



PHOTO: MICHAEL KLINGER

Behind the picture-perfect image of Fiji is a different reality. Three coups in the past two decades and a threatened fourth one have plunged the country into unease. SNEHAL MORRIS profiles a controversial draft law that is fuelling the unrest.

For many tourists, Fiji represents sandy white beaches, clear blue skies and sea, and a place of peace and tranquillity. But many of the people who call it home are crying out for help.

The Pacific nation of 890,000 people has suffered three coups and a lot of political instability in the past two decades.

The Laisenia Qarase Government is endorsing a Reconciliation, Tolerance and Unity Bill claimed to be promoting harmony among Fiji's diverse people.

More than 51 per cent of Fiji's population is indigenous, Indo-Fijians make up 44 per cent and the rest are European, other Pacific Islanders and Chinese. But what do the people want? Who will this bill benefit? What does this mean for the country? These are the questions most people want answered.

Fiji has had three coups. Lieutenant-Colonel Sitiveni Rabuka, then the third-ranked military commander, led the first two in 1987. They were bloodless and claimed to be about asserting a Fijian nationalism threatened by the economic and political rise of the mainly Indo-Fijian-supported Fiji Labour Party. Maverick businessman George

Speight led the third coup in May 2000, a year after a landslide election victory swept Labour back to power with a coalition government.

But this time at least 20 people died — all indigenous Fijian — and thousands of Indo-Fijians were terrorised and abused.

Since Speight's coup, a democratically elected government has been running the country. Many of the coup perpetrators and others who played a part have been put on trial and jailed.

Coup front man Speight and some of his key henchmen are detained on the island of Nukulau which has a makeshift prison — the Pacific's answer to the infamous Alcatraz. In the wake of unrest over the prosecutions, the Qarase Government introduced the Unity Bill to Parliament on, ironically, May 19, 2005 — the same date as the coup.

Although the draft law is claimed to be designed to unite the people of Fiji, critics claim the bill could do the opposite.

The bill would create a commission which would consider applications for amnesty from the convicted, and compensation for the victims. Although the bill does not spell it out, widespread expectation is that

people like Speight will be freed in exchange for "truth" — information on who was really behind the coup.

The Unity Bill is a result of the confused answer to the simple question: "Did Speight's coup succeed?"

The answer mirrors the tortured morality of the time which saw chiefs saying they did not agree with the method, but agreed with "the cause". Speight did not succeed but his cause — indigenous rule of a tribal kind — did.

It is widely believed that Speight — jailed for life for treason — could be freed in time for the general election next year.

"People like Speight will be freed in exchange for the truth"

The commission established by the draft law would be able to recommend amnesty for people already convicted for their part in the coup events of 2000 if they could satisfy the commission that they were motivated by politics and not criminal intent.

Rumours of an impending fourth coup are rife in Fiji. The military chief, Commodore Frank Bainimarama — who almost died in an assassination attempt six months after the 2000 coup — bluntly warned that he would not hesitate to overthrow Qarase's Government if the law is passed.

The warning, in a draft submission signed by Bainimarama, was edited out before being tabled in Parliament. Bainimarama suggested he could declare martial law and arrest Government members if Parliament endorsed the bill.

However, 13 of the country's 14 provinces have already endorsed the bill. Prime Minister Qarase has dismissed the threats and he maintains his bill will not be withdrawn, despite opposition from civil society leaders, the opposition Labour Party and the military.

Proposed by the Government as

an effort to heal the often fractured relations between indigenous Fijians and Indo-Fijians, opposition groups remain adamant that the bill could jeopardise the role of the judiciary and weaken the resolve for police investigations.

Fiji Labour Party leader Mahendra Chaudhry, prime minister at the time of the Speight coup, says the bill is "dangerous".

Chaudhry claims Qarase is endangering national security.

New Zealand Foreign Affairs Minister Phil Goff says that while the bill has real problems, there can be no role for the army in removing a democratically-elected government.

Legal critics say the bill will seriously undermine the rule of law in Fiji. In backing the call made by the Fiji Law Society, the Australian Law Council says the Fiji Government needed to abandon the bill.

Council president John North says: "This bill would effectively permit the abolition of all convictions for those found guilty of crimes arising out of the Speight-led coup."

He says people convicted of coup-related offences would be entitled to apply for a pardon and escape criminal responsibility for their actions. This was an aspect of the bill which the Fiji Law Society described as "abhorrent and unacceptable".

"It would mean that the perpetrators of these acts would no longer be held accountable for their crimes. No Fiji citizen should be encouraged to think that overturning a democratically-elected government is acceptable or should go unpunished," he says.

North says the decisions of independent courts must be respected and to allow them to be reversed would completely undermine the independence of the judiciary and prosecution authorities — a concern also highlighted by the Fiji police and the Director of Public Prosecutions Office.

"Introducing measures that truly promote reconciliation, understanding and tolerance in Fiji is obviously worthwhile, but the bill will not do that," he says.

PHOTO: ASIA PACIFIC NETWORK



ON GUARD: A Fiji soldier at Nadi International Airport in the wake of the George Speight coup in May 2000.