Would a presidential system be better for Melanesia?

John Henderson

This paper explores what the Pacific Islands region, particularly Melanesia, can learn from Micronesia's experiences with the United States—inspired presidential political system. Melanesia, the largest and most populous sub-region of Oceania, was mainly under British (and, by extension, Australian) influence, and adopted the Westminster parliamentary political system. So too did most of the widely scattered micro-states of Polynesia, although in their case the British model of government was mainly passed on by New Zealand (see Levine 1983).

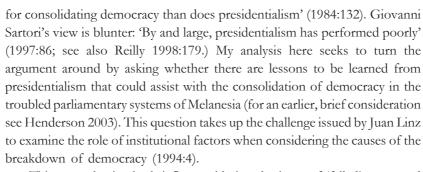
My interest in the application of the presidential political system to the Pacific Islands region was generated by the growing political instability in Melanesia, where the Westminster parliamentary system inherited from the United Kingdom at independence is under increasing strain. In contrast, the US-influenced Micronesian states continue to enjoy relative stability.

The general view from the political science discipline seems to be that parliamentary systems serve the needs of developing states better than do presidential systems. For example, Alfred Stepan and Cindy Skaach conclude that 'parliamentarianism provides a more supportive evolutionary framework

The Journal of Pacific Studies, Volume 29, no.1, 2006, 50–66 © 2006 by JPacS Editorial Board (USP)

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This paper begins by briefly considering the issue of 'failed' states and 'inappropriate' political systems. I define presidential and parliamentary systems and attempt to identify what is wrong with the Westminster parliamentary system, particularly in the way it has operated in Melanesia. I then consider the advantages and disadvantages of the alternative: the presidential system. I survey the experiences of the Pacific Islands states with presidential systems, paying particular attention to aspects of the presidential model in the freely associated states of Palau and the Federated States of Micronesia. Also examined are the quasi-presidential system in Kiribati and, very briefly, the parliamentary systems of Nauru and the Marshall Islands, which use presidential terminology. Bougainville, which in 2005 gained autonomy from Papua New Guinea and adopted its own constitution with a directly elected president and separately elected assembly, is also covered. However, I do not include the US Pacific territories - Guam, Northern Marianas and American Samoa - which follow the US state governor model, as the focus here is on independent and self-governing states. This paper concludes with an assessment of the lessons Pacific Islands states can learn from the variety of experiences with a presidential system.

Inappropriate political systems

The reference to 'failed' or 'failing' Pacific Island states raises the question of just who or what has failed (the appropriateness of these terms is questioned by Fraenkel 2004). From the perspective of the outside critic (usually Australian in the Melanesian context), it is corrupt and inept politicians who have contributed most to political and economic collapses. One rebuttal is that





the artificial nature of Melanesian national boundaries and political systems inherited from the colonial era means that there are no *Melanesian* states to fail. If anything has failed, it has been their very creation, which is therefore the fault of the colonial powers. The Westminster parliamentary political system, it seems, has not survived the transplant to the fragmented societies of Melanesia (see Larmour 2005). This allows the question addressed here of whether a presidential system would have fared better.

The analysis is timely in light of the 2003 Australian-led regional intervention into Solomon Islands, known as RAMSI (the Regional Assistance Mission to Solomon Islands). RAMSI's initial task of restoring law and order was quickly achieved. The more difficult challenge is the reconstruction of the country's political and economic systems. It is likely that putting Solomon Islands together again to operate as a Westminster parliamentary system in the same way as it did before the 2000 armed uprising will not be a lasting solution. There is a need to consider alternative models, such as a presidential system.

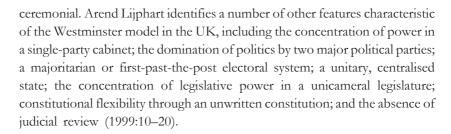
Presidentialism and parliamentarianism defined

Apart from that in the US, most presidential systems are in Latin America and, more recently, Eastern Europe. There is wide agreement amongst political scientists about the key elements of presidentialism: (i) direct election of the president, (ii) a fixed term of office (which prevents, in normal circumstances, the president's dismissal by a parliamentary vote) and (iii) the separation of powers between the three branches of government – executive, legislature and judiciary (Sartori 1997:83–4; Linz 1994:6). The president also has considerable powers to direct the government, and both appoints and dismisses cabinet ministers and other top officials recruited from outside the legislature. Cabinet ministers are advisors rather than political colleagues as in a parliamentary system (see Lijphart 1999:118). A further characteristic is the combination of the roles of head of government and head of state in the president.

In contrast, the parliamentary system, which in the Pacific is the Westminster model inherited directly or indirectly from the UK, is made up of an executive (prime minister and cabinet) drawn from the legislature and held accountable to it through votes of confidence. Law-making power is held by the legislature, and the role of the separate head of state is largely







What's wrong with the Westminster system in Melanesia?

Given the differences between Melanesia and the cultural and historical settings in which the Westminster parliamentary system evolved, it is not surprising that difficulties have been experienced in establishing it in Melanesia. The operational difficulties include the following.

Divisiveness

Although one of the principal advantages of parliamentary systems is their ability to promote inclusiveness through the representation of a wide range of groups in the legislature, it has not always worked this way, particularly in Westminster systems. As I have argued elsewhere:

Problems have arisen with the fundamental Westminster division between government and opposition Members of Parliament. This confrontational approach clashes with the Pacific ideal (seldom achieved in practice at the national level) of consensus decision making. The government/opposition split is considered to be divisive and wasteful of scarce financial and human resources. It seems strange to be paying politicians to challenge the government: hence the yearning that emerges from time to time for governments of national unity. It makes sense in small societies to work together to promote the common good. But this has proved extraordinarily difficult to achieve in practice. Politics is by nature a competitive vocation. (Henderson 2003:229)

Lack of accountability

The Westminster parliamentary system seeks to ensure accountability by giving the parliamentary opposition the task of keeping the government





honest. But problems can arise, for instance with power-sharing arrangements that seek to promote consensus government. These work to undermine the Westminster system. The greater the emphasis on consensus, the less is the focus on the role of the opposition in holding the government accountable. The problem is heightened by poorly developed parliamentary accountability systems. The most serious issue is the short sitting periods of many Pacific parliaments. If a parliament is not sitting – frequently because the government is seeking to avoid a no-confidence vote – the opposition cannot be holding the government accountable. Furthermore, procedures such as parliamentary question time and parliamentary committee systems (particularly public accounts committees) are poorly developed in most Pacific parliaments.

Instability

The ability under the Westminster system for parliaments to bring governments down through votes of no confidence has created serious political instability. In the absence of a stable party system (see below), a prime minister must devote considerable time and energy to maintaining a parliamentary majority. This is a major diversion from the business of government. Moreover, the need to reward loyalty has a corrupting influence.

Weak political parties

In order to work effectively, the Westminster system requires strong and stable political parties. As Sartori observed, 'disciplined parties are a necessary condition for the working of parliamentary systems' (1997:94). Ideally, there should be two major parties, alternating in the government and opposition roles. The success or otherwise of their candidates should, ideally, be determined by a first-past-the-post (FPP) electoral system. But the Pacific has proved the exception to one of the 'golden rules' of political science: that FPP will deliver a stable two-party dominant system. The left–right ideological division that underpins Westminster two-party systems is not relevant to most Pacific societies. This has helped produce a weak and fragmented multi-party or factional system more characteristic of proportional electoral systems. Small parties and independents can hold disproportionate power (see Steeves 1996).







Presidential systems – at least when operated ideally – offer the following advantages.

Effective and stable government

Presidential systems can provide strong and effective government. The fixed term of office (short of impeachment) avoids the instability created by votes of no confidence in parliamentary systems. It also enables governments to make tough but necessary decisions – for instance on economic reform.

National unity

Direct election forces presidential candidates seeking to maximise their vote to run nationwide election campaigns. This should assist in cultivating and enhancing national unity. Ideally, the president is a unifying force, who can help hold together a multi-ethnic society. This contrasts with the capacity of a prime minister in a parliamentary system, who needs the support of a majority of parliamentary members to retain power, but is elected by just one constituency and may have only a narrow clan or regional base of popular support.

Accountability

The division of powers under a presidential system should help to ensure accountability. The president is accountable to both the legislature and the judiciary, and is easily identifiable as the person responsible for the government's action or inaction. However, difficulties arise in seeking to hold presidents accountable during their final term in office, when they are not eligible for reelection.

Expertise

The requirement for the president to choose a cabinet from outside the legislature allows for the recruitment of a greater range of experience and expertise.

Choice

As voters vote separately for a president and a representative in the legislature, they have a wider range of choice in presidential systems.





What are the disadvantages of presidential systems?

Most analysts give presidential systems a poor report card. With the important exception of the US, most presidential systems have been in Latin America and have proved to be fragile and unstable. As Linz observed, 'The accumulated evidence of the past in presidential systems, particularly in Latin America and Asia, and of the successful contemporary parliamentary democracies in Western Europe show odds that seem to favor parliamentary systems' (1994:70). This assessment is backed up by empirical evidence provided by the Stockholm-based International Institute for Democracy and Electoral Assistance (IDEA):

Between 1945 and 1979 none of the presidential or semi presidential systems developed during this period was continuously democratic. Presidential democracies were also twice as likely as pure parliamentary democracies to experience a military coup: in the period 1973–1989 five parliamentary democracies experienced a military coup compared to 10 presidencies. (Reilly 1998:185–6)

IDEA identified just four presidential democracies that had enjoyed more than thirty years of continuous democracy: the US, Costa Rica, Colombia and Venezuela.

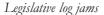
In addition, the following problems have been identified with presidential systems.

Presidential capture

The presidency may be 'captured' by a particular ethnic or political group. This is most likely where there are two or three groups struggling for power (Reilly 1998:184–5). Far from bringing the country together, a president may be polarising and representative of just one group (Linz 1994:69). There is concern that after winning office the president has few incentives to work with or accommodate political opponents. Smaller groups may consider they have no hope of getting their concerns addressed, resulting in more conflictual politics, which could encourage extremism (Riggs 1998:264).







Fred Riggs is also concerned about legislative gridlock, most likely to occur when different parties control the Congress and the presidency (1998:257). Paralysis and stalemates make it difficult or impossible to pass necessary legislation.

Rigidity

Linz directs his strongest criticism at the rigidity of fixed terms and the lack of flexibility in presidential systems, which makes it difficult to get rid of discredited leaders (1994:9). (For instance, while US President Bill Clinton was able to deflect attempts to impeach him, he is unlikely to have survived in a parliamentary system.) There is also considerable potential for the abuse of presidential power, given the concentration of power in the person holding the office.

Lack of 'political apprenticeship'

In parliamentary systems potential prime ministers must impress their parliamentary colleagues, generally requiring an apprenticeship in parliament. No such apprenticeship is required for presidents. As Linz reflected, the parliamentary system produces a much larger pool of potential leaders (1994:41).

Restriction on terms of office

The restrictions on the number of terms a president may serve (e.g. two terms in the US) may be destabilising and wasteful of leadership talent.

What has been the Pacific experience?

Pacific Island states have generally inherited the political systems of their former colonial rulers.² Westminster parliamentary systems are dominant in the former British- or, by extension, Australian- or New Zealand–administered Polynesia and Melanesia. Until Bougainville gained autonomy from Papua New Guinea in 2005, the only Pacific presidential and quasi-presidential systems were in Micronesia, where the US was the major pre-independence administering power.





To summarise, the independent and self-governing Pacific Island states can be grouped as follows:

Parliamentary systems	Cook Islands	
	Niue Tuvalu Samoa	Polynesia
	Papua New Guinea Solomon Islands Vanuatu Fiji	Melanesia
Parliamentary presidential systems*	Nauru Marshall Islands	Micronesia
Washington-type presidential systems	Palau Federated States of Micronesia	Micronesia
Quasi-presidential systems	Kiribati	Micronesia
	Bougainville	Melanesia

^{*} I use Yash Ghai's terminology here (1990:4).

Pacific presidential systems

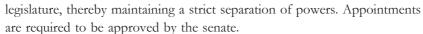
Palau

Palau comes closest of all Pacific states to mirroring the US political system. Indeed, only Palau meets Sartori's three criteria for a 'pure presidential system': the president (i) results from popular election, (ii) cannot, during his or her preestablished tenure, be discharged by a parliamentary vote and (iii) heads or otherwise directs the government that he or she appoints (1997:84).

The president of Palau, who is both head of state and head of government, is directly elected at four-year intervals and is restricted to two terms. The vote takes place in early November in each election year, the same date as in the US. The president and vice-president run on separate tickets; however, the current president, Tommy Remengesau, has proposed a constitutional amendment to provide for a single presidential ticket. He also favours moving to a unicameral legislature. The president selects a cabinet from outside the







The Palau president is frequently in conflict with Congress over appointments and the passage of Bills. Expenditure must be according to the budget approved by Congress. Corruption allegations are investigated by an independent special prosecutor.

There are a few differences from the US system. Palau does not have an electoral college. Palau uses a primary run-off system between candidates at the national level, not for the party nomination as in the US. This was instituted after President Haruo Remeliik was elected in 1980 with just 31 per cent of the vote, with the remainder of the vote divided between four other candidates. The president may be impeached and removed from office by a two-thirds vote of each House, and by approval from three-quarters of the states, for treason, corruption or other serious crimes (Ghai 1990:72). There is also provision, as yet unused, to recall the president and vice-president (a form of removal), which must be initially approved by two-thirds of the members of state legislatures in three-quarters of the states, after which a referendum on the fate of the president is held (section 10 of the Constitution). While innovative, the complexity of the recall provision means that it is unlikely to be used, leaving the president to serve out the full fixed term. In contrast to the US executive, the Palau president has the power to veto particular items in a Bill. This can be overridden by a two-thirds vote by both Houses. A further innovation is the advice the president receives on traditional law and culture from the Council of Chiefs, comprising the highest traditional chief from each of the sixteen states.

Federated States of Micronesia

The Federated States of Micronesia is made up of four states: Kosrae, Pohnpei, Chuuk and Yap. While it has an executive president (currently Joseph Urusemal), who serves as both head of state and head of government, the FSM is a quasi-presidential system. This is because the president is not chosen by popular vote, but is elected, along with a vice-president, by a majority vote of Congress. The president can also be removed through an impeachment process by a two-thirds vote of Congress for treason, bribery or corruption.







The Supreme Court is required to review the congressional decision (Ghai 1990:72).

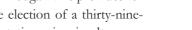
The direct election process was not chosen as it was feared that it would always deliver the presidency to the largest state, which is Chuuk. This original decision was ratified by the failure of a 2003 referendum proposal to change the constitution to provide for the popular election of president and vice-president. To be eligible, an aspiring president must be one of the four at-large senators elected to Congress for four-year terms, each representing one of the four member-states. The remaining ten senators represent single-member districts, based on population, for two-year terms. Once elected, the president must resign from Congress to maintain the separation of powers between the executive and the legislature. Special elections are then held for the seats vacated. This can jeopardise a president's political career, as it did in the case of one one-term president, John Haglelgam of Yap. To be re-elected president, he must first gain re-election to an at-large seat in Congress, which he has failed to do. The FSM has no formal political parties.

There was a 'gentlemen's agreement' that the office of president would rotate among each of the four states. However, this agreement has now broken down. In mid-2003 Joseph Urusemal of Yap unexpectedly gained the presidency over Redley Killion from Chuuk, after splits developed in the state delegations. Chuuk, with about half the FSM population, has not held the presidency since 1987.

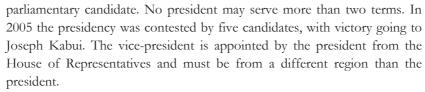
In accord with presidentialism, the president appoints a cabinet from outside the legislature and is restricted to two consecutive four-year terms. This leaves open the possibility of a former president returning to power after a period out of office. The offices of president and vice-president may not be held by representatives from the same state.

Bougainville

The 2005 constitution of the autonomous region of Bougainville provides for the direct election of a president and the separate election of a thirty-ninemember constituency-based House of Representatives, in simultaneous elections. Presidential candidates must be at least forty years of age and, in accord with presidentialism, may not be a member of parliament or a







The president presides at meetings of the Bougainville Executive Council. He or she may be dismissed from office for violation of the Leadership Code or recalled following a petition, ratified by a majority vote, by one-third of enrolled voters. The Leadership Code (section 58) applies to the president, with the final decision resting with the High Court. There does not appear to be provision for a parliamentary vote of confidence.

However, while the constitution provides for three principal arms of government (the legislature, executive council and courts), and states that 'in principle' each arm should be kept separate from the others (section 41), in practice the result is a parliamentary—presidential mix. The executive council is made up of the president, vice-president, and presidential-appointed members, including women and regional representatives from the House of Representatives. Its parliamentary nature is left beyond debate by the constitutional requirement that the president be a member of the House of Representatives (section 55). However, a degree of separation between the executive and legislature is maintained by the different means of election: the president by a national vote, the members by their constituencies.

The importance of traditional leaders is acknowledged in the constitution (section 44), particularly in regard to land, with an advisory body of traditional chiefs envisaged.

Kiribati

Kiribati has a hybrid presidential—parliamentary system. This reflects the influence of its Micronesian neighbors, who were formerly ruled by the US, and its background as a British colony. In Kiribati those aspiring to be president (*Beretitenti*), who is both head of state and head of government, must be elected to the legislature. In this sense they are no different from an aspiring prime minister in a parliamentary system. However, the process then becomes very different. In Kiribati a presidential candidate must be nominated by the legislature (the *maneaba*), which nominates at least three, but no more than four,



candidates from amongst its members. The president is then selected in a nationwide poll, in accordance with the presidential model. The successful candidate is replaced in the maneaba through a by-election. The president may serve only three terms, no matter how long or short each term is, with a maximum term of four years. Note that, following the parliamentary model, the president remains subject to a vote of no confidence from the legislature. Some protection is provided by the knowledge that a successful no-confidence vote against the president triggers dissolution of the House and a general election.

The president selects the vice-president and cabinet from elected members of the legislature. There is, thus, no US-style separation of powers.

The Marshall Islands and Nauru

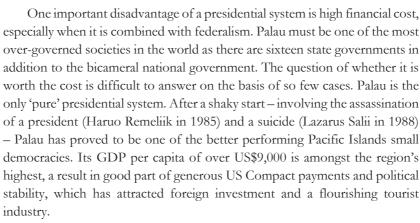
The Marshall Islands and Nauru both operate parliamentary systems, but continue to use presidential terminology. The parliamentary nature is confirmed by the legislature's role of selecting the president from amongst its members. The president can also be removed through a vote of no confidence by the legislature. However, in the Marshall Islands there must be agreement on who will be the new president, before there is a vote to change the president. A similar provision would benefit Nauru, which has had more than ten governments in as many years. In both the Marshall Islands and Nauru, the office of president follows the presidential model by combining the roles of head of state and head of government. The president selects a cabinet from elected members of the legislature. There is no restriction on the number of times the president may be re-elected. Amata Kabua was president of the Marshall Islands for eighteen years. In the Marshall Islands the president is advised on traditional and customary matters by the Council of Iroij.

Should the presidential system be more widely used in the Pacific?

On the basis of experience to date, are there good reasons to argue that the presidential system should be more widely adopted? Does the Micronesian experience suggest that it would deliver a better form of government for Pacific Island states? These questions are difficult to answer. Other factors besides the constitution are clearly important in determining the success of governments.







In 2004 the FSM celebrated twenty-five years of independence. However, I have doubts about whether it will survive a further twenty-five years, given its problems deriving from diversity of language, resources and geography, and its general lack of common interests. It is not a shining example for other possible Pacific presidential federations to follow. The FSM is dependent on US payouts under the Compact arrangement. Its largest state, Chuuk, is generally regarded as a 'failed state', teetering on bankruptcy as a result of mismanagement and corruption. A Chuuk senator, Jack Fritz, has been convicted on corruption charges.

How have the other Micronesian states fared? Kiribati is a further example of a successful small democracy. Its mixture of presidential and parliamentary attributes has resulted in one of the region's more stable and democratic systems, which blends well with the egalitarian nature of the people. However, the restriction of presidential terms to three cut short the promising presidential service of Ieremia Tabai and Teburoro Tito. On the other hand, the Marshall Islands would have benefited from such a provision to end the long and increasingly autocratic rule of Amata Kabua.

A presidential system may have curbed Nauru's steep descent to 'failed state' status. Its parliamentary system has produced a staggering sixteen changes of government (through no-confidence motions) in ten years. Such political instability has undoubtedly contributed to the country's economic collapse.





Conclusion: would a presidential system be better?

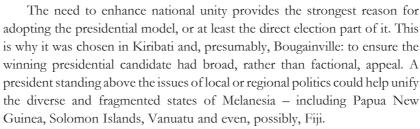
Would a presidential system help bring political stability to Melanesia? Perhaps. There is a need to focus more on designing presidential systems to suit special circumstances. Ben Reilly has commented that the issue is not whether a parliamentary or presidential model is universally the best system, but that it be one that best fits the particular social system, political history and culture of a particular state (1998:180). A presidential system would, in this regard, be better suited to hierarchical and chiefly Polynesia than more egalitarian Melanesia.

Nevertheless, although the experience of Micronesia with presidential systems is limited and has achieved mixed results at best, a case can be made that Melanesia would benefit from key aspects of the presidential system: the cessation of votes of confidence through the introduction of a fixed term of office would provide much needed political stability (although this could also be achieved though a fixed-term parliamentary system) and the direct election of a president may help promote national unity.

The challenge for Melanesia is to devise political systems that accommodate the diversity, and build on the strengths, of its localised, fragmented and inherently democratic societies. The incorporation of traditional politics is particularly important. The experience in the Pacific is that the more traditional systems are also more stable, but not necessarily democratic (for example, Tonga and Samoa). Accountability needs to be ensured at both the local and national levels to justify democratic claims.

For the Melanesian states, devolution to a federal or confederal system is likely in the longer term. This will increase the importance of having a unifying political leader, who could be a president elected through a nationwide poll. The challenge will be to devise a federal system that gives sufficient voice to the smaller states. There is a danger that a president might entrench a power-base on one of the larger islands or states; for instance, Malaita in the Solomon Islands or Chuuk in the FSM. Ideally, a system of rotation would prevent this, but the experience of the FSM shows how hard it is to achieve in practice. Nonetheless, that it can work , albeit in very different circumstances, has been shown in the New Zealand dependency of Tokelau, where the position of head of government rotates amongst the three atolls that make up the small island state.





Although Fiji has a parliamentary system, the president, who is chosen by the Great Council of Chiefs, can wield considerable moral authority because of the association of the position with chiefly status. This was demonstrated by the late Ratu Sir Kamisese Mara, who was respected even by the Indo-Fijian community. Fiji could arguably benefit by combining the head of state and government functions in a presidential system. Furthermore, it should be pointed out, for better or for worse, that direct elections, unlike parliamentary elections, would almost certainly deliver an Indigenous Fijian as president.

The dominating and charismatic leadership style of Ratu Sir Kamisese Mara in an earlier period, when he was Fiji's prime minister, highlights what may be achieved by a presidential system. I suggest the parliamentary systems of Melanesia work best when they operate like presidential systems, with the focus on the national leader. This was the predominant situation in the immediate post-independence era, when Mara in Fiji, Michael Somare in Papua New Guinea, Walter Lini in Vanuatu, Solomon Mamoloni in Solomon Islands and Amata Kabua in the Marshall Islands dominated national politics. These leaders gained special status—even charisma—through being independence leaders. That period has now passed. But it is possible it could be recreated by changing to a presidential system.

Notes

- ¹ For comprehensive coverage of the constitutional systems of the Pacific see Levine and Roberts (2005).
- ² Tonga was never a colony, and remains a constitutional monarchy.





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