

Final Draft

Towards Pro-Active Legislatures and Inclusive Development in PICs*

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Introduction

Like all other regions in the world, the Pacific also has its fair share of both domestic and external problems. However, geographical location, long distances, natural disasters and communications problems make the Pacific far more vulnerable than others. Thus, development challenges that Pacific face are similar to other developing countries as well as unique. In this paper, however, our focus is on the role of Pacific legislatures and legislators in tackling these challenges.

PICs and the Global Economic Crisis

The Pacific region as a whole has weathered the global economic crisis better than many other developing countries to date but the economic fallouts of global recession on PICs are still significant. The main among them are as follows:

1. The aggregate growth rate in PICs was about 5 percent in 2008. It was set to slow down to 3 percent in 2009.
2. Some PICs are witnessing declines in revenue due to a lower demand for exports (particularly PNG, Samoa, Solomon Islands, Fiji and Vanuatu), falls in remittances (particularly Samoa, Tonga, Kiribati, Tuvalu and Fiji) and falls in the value of trust funds (in particular Kiribati, Tuvalu, FSM, RMI and Palau) and facing difficulties in accessing credit.
3. Tourism in some countries remains relatively strong and continues to make a positive contribution to economic growth. However, tourists from developed countries, hit by the recession, will be discouraged from taking expensive overseas holidays, affecting Cook Islands, Fiji, Samoa, Palau, Tonga and Vanuatu.
4. The PICs heavily rely on imports of food and fuel from abroad and are subject to volatile exchange rates. Their rising prices in the first half of 2008 had already suppressed consumption spending and pushed up inflation in many PICs. These pressures are still being felt in the Pacific and are a longer term challenge for the region.

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5. Most PICs are highly reliant on development assistance but ODA flows are likely to be adversely affected as donor countries are adversely affected themselves by tighter fiscal controls.
6. There is likely to be a fall in foreign currency reserves, a rise in inflation and the demand for temporary farm workers from PICs during harvest time in NZ and Australia may also be adversely affected (Lowy Institute, 2009)

How do these economic downturns affect the PICs in terms of human development and poverty reduction? First, the Pacific has fallen behind Asian countries in achieving MDGs and is not in track to achieve them by 2015. The global economic crisis has put the region's progress in achieving MDGs further at risk. In other words, the biggest brunt will be borne by the poor and the women of this region

Second, Fiji, PNG, and Solomon Islands (accounting for 80 percent of the population of Pacific Forum countries) have experienced instability, ethnic tensions and political crises, heightening concerns about stability in the region and their mutually reinforcing effect on human development (HD). These could be related to poor growth and declining per capita income.

Third, these are likely to adversely affect sustainable development. One of the strongest challenges in the Pacific states relates to environmental sustainability (MDG 7), in particular the effects of climate change. The global economic crisis is likely to exacerbate pressures on the environment in several ways, including increased numbers of urban poor and squatter settlements and slums, which are already a big problem for the Pacific; reverting to unsustainable subsistence farming or livelihood practices, and an inability to make domestic and ODA resources available for climate change adaptation and mitigation.

Fourth, the impact of the crisis is going to be particularly severe for women. It will mean longer work-hours and heavier work loads for women, more household responsibilities. When it comes down to cutting down on meals, health care spending and withdrawing children from schools, it will invariably affect women and girls most. Similarly, the future for elderly and single mothers with young children is going to be bleak. Other gender biased implications are involvement in sex work by girls and women, lured or forced, and thereby also putting them at greater risk of HIV/AIDS.

Finally, many PICs do not have the same ability to cushion the impacts of the current crisis like large parts of Asia, where many countries had at least a decade of strong progress in poverty reduction. Thus, the relative human development advantage that most Pacific islanders of a generation ago enjoyed relative to Asians has largely vanished (for example, India versus Solomon Islands and PNG; Vietnam versus Solomon Islands and

Fiji). Most PICs have little scope for initiating conventional counter-crisis economic policies, such as creation of additional domestic liquidity to finance a fiscal stimulus since one-third of PICs use third country currency and their capital markets are small and under-developed. There is little opportunity for them to mobilize additional domestic resources for investment. Running larger deficits and/or printing currency to finance stimulus packages are no options (please see Chibber, 2009 for further details)

What is to be done?

In the light of these findings, the following recommendations are in order in respect of overcoming the negative impacts of global economic crisis:

1. Tourist demand should be utilized to boost community-based businesses.
2. The region needs better targeted aid, investment in infrastructure in rural areas and more efforts to support and enable the private sector, based on production and value adding services.
3. Although the necessity of importing vitally necessary goods can hardly be overemphasized, infrastructure projects taken up in the rural areas need to be labour intensive and not just focused on imported materials. In other words, school, office, clinic, road maintenance type of projects with the greatest employment and multiplier benefits should receive priority over new large construction projects with high import content. At the same time, the emphasis on quality health and education services with a focus on the poor and the women would be of vital importance.
4. While the public sector utilities and enterprises need to be reformed in order to increase efficiency and effective utilization of budget expenditure, private sector development through SMEs should be directed towards genuine entrepreneurs and not rent seekers.
4. Traditional economies are a vital source of resilience in times of crisis. More attention should be paid to supporting and strengthening the traditional economy and indigenous systems of social protection by incorporating them into government and donor planning.
5. The important role of women in business, particularly in the informal sector, should be recognized and supported as women increasingly bear the responsibility of earning income for their families
6. The combination of food and energy insecurity, the global economic crisis and climate change are very significant policy challenges and require creative responses

7. The impact of global economic crisis on the region has highlighted the importance of shoring up financing for investment into people, basic services and infrastructure and to invest resources wisely to make countries resistant and resilient to future crises.

8. As the centre of the global economy moves to the Asia-Pacific region, Asia matters more to the Pacific region and since economic recovery in Asia will be helpful to the Pacific, building stronger economic links with Asia would help recovery in the Pacific.

9. The global economic crisis offers an opportunity to change the way things are done in the region. Good governance and good leadership remains important. PICs have to renew efforts to pool resources and reform regional institutions to create more efficiency and strengthen capacities of each country

10. It is time to build better economic models, develop new partnerships, particularly between government, private sector and civil society organizations and build new trading relationships. (Lowy Institute, 2009; Chibber, 2009)

These recommendations are no doubt aimed towards restoring economic growth in PICs, with a focus on poverty reduction. However, while these are a good starting point, PICs will be required to go beyond these and accord the highest priority on the specific needs of the poor, the women and other disadvantaged groups in the society in order to attain sustainable human development and poverty reduction. This also implies addressing governance issues impinging on such a perspective.

We would, therefore, like to devote the rest of the paper to what legislators, the elected representatives of the common men and women, can and should do in taking the Pacific to that vision of development. However, before we attempt that, it would be in order to understand the basic weaknesses of the Pacific state and why this emphasis on the legislators for both overcoming the weaknesses of the Pacific state and in ensuring governance reforms, poverty alleviation and human development.

Nature of the Pacific State

The Pacific state is a relative newcomer put together from the remnants of pre-colonial societies and colonial administrations. This postcolonial construct privileged the colonist's Westphalian model of statehood and the Westminster form of government. Furthermore, this was the latest model of a "modern state" that has adapted over several hundred years to historical changes in Europe.

As such, this model, it is argued, has proved very difficult to mesh with the aspects of the pre-colonial social orders that survived colonialism in the Pacific (Wanek, 1996).

Thus, critics hold that comparing the Western model with the Pacific experience is disingenuous and in some ways a historical. Jerry Singirok (2005) noted in the context of PNG "the weak state and its impotent institutions are indicative of a nation struggling to

cope with formal structures that lack strong links between state and society and confront the informal fabric of traditional values.” Insights of this sort led Finnin (2001) to observe that “the problem with many Pacific Island states is not so much that they are prone to falling apart, but rather that they were never fully put together.” So it may be that the nature of the Pacific state has more to do with colonisation and the process of de-colonisation than with conditions specific to the Pacific.

According to Chazan (1999), weak states are characterized by scarcity of resources, politicised patterns of social differentiation, over-expanded state structures, insufficient state legitimacy, inadequate state power, and the lack of adaptation of alien institutions to local conditions. On the other hand, Reiley (2002), in the context of the Pacific, delineates four characteristics of state weaknesses, namely, growing tensions in the relationship between civil regimes and military forces (Fiji, Solomon Islands, PNG and Vanuatu); the intermixture between ethnic identity and the competition for control of natural resources as factors driving conflicts (in Melanesia alone there are 1200 languages spoken by a mere six million people, and this diversity is open to manipulation of ethnicity); the weakness of basic institutions of governance such as prime ministers and parliaments; and the increasing centrality of the state as a means of gaining wealth and of accessing and exploiting resources. These were due to inadequate political structures inherited from colonial powers, the steady decline in political parties which made the Westminster model of government ineffective; failure of local politicians and bureaucrats to become worthy democrats and improve the lot of their citizens; individuals and groups using the state for self-aggrandizement, leading to excessive candidature for elections and grossly unrepresentative parliaments. So, he concludes that: “Fragile, multi-ethnic, post-colonial states encompassing different languages, ethnic groups, islands, and torn between rival claims of tradition and modernity, raise serious questions about the viability of current state structures and their ability to manage internal conflicts”

While some of these criticisms of the Pacific states are valid, others appear to be an overgeneralization and not consistent with facts. First, ethno-linguistic diversity in states such as PNG may actually prevent one group from dominating government and force the development of coalitions, even if they are self-centred and short lived. Second, democratic forms of governance have largely persisted in the South Pacific when they collapsed in other parts of the world, so there is plenty of scope to build on what exists in the Pacific. Third, it is not true that all Pacific states lack resources. The problem is, in fact, in the sustainable use of the resources, which are sometimes impeded by forces, located outside the PICs. Fourth, when comparing with Europe in the progress of statehood, the achievements of the Pacific states have to be seen in the relevant time frame. Fifth, it would be unfair not to recognize the weaknesses imposed on PICs by Nature in the form of location, distances, natural disasters and communications. Finally, in a world of rapid globalization, it is possible for the Pacific states to telescope the acquisition and adaptation of the best of democratic practices from elsewhere.

In strengthening the democratic state in the Pacific, the starting point has necessarily to be the legislatures and legislators, because they are not only the fountains of democracy

but also of state legitimacy. It is also here that major weaknesses lie in the Pacific, since under colonialism, the major emphasis was on the executive and least of all on the legislature. Unfortunately, in the post-colonial stage the established elite ensured the continuation of the old order in order to maintain their hegemony.

Role of Pacific legislators in reducing poverty and promoting human development

As elected representatives, PIC legislators have a significant role to play in (a) prioritizing the above and human development and poverty reduction recommendations as spelled out in the MDGs in the specific realities of their respective countries, (b) translating the accepted recommendations into cogent policies and legislations and (c) ensuring the oversight of their implementation.

Can PIC legislators rise to the occasion and do the needful? It is true that PIC legislators have not been known for any proactive and specific role with regard to human development and poverty reduction since the beginning of the global recession. It was the executives or legislators as executives (i.e. Minister, PM, cabinet, etc) who took the necessary initiatives, however adequate.

In these circumstances, much will depend on solving the problems faced by legislatures and legislators in discharging their duties. An attempt is made below to first flesh out some of the more significant characteristics and challenges faced by legislatures and legislators the Pacific:

Salient characteristics of legislatures and legislators in the Pacific

The nature of the legislature was shaped by colonial powers (UK, Australia, New Zealand, US, etc). However, neither FSM nor Marshall Islands followed the US model. Some of the PICs (for example, Guam and French Polynesia) decided to remain with the “mother” country, sending elected representatives to both outside (i.e. US and French legislative bodies) as well as the local legislatures (Ghai, Y, 1990)

There has been a brake on the constitutional process in Fiji in recent times. As such, there is at present no legislature operating there. In Tonga, the King appoints MPs and the nobles also are allowed to send their representatives to the parliament. Hence, for the time being, Tonga cannot be said to have a legislative body in the real sense

Ethnicity is an important factor in deciding the results of elections (for example, Fiji, New Caledonia, Guam, etc). Although hereditary chiefs are succeeding less and less in legislative elections (even their children are not doing well in such elections despite the advantages they enjoy), their influence on the outcome of election results is still strong. In the name of tradition and culture, there is a tendency to impose consensus instead of competition and dissent i.e. legitimate criticism of the government in power, although in real life, there are numerous conflicts and disagreements (Lawson, 2006)

In the initial phase, Christianity played an important role in electoral politics; later on liberation theology in a diluted form, Marxism, market ideology, etc made their appearance in various degrees. In any case, there has always been a wide gap between rhetoric and practice in Pacific politics. The political party system, the lynch pin of competitive democratic politics, is rather weak in the Pacific (Crocombe, 2001).

There is variety of electoral systems in existence. Most legislators are urbanized (urban elites representing rural constituencies), foreign educated and foreign oriented (good foreign connections and travel abroad). Former civil servants are also elected in considerable numbers. This is mostly because most sources of big power are external. Thus, there is generally “big man” electoral politics in PICs, resulting in prestige-oriented self-serving legislators (ibid; Arms, 2006; Lawson, 2006).

Purchase of votes, clan voting, block voting, etc are still quite prominent in PICs. As a result, the influence of those who provide the election campaign funds is on the rise. Internal political rivalries and squabbles and settling constituency-based dissensions consume much of the energy of the legislators (May, 2006; Roughan, 2004; Scales and Teakeni, 2006).

Parliaments do not sit for a long time; the standing and select committees are inactive even if formed; the staff supports to both legislatures and legislators are inadequate (for example, there are little research inputs and expert assistance into parliamentary deliberation); many parliamentarians have simply no understanding of the rules, responsibilities and procedures governing the lawmaking process. MP funds are mis-utilized (as in PNG) partly because the “dos” and “don’ts” have not been clearly spelt out (interview with selected respondents in 2009)

MPs are overshadowed by and subservient to executive authority (Morgan, 2005). Meaningful or effective oversight of the executive by the legislative branch is lacking, either due to lack of understanding of the process, lack of education on the part of the parliamentarians, or simply lack of interest (Mellor, T and Jabes, J, 2004).

MPs and civil society representatives are often at loggerheads, instead of meaningful alliances and healthy disagreements (Morgan, 2005).

As can be seen from above, some of these problems require long-term actions, while others can be resolved in the short and medium terms, provided political will is exerted.

Representation of women in Pacific Legislatures

Empirical evidence shows less corruption in countries where more women are elected to the parliaments. Also, women have direct interests in human development and poverty reduction, and these are likely to be better addressed with more women in the parliament. However, the situation of women in representative politics leaves much to be desired in

PICs. The following facts and trends, based on Crocombe, 2001; Scales and Teakeni; 2006; Fraenkel, 2006; UNDP and PIFS, 2009; PIFS, 2006; and Morgan, 2005, will illustrate it:

1. Women now have the same voting rights as men but this was not so for a long time. Samoa was the last country to allow it in 1990.
2. In PICs, just 4.1 percent of the Parliament or Congress seats were held by women. A number of the smaller PICs have no parliamentary representatives. In the 1998 elections, no woman legislator was elected in Kiribati, Marshall Islands, Tonga, Tuvalu, Vanuatu and Nauru. Likewise in the Solomon Islands, none of the 50 seats could be won by women. In fact, in that country, only one woman has ever held a parliamentary seat. In 1988, the elected Parliament of Fiji had only 3 percent women members. There has always been a strong resistance to electing women in PNG parliament.

The world average for women's representation in Parliaments is 16 percent. In fact, the Pacific representation is the lowest in the world, behind even the Arab countries where it is 7 percent.

3. Politically powerful fathers/brothers (i.e. identity at birth)/husbands, no husbands, fewer children, higher education abroad, extensive international connections and well travelled abroad helped the electoral success of women candidates. Most women parliamentarians were generally nurses, teachers and social workers, i.e. the first professions opened to women.
4. There are institutional factors, such as unequal access to land and titles and outdated laws which continue to discriminate against women. In addition, national government machinery designed to promote women in all spheres of public life, continues to be weak in PICs.
5. Contemporary culture in the Pacific tends to be conservative and patriarchal, reflecting a colonial, missionary heritage as well as a reluctance to change a status quo, which favors men politically and administratively.
6. Women are not fully integrated socio-economically. In the Melanesian countries, access to education is still limited for girls. Women's roles in and contribution to the formal and informal economy is still considered secondary and their access to wealth is limited, which directly impacts on their ability to participate in politics. In addition, domestic violence continues to affect women throughout the region.
7. Women find it difficult to enter the world of politics due to its closed, male dominated and frequently hostile nature. There are both supply and demand side

factors which limit their candidacies and chances for political representation, including the lack of political party support for women candidates and reluctance of women to run.

Thus, there are both institutional and attitudinal factors at play.

To sum up this section, the three major specific issues in the legislative governance in the Pacific are (a) the various weaknesses in the legislative process (b) the poor representation of women and other disadvantaged groups in the legislature and (c) lack of proactive role of legislators and legislatures in tackling the problems of poverty and human development in the Pacific.

Possible Recommendations

Before we move to specific recommendations, it needs to be pointed out that UNDP Pacific Centre, along with other international and regional organizations, has not only been supporting Pacific Parliamentary Support Projects for more than a decade but it has also come up with a number of recommendations in this regard (see for example, UNDP, et al, 2000). We have taken a minimalist position, emphasizing only those which we feel are crucially necessary in the immediate future.

Accordingly, we suggest two sets of recommendations, one relating to strengthening the legislatures and legislators, in general and one relating to the role of the legislatures and legislators in promoting human development and poverty reduction in the Pacific.

In the first set of representations, we would like to include the following:

- Higher representation of the poor, the women and other disadvantaged groups in the legislatures and local government bodies through quota, reservation, delimitation of constituencies, etc and relevant changes in the constitutions, etc.
- Voter education of particularly the poor, the women and other disadvantaged groups so that during the elections they can exercise their vote in favour of the legislative/local government candidates (who will better protect their rights) without fear, intimidation and inducements.
- Legal and political literacy programs for grassroots women, with an eye to facilitate them to advance in all walks of life including parliamentary politics. As long-term measures, better education, better exposure and mobility, small family norm, access to domestic labour saving devices, promotion of women's electoral support networks, ensuring women's rights to land, etc would be required to improve women's representation in the legislatures.

- Improvements in laws/rules/practices regarding electoral systems and elections so the electoral system may be simplified and made suitable for the poor, women and the disadvantaged, election-related malpractices (intimidation, block votes, clan votes, vote purchase, etc) may be reduced to the minimum and election related disputes are speedily and judiciously resolved..
- Facilitation of legislators in their work in the legislature through providing them with access to relevant information, travel to constituencies, secretarial staff, research assistants, etc

The second set of recommendations would be focused on human development and poverty reduction and are as follows:

- (a) Preparation of Pacific Development Goals (PDGs) by a highly representative and independent Pacific Commission of experts, set up by the Pacific leaders in order to prepare in a time-bound manner a set of development and governance goals along with an implementation matrix in order to increase the ownership of MDGs in the Pacific region. The proposed PDGs would be placed before the Pacific leaders for their consideration and approval. This document would not only contextualize MDGs in the concrete conditions of the Pacific but would be MDG + in order to address issues specific to the Pacific (for example, the impact of climate change on PICs). It would also be in conformity with the Pacific Plan. These recommendations would be prepared in a participatory manner after wide-ranging consultation with the poor, women, private sector, civil society, legislators, government and local government functionaries, traditional leaders, researchers, members of the judiciary, development partners, etc. The report would also spell out the role of the legislators in concretizing (for example in preparing policies and passing legislations), prioritizing and implementing them (for example, through strong oversight of the executive) in the country context.
- (b) Sensitizing the MPs to the significance and implications of human development and poverty reduction in the Pacific through civil society organizations.
- (c) Strengthening the civil society in the Pacific so that demand for human development, poverty reduction and legislative strengthening is created and maintained.
- (d) Ensuring intensive dialogues between the legislators and the poor, the women and other disadvantaged groups on legislations which vitally affect their lives
- (e) Where necessary, changing the Constitutions, whereby right to the basic human needs (food, education, health, shelter, clean water, sustainable environment, etc) are incorporated.

(e) Review of the legislative process with a view to make it more responsive towards poverty reduction and human development (creation of special committee, strengthening legislative oversight, etc).

(f) Enacting new legislations and amending old ones so that policies, institutions and implementation regarding poverty reduction and human development spending are further strengthened.

(g) Building closer cooperation and understanding among the legislative, the executive and the judiciary around poverty reduction and human development (for example, through common sensitization workshops, identification and resolution of interface problems, etc).

(h) Ensuring better cooperation between government, local government, private sector, civil society and the legislators around poverty reduction and human development.

(i) Regional networking of the legislators to highlight actions required to reduce poverty and improve human development in the PICs.

Indeed, if implemented, the above recommendations are likely to radically change the existing character of the Pacific legislatures. However, only a long-drawn and appropriate advocacy strategy, leading to massive mobilization of the poor, women and other disadvantaged sections of the society by civil society organizations and progressive forces in politics, trade unions, religious organizations and the academia, can ensure the implementation of the above recommendations.

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