel Levi from the Pacific Islands Forum Secretariat says the role of the ombudsman should not be to penalise leaders but to work with them to promote good governance.

NOEL LEVI: I think far too often the perception in the Pacific may say; "The ombudsman is out

there to get you". And I think when some of our member countries' leaders have been put under the microscope of the ombudsman. I think in a way this has distracted a lot of attention from what the ombudsman should be really doing. In my own opinion we should be trying to develop a non-adversary ombudsman, an ombudsman that works with the government, because after all leaders are put there by the people.

MAIAVA IULAI: On all our parts there's a lot that we don't yet understand. Our public have not really taken onboard the idea that they are the people that matter. Whoever's in authority is there because of them and it is they that determine what is reasonable and insist upon it.

VETUNA: Samoa's Ombudsman, Maiava Iulai.

Next week in 'Time to Talk' we look at what happened after independence.

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I'm Pearson Vetuna. See you later!

Program Participants:

- Sir Mekere Morauta, elected as Papua New Guinea's Prime Minister in 1999
- Edward Natapei, elected Prime Minister of Vanuatu in 2001
- Archbishop Brian Barnes, Catholic Church in Port Moresby, Papua New Guinea
- Gordon Nanau, Solomon Islands College of Higher Education (SICHE) in Honiara
- Merelyn Tahi, Chairperson of the Vanuatu Association of Non-Government Organisations (VANGO)
- Susan Setae, President of Papua New Guinea's National Council of Women
- Henry Vira, Coordinator of the Port Vila Secretariat of the Pacific Island Association of Non-Government Organisations (PIANGO)
- Ursula Rakova, Environmental Law Centre, Papua New Guinea
- Chief Tom Numake from Tanna Island, President of the Malvatumauri (the National Council of Chiefs) in Vanuatu
- Alumita Duratolo, lecturer in the History / Politics Department of the University of the South Pacific (USP) in Suva
- Maiava Iulai, Samoa's Ombudsman
- Ila Geno, Papua New Guinea's Chief Ombudsman
- Noel Levi CBE, Secretary General of the Pacific Islands Forum Secretariat in Suva