the Solomon Islands Development Trust’s hundreds of village workers, most parliamentarians are unlikely to be returned in the coming election. “Of the 2,108 survey returns almost two people out of every three voters are choosing not to return their present parliamentarian if an election were held tomorrow” (Roughan 1996).

Second, issues such as the economy, logging, corruption, leadership qualities, and the Bougainville crisis will all feature prominently in the 1997 election. These issues have become increasingly important in the last two years. The number of corruption cases uncovered in 1996 is also bound to have an impact on the election results. Furthermore, voters’ awareness of their role and rights in the political process has undoubtedly improved since previous elections.

Third, despite this increasing awareness, and the existence of political parties, the personalities of candidates will continue to have a huge influence on voter choice. In a society with deeply rooted patronage-based electoral and coalition politics it will be a long time before parties become an important variable in determining election outcomes. Patronage-based politics have intensified in recent years as a result of candidates’ access to substantial amounts of money that could be used for campaigning. This is particularly so for current members of parliament, who have personal control of project funds worth $1 million each year through the Constituency Development Fund.

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Vanuatu

The year of living dangerously might aptly describe 1996 in Vanuatu.

The short life-expectancy for the newly elected Vohor-Lini government, forecast in this review at the close of 1995, was quickly fulfilled and ushered in a year in which the institutions of the state were continuously assaulted and their integrity dangerously threatened. The parliament, the government, the judiciary, the police and mobile force, and the Office of the Ombudsman were all at various times under attack and in peril. At year’s end, much as in a bad year for cyclones, the country had survived the storms and an apparent calm prevailed, but the trail of destruction left in its wake was observable everywhere. It remains to be seen how well the
exotic species of Westminster-style parliamentary government recovers from the havoc.

On 4 January 1996, newly elected Prime Minister Serge Vohor married and on the tenth departed the country to attend the funeral of the late President of France François Mitterrand, leaving the government in the hands of his coalition partner and deputy, Father Walter Lini. Lini’s pre-election remark that “in politics there is no forgiveness” was rapidly given practical expression in the replacement by party faithful of the directors of Civil Aviation, Public Works, Health, and the Cultural Centre; the suspension of the heads of the Police Special Branch and the National Tourism Office; and public acknowledgment that the contract of Chief Justice d’Imecourt, due to expire in March, would not be renewed. Lini’s failure to spare Union of Moderate Parties (UMP) followers from his purge of public servants in portfolios under his control soon led to complaints that the government seemed to be a National United Party (NUP)–UMP coalition, not the other way round. That discontent early became a stalking-horse for former Prime Minister Carlot-Korman’s ambition to supplant his own party leader in the top job. Carlot-Korman was not reconciled to his loss of the prime ministership, and Amos Andeng, UMP member for Ambrym, while less driven by personal ambition, was not reconciled to his party’s failure to win government in its own right—a failure he blamed on Vohor and his faction in the party.

On 31 January the Speaker’s office announced that a motion of no confidence, signed by a majority of the members of parliament, had been lodged requesting an extraordinary session to debate it. Andeng and six UMP members of parliament had joined the 20-member Unity Front (UF) opposition in Vanuatu’s 50-seat parliament to upset the new government. Vohor responded by accusing Carlot-Korman of fomenting the move against him. Father Lini, foreseeing the need to have a competent justice to hear constitutional cases, and in spite of his earlier remarks, proceeded to extend the contract of the chief justice for two years. On 7 February, Vohor sought an order to prevent the parliament from sitting the following day, and when denied by the Supreme Court, stunned his colleagues and the nation by announcing that he was resigning from the prime ministership with immediate effect. At 10 o’clock next morning President Leye Lenelcua signed a decree dissolving the parliament, an act that helped to explain Vohor’s sudden resignation. At noon, Radio Vanuatu announced that contrary to any reports, the president had not dissolved parliament. To add to the confusion, later that night Radio Vanuatu broadcast a prerecorded interview with the president in which he discussed the reasons that had led him to issue the decree. Both local newspapers next day reported parliament’s dissolution. The attorney-general obtained a court order restraining publication of any such statement.

In the interval before Carlot-Korman was elected prime minister on 23 February, an extraordinary sequence of events took place: Lini, angered by the court’s failure to pre-
vent parliament from sitting, set up a commission of inquiry into the former prime minister, and the chief justice patently intended to dismiss him for gross misconduct; Vohor purported to revoke his resignation and resume office, and Lini, in his last hours as minister for justice, acted to suspend or dismiss the commissioner of police, the chief justice, the attorney-general, the clerk and deputy clerk of the parliament, and was considering action to remove the president! His actions were all beyond his legal authority and, taken together, seem calculated to have effected a coup d’état by administrative means.

On 23 February, the floor of the House itself became a battleground, where the police were first asked to persuade the acting Speaker to vacate the chair for the conduct of the session, and later forcibly to remove from the chamber Vanuatu’s only woman member of parliament, Hilda Lini. Following the defeat of the Vohor government and the swearing-in of Carlot-Korman and his ministry, the day’s proceedings were immediately challenged in court. On 1 March, the chief justice, in confirming the validity of the appointment of the new prime minister and dismissing all the several grounds for Vohor or Lini’s application, observed: “The facts...show...that every officer of the Government or Parliament was doing his utmost to ensure that the due process of Parliamentary democracy should operate within the Constitution and the rule of law.”

However, a change in government did not bring greater stability or better governance; on the contrary, it served to introduce new elements of instability into the previous cohesion of the Unity Front, and even into the Vanua’aku Party (VP) itself. There, dissatisfaction among backbenchers with the allocation of ministerial portfolios, which was seen as favoring the four smaller parties in the coalition, rankled to the point of some party members talking of crossing the floor to join in another vote of no confidence.

In April, parliament passed the 1996 budget almost six months late and considered two reports by the ombudsman, one identifying serious problems in public administration arising from lack of guidance on correct procedures or the failure to observe them where they did exist, and the other castigating the failures of past governments to enact the constitution’s stipulations on multilingualism. They launched what was to become a volley of damaging broadsides against the government and ministers as the year progressed and more and more abuse of public office occurred.

The rift in the Union of Moderate Parties widened further in May when Vohor’s faction boycotted a national party congress convened by Carlot-Korman, which then elected him president. The party now found itself with two national executives. Proliferation of parties continued as a former high-profile woman activist, Maria Kalsakau, founded her own “Liberal Party.” For the first time since independence, two ni-Vanuatu, Kalkot Matas Kekeleke and Vincent Lunabeck, were appointed justices of the Supreme Court.

Vanuatu’s Finance Minister Barak Sope, the mercurial leader of the Melanesian Progressive Party (MPP),
also began to exert his muscle in May and backed some “adventurous” development proposals, including a geothermal power plant, a cement factory, a mine and tourist complex, the sale of investor passports, and the issue of a license to the “Dragon Bank” despite doubts about its record in Indonesia. Far and away his most imaginative initiative was the issue of ten US$10 million bank guarantees to be traded on international financial markets by an Australian, Peter Swanson, and some US business associates. The guarantees issued by the Reserve Bank of Vanuatu were signed by the prime minister, the finance minister, the governor of the Reserve Bank, and the first secretary of the Finance Ministry. Their total value was more than twice the value of Vanuatu’s national reserves and promised a risk-free profit from short-term interest of US$250 million in two years.

The ombudsman completed an urgent investigation into the bank “scam” in early June and sent copies of her draft report to the prime minister, the foreign minister, and the deputy prime minister as required prior to public release. At the beginning of July, in the absence of any response from the government, the ombudsman publicly released her report, in which she recommended that the president reprimand the prime minister and that the prime minister dismiss Sope, the governor of the Reserve Bank, and the minister’s first secretary for their involvement in the matter. Carlot-Korman, infuriated by the report’s publication, repudiated it as inaccurate and irrelevant, accused the ombudsman as a “foreigner” (despite her Vanuatu citizenship) of interference in Vanuatu’s internal affairs, and, following the recovery of the documents in London by the British police, claimed that his government’s actions had rectified the situation. Unable to discipline Sope, on whose continued support in parliament his government depended, Carlot-Korman hit out at others and threatened to withhold the salaries of staff at Radio Vanuatu if a news item on the ombudsman’s report was not withdrawn. As soon as Swanson returned to Vanuatu from overseas he was arrested and remanded in custody without bail by the Magistrate’s Court. On appeal, the chief justice agreed to grant bail, but on impossible terms—the return of the ten bank guarantees, a surety of 10 million vatu, and the surrender of all his travel documents, including a Vanuatu diplomatic passport.

At the beginning of August, under increasing pressure from the publicity flowing from the ombudsman’s report and from other members of his own government, Carlot-Korman finally reshuffled his cabinet, moving Sope from Finance to Trade, Commerce and Industry; his MPP colleague Edgell from Lands; and Ravutia of the Fren Melanesie Party (FMP) from Tourism and Communications in order “to inject fresh blood” into the development effort. Sope’s reaction was to enter immediately into negotiations with the opposition. Given cause, the prime minister dismissed him from the ministry entirely on 12 August. He also dismissed Sope’s associates Edgell and Tan Union (TU) members Boulekone and Ravutia, who had formed a new political grouping, the MTF (M for Melanesian Progressive Party, T for
Tan Union, and F for Fren Melanesie), for negotiating with the opposition. The sacked ministers all put it about publicly that they had resigned before being pushed, and the Vanua’aku Party acquired an additional ministry in the reshuffle.

Thus strengthened, the opposition parties requested an extraordinary session of parliament on 20 August, but the Speaker denied it on a technicality. Facing defeat in parliament, Carlot-Korman threatened to prosecute his erstwhile ministers for “treason” in treating with the opposition to overthrow the democratically elected government, a folly so extreme it is explicable only as a Napoleonic delusion of Carlot-Korman’s that “l’état c’est moi.” The attorney-general advised that charges of sedition could be expected to be prosecuted successfully. The Speaker, now embroiled in the machinations of the prime minister to retain power at all cost, announced that the sitting already scheduled for 26 August would be deferred until 30 September. The opposition, whose ensuing petition for an extraordinary session was again rejected by the Speaker, applied to the Supreme Court for an order, and on 2 September the court held the Speaker’s ruling unconstitutional and ordered the parliament to sit in seven days. The government, deeming the court’s order an infringement by the judiciary of the constitutional principle of the separation of powers, took the matter to the Court of Appeal, which comprised two judges from New Zealand and one from Britain. On 16 September the appeal was dismissed and parliament ordered to sit on 25 September.

Faced with irresistible numbers against him, Carlot-Korman brokered a reconciliation with Vohor and published the points of their agreement in a joint memorandum of understanding on 19 September, under which the decisions of the rival party congresses were declared null and void, the court case over the competing claims to the name Union of Moderate Parties was withdrawn, and a Vohor adherent was appointed minister for Land and Natural Resources. Three days later Carlot-Korman denounced Vohor for lying and abandoned the agreement. Vohor immediately signed an agreement with the opposition parties, under which he would again become prime minister. Parliament, failing of a quorum for its sitting on 25 September, reconvened on the thirtieth for only as long as it took the Speaker to close it on an alleged procedural irregularity. Back in court again for urgent redress, Justice Lunabeck ordered parliament to sit at 7:30 the same night and stated that the Speaker should be tried for contempt of court. The opposition’s vote of no confidence in Carlot-Korman was carried, and Vohor was elected prime minister. Barak Sope, for whose blood they had so recently bayed while in opposition, was installed as deputy prime minister. It took Vohor two weeks to complete his ministry, mostly because Willie Jimmy, who had become leader of the opposition after the change of government in February, had pretensions to the position of prime minister. Disappointed in those hopes, he threatened to bring down the government and stood out, resisting ultimate appointment as minister for Foreign Affairs and Immigration.
Back in office and finding himself acting prime minister in Vohor’s absence, Sope immediately moved to resuscitate the bank guarantee scheme, which he persisted in claiming was a good deal for Vanuatu. In the name of the Vanuatu government he demanded that the ten documents being held by British government authorities be returned. Fortunately, the British authorities managed to stall on technical legal grounds. Meantime the ombudsman released yet another report condemning Sope for alleged breaches of the leadership code, illegally signing a $250,000 guarantee in his previous term as finance minister, and pressuring the National Provident Fund into a major investment in a system of electronic banking known as Cybank. In response to the report’s publication in October, Sope asserted there was a conspiracy involving Australia to prevent Vanuatu gaining real financial independence and, in a memorable utterance, declared that “the fact that the Ombudsman can investigate a Minister is detrimental to the operation of a democracy.”

On 19 October, in what could prove to be a move of profound significance for the future of stable government in Vanuatu, the leaders of the two major anglophone parties, Father Lini and Donald Kalpokas, conducted a formal custom reconciliation, apparently mending the rift that occurred in 1991 and brought more than a decade of anglophone dominance of Vanuatu politics to an end. On 25 October, in a surprise move that must have flowed from the VP-NUP reconciliation, Vohor sacked Sope and his MTF colleagues and replaced them with able and experienced ministers from the Vanua’aku Party. Vohor now enjoyed a large parliamentary majority and was relatively free from the perpetual threat of no-confidence motions that had preoccupied politicians and paralyzed all government programs continuously since the general elections in late 1995. It also produced, for the first time since 1991, a two-thirds anglophone majority in the twelve-member Council of Ministers.

In October the government was again in the Supreme Court seeking to set aside a decision of Carlot-Korman’s government to dissolve all six provincial councils, for electoral irregularities in some and gross maladministration in others, and to conduct fresh elections on the twenty-ninth under a new electoral system thought to disadvantage smaller parties. It failed in court, and elections were held on 4 November. They were notable only because support for the National United Party fell, and the new Liberal Party of Maria Kalsakau won its first seat in an election.

Lini’s animus toward the chief justice was of long standing, and in October he completed what he had failed to do in February by canceling his contract. D’Imecourt, however, remained a judge because procedurally only the president, acting on the recommendation of the Judicial Services Commission, could dismiss a judge. Frustrated by the law’s delay, the police were instructed to deport him with only two hours’ notice. The judge managed to obtain an injunction restraining their action but remained in a state of siege while prosecution and plaintiff’s counsel struggled daily over
its execution. Agreement was ultimately reached that the chief justice and his family would leave Vanuatu and stay in Noumea pending a hearing of his claim of wrongful dismissal at the end of November. The Vanuatu government would in the interim continue to pay his salary, his accommodation costs and per diem in Noumea, and would guarantee his return travel and entry to the country at the time of his lawsuit.

While politicians thus played power games and tied up the Supreme Court with adjudicating the constitutionality of their dubious stratagems and ruses, a far more dangerous threat to the exercise of democratic government was fermenting in the Vanuatu Mobile Force, the paramilitary wing of the police force.

In August, members of the Vanuatu Mobile Force held a meeting to discuss a rankling grievance over the nonpayment of allowances going back over a number of years. At the time Hilda Lini referred publicly to rumors of a planned coup d'état that at the time seemed no more than a rhetorical trope in the midst of the government’s ever more desperate efforts to avoid defeat in a vote of no confidence. The rumor was quickly denied by the commissioner of police, but stung the prime minister’s office into ordering the sacking of the three Radio Vanuatu journalists responsible for the story.

In September, 107 members of the Vanuatu Mobile Force wrote to the minister for Home Affairs demanding payment of their outstanding allowances, a demand that was rejected by the minister as an internal budgetary problem for the force to resolve. In response, they declared they would “stand down” from duty and refuse to obey the orders of their commanding officers. Frustrated by continued failure to redress their grievances, they decided to take the law into their own hands. In an act of rebellion on 12 October, an armed detachment abducted the president from his bed, dragooned a Vanair pilot from his sleep, commandeered a domestic aircraft, and before dawn took off for Malekula and a surprise early audience with the acting prime minister. Sope and Member of Parliament for Malekula Sato Kilman, rather less roughly constrained than the other two, agreed to return to Port Vila with them on the plane and to call a meeting of the Council of Ministers. At the same time the stand-down group detained their commanding officers under armed guard at Cook Barracks and forcibly abducted the police commissioner, their supreme commander. Later in the afternoon, at a meeting in Independence Park, Sope announced the establishment of a commission of inquiry to investigate their claims and stated that no action would be taken against any member of the stand-down group. The Vanuatu Mobile Force’s actions and their impunity from reprisals emboldened them to reject nominations for acting commanders to replace those they had already driven from the barracks, and created growing uneasiness and tension among people in the capital at the veto power over government the military now seemed to enjoy.

As a result of unrelated developments, Vohor, on 7 November, complying with a decision of the NUP congress, replaced Hilda Lini as minis-
ter of justice by her brother Father Lini, to whom Vohor delegated responsibility for resolving the crisis with the Vanuatu Mobile Force. The same day the VMF stand-down group, impatient with the failure of the commission of inquiry to report to them by the end of the previous month, invaded the Department of Finance and roughly abducted an expatriate Australian accountant, David Schupp, to Cook Barracks to explain the delay. This assault on a civilian—moreover, a foreign national—was seen as a serious escalation in their violence.

On 12 November, in a bold, courageous, brilliantly planned and executed move, Lini surprised and arrested 150 members of the Vanuatu Mobile Force with a small tactical force of police commanded by Peter Bong, the former head of the Criminal Investigation Department who had been forced into early retirement earlier in the year. All but about thirty of those arrested were released within twenty-four hours, but those detained were denied bail to face charges of kidnapping. They included Corporal Kilman, the most prominent negotiator for the stand-down group, and his elder brother Sato Kilman, MP, a former commanding officer of the Vanuatu Mobile Force and police commissioner. Sato Kilman was eventually granted bail, and the others enjoyed only a day or two of liberty at Christmas–New Year before returning to the lock-up to await trial in late January.

Before year’s end, Hilda Lini’s loyalty to her brother finally failed, and she resigned from the National United Party, deploring the failure of all the major political parties to deliver development to the people. A few weeks afterward she announced the formation of a new “movement” the Tuvanuatu Movement, which she said was not a political party but a grassroots movement based on traditional economic and political systems to restore power to the chiefs.

In December, parliament sat in ordinary session and passed the 1997 budget, which revealed a deficit in government outlays in 1996 equal to almost 10 percent of the recurrent budget—a shortfall attributed to massive import duty exemptions granted by the former finance minister and to overspending on public sector salaries, which had increased by 30 percent since 1994. Budget priorities were focused on health and education and for savings to be found through downsizing public service numbers and improving service delivery. Regrettably, the bill to enact the Leadership Code was withdrawn for unspecified reasons, but most probably because of provisions for it to be retrospective to the time of independence.

Moves were also reportedly afoot to mend the rift in the Union of Moderate Parties, and Carlot-Korman was reported to have accepted that Vohor would remain prime minister. These reports will again unsettle the coalition, because, if effected, Vohor would need to drop NUP or VP ministers to make way for his party colleagues. Rumors around Port Vila spoke of the National United Party losing out. But the recent reconciliation between Lini and Kalpokas may well militate against easy rearrangement among partners now accustomed to betrayal.

At year’s end, although the country had survived a succession of political
dramas, two coup attempts, and the sacking of the chief justice, the Supreme Court had three major cases before it, all heavily weighted with political significance—the prosecution of Peter Swanson for his involvement in the bank guarantee scheme; the prosecution of the mutinous members of the Vanuatu Mobile Force, behind which lurks the shadow of a possible coup attempt involving other nonmilitary figures; and the appeal by the former chief justice against wrongful dismissal. On the positive side of the balance sheet, the government enjoyed a current majority in parliament large enough to enable the implementation of policy and programs for the first time in twelve months; it had quelled an insurrection in its armed force, which for several months had held a veto over all actions affecting their interests of which they did not approve; and it had removed a controversial judge who had himself become a factor in local politicking in ways inimical to continued respect for the independence and impartiality of the bench. The year 1997 promises more “interesting times” in Vanuatu.

David Ambrose

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