



The failure of the alternative vote system and a case for proportional representation in Fiji

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SINCE INDEPENDENCE, FIJI'S POLITICAL PARTIES HAVE, IN THE MAIN, BEEN ethnically based. When the general election of 1987 brought a party with largely Indo-Fijian support to power for the first time, a coup quickly restored leadership to the Indigenous Fijian community. Remarkably, given the ethnic tensions, in the mid-1990s the government established the Fiji Constitution Review Commission (FCRC) with bipartisan support, and its terms of reference required it to 'review the Constitution promoting racial harmony and national unity' (FCRC 1996:754).

In its 1996 report, *Towards a United Future*, the Commission, using multiethnic government as its primary criterion, emphasised the need for a suitable electoral system. Many systems were considered, including forms of proportional representation (PR). The alternative vote system (AV, a preferential voting system, but not a proportional one) was recommended as the most suitable for Fiji's circumstances: the AV system, opined the Commission, would best promote multiethnic government and unite Fiji's peoples (ibid.:279).

In this paper, I argue that the AV system has neither united Fiji nor promoted multiethnic government: if anything, its results have been exactly the

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contrary. In addition, it has provided a seat distribution that is quite unfair. I provide evidence that a voting system producing proportional representation would have done much better in all these respects. I go on to outline systems of PR adapted to Fiji's circumstances, and to discuss the feasibility of the adoption of PR in Fiji.

Problems with the alternative vote system

Since the first elections held under the AV system in 1999, Fiji's experience has been anything but 'united'. While it would be naïve to attribute this entirely to the newly adopted AV system, it would be equally naïve to claim that AV played no role in the intensification of divisions after the general election of 1999 (prior to the coup of May 2000) and also during and after the general election of 2001. Instead of encouraging the formation of a multiethnic government, the AV system has polarised the country's politics, moving Fiji a long way from the politics of compromise that seemed to have emerged by 1997.

Some theorists suggest that AV has considerable merit as a tool for encouraging moderation and promoting accommodation in ethnically divided societies. Yet prior to the use of AV in Fiji, these claims were untested. As Timothy Sisk points out, 'there is insufficient empirical evidence' to conclude that AV will generally yield pro-moderation outcomes (1996:62). Indeed, there exist no other countries with an ethnic cleavage broadly comparable to Fiji's that have used the AV system. So it would seem that Fiji was, unfortunately, used as a testing-ground for an ill-conceived experiment with AV. Outcomes of the 1999 and 2001 polls have been far from those envisaged by AV-supporting theorists.

Ben Reilly claims some success for AV in Papua New Guinea during 1964–1972 (2001:68–80, 89–94). Yet the extreme fragmentation of the PNG electorate is a different type of cleavage from that in Fiji, so the situations are not directly comparable. It has also been alleged that AV helped interethnic relations in the Fiji elections of 1999 (ibid.:106). If in fact it did so, this was only in the lead-up to the polls, not after the results were released. Even prior to the polls, the purportedly moderating effect of AV (its tendency to promote interethnic cooperation) should not be exaggerated. Amicable ethnic relations had already been established during the negotiation process for the 1997



constitution. Furthermore, multiethnic coalitions were not a new thing for Fiji: the 1987 election was won by such a coalition, and there had been other such groupings in the intervening period.

Although harmonious interethnic (and, for that matter, intra-ethnic) relations can be furthered by parties and candidates negotiating on preferences, the opposite can also occur: relations may sour when anticipated high preferences are not given.¹ In 1999 and 2001, parties often reacted with bitterness or outright fury when other parties ‘ganged up’ on them (the first party) by putting them at the bottom of their (other parties’) preference lists. Reactions were similar when some parties reneged on agreed preference-swapping arrangements.

AV theorists claim that AV provides parties with incentives to adopt moderate platforms (e.g. Horowitz 1997:22–4, 29–31). But this is a major miscalculation, which overlooks the built-in incentives to be other than moderate: for example, the tendency to give low preferences to parties or candidates (no matter how ‘moderate’) who are seen as the chief rivals for the seat. Descriptions of the ticket-voting agreements of party leaders as ‘political expediency’ (Lal 1999:20) and ‘bizarre’ (Reilly 2001:111) when they did not conform to AV theory are in fact indictments of that theory, because AV promotes those sorts of agreements.

Such problems seem good reason to consider reform, but Rein Taagepera warns against changing electoral systems in mid-stream: ‘If the rules are continuously altered, no stable electoral system can emerge.’ This is accurate, and electoral system change should not be recommended lightly. Yet Taagepera also acknowledges that ‘no advice is absolute. There may be disastrous sets of rules to be given up in a hurry’ (2002:259).

Are Fiji’s relatively new voting laws ‘disastrous’? The AV system in 1999 gave Fiji a parliament divided on ethnic grounds: instead of providing for a multiethnic balance, the electoral laws achieved the opposite. All Indo-Fijian Members of Parliament, except one, were on the government benches, and only Indigenous Fijians (plus one Indo-Fijian) provided an opposition. Indigenous Fijian fears of domination by Indo-Fijians, which had, as a result of considerable effort, been laid aside during the rapprochement of 1995 to 1998, were re-awakened.



In the 2001 election, once more, the result was a highly polarised parliament instead of an outcome favouring moderation and ethnic cooperation. All the Indo-Fijians, except one, were in just one party, but this time out of government. The ‘moderates’, whom AV was supposed to promote, were reduced to just five, even though there was clearly a significant level of voter support for them.

Nor was this all: between the 1997 and 2001 elections, a coup occurred in 2000 – an event driven in large part by the skewed AV election results of 1999. All this is surely more than enough to qualify for the application of Taagepera’s term ‘disastrous’.

Some suggest that the simple expedient of changing some of the rules could considerably reduce the problems associated with AV as used in Fiji. I will now look briefly at some of these problems and then suggest possible rule changes.

The importance of simplicity

In national elections adults of all ages, with widely different levels of education and from diverse walks of life, are expected to participate. Indeed, Fiji’s new voting regulations mean that they have to do so. It is questionable whether compulsory voting is desirable in an electorate such as Fiji. There was no clamour for it prior to or during the Commission’s work. It seems that the formulation of the rules for the use of AV in Fiji relied excessively on Australian practice.

In any event, to cater adequately for such a varied group of voters, it is highly desirable to keep the voting system simple – simple in its rules, so that people know how their votes will be interpreted, and simple in its procedures, to minimise technical breaches of voting rules. Fiji’s AV system is anything but simple in either respect. Each voter belongs to two different constituencies: one is ‘communal’ (that is, defined according to ethnic group – Fijian, Indian, Rotuman or General) and the other is ‘open’ (that is, all ethnic groups together). The voters therefore have two ballot papers to fill in, with all the registration, checking for authenticity and so on that this entails. Each of the two ballot papers is divided into two parts, the voters being required to choose which part they wish to use to cast their vote. Each part is to be filled in quite differently.



A voter selecting to vote above the line has only to tick one box.² Opting to vote below the line requires the voter to write a series of numbers, one in each box.

With such a complicated procedure, it is little wonder there was a huge number of invalid votes in both the 1999 and 2001 elections. The figures are 8.7 per cent in 1999, and a whopping 11.89 per cent in 2001, the increase in 2001 being due to a stricter interpretation of the voting rules. Both figures are unacceptably high. Assuming that most invalidity was inadvertent, it is clearly unjust to deprive such a high percentage of voters of their vote. The inclusion of these people's views could have had a decisive effect on some constituency outcomes (as was clearly demonstrated by a court decision admitting certain votes that had been deemed invalid, thus overturning the Nadi Indian Communal constituency result in 2001).

By far the most frequent cause for votes being declared invalid was the tendency of voters to put a tick below the line, instead of using numbers to indicate their preferences. Clearly, the format of the ballot paper, and the similarity of the below-the-line portion of it to the ballot paper of Fiji's pre-1997 first-past-the-post electoral system (where only ticks were used) led many people astray.

Simplicity for the voters, not a major consideration for the Commission, ought to be a key consideration in future electoral reform in Fiji.

The importance of preference legitimacy

To describe a voting system as 'legitimate' is to assert that it elicits and then faithfully interprets the voters' wishes. I will look at the 'interpreting' element below. Here, I consider whether voters are really conveying their wishes accurately through the AV system in Fiji.

The vast majority of Fiji voters (about 95 per cent) use the above-the-line portion of their ballot papers. Each party registers its list of preferences with the elections office. By choosing the 'ticket option', that is, by ticking their party's box above the line, voters accept their party's registered list of preferences, rather than indicating their own preferences (as they would do if they voted below the line). But do the voters understand how the list of preferences works? Do they know what their chosen party's list is? Do they really intend to accept their party's preferences when ticking above the line?



The answer to these three questions must be *no* in many cases. In relation to the first question, there is still a high level of ignorance among the populace as to how votes are transferred from one candidate to another. Educational seminars held on the voting system before both elections revealed this, and the problem persists.³ In relation to the second and third questions, a high number of voters – probably the majority⁴ – would not have known what the order of candidates was on their party's list, as the information was not easy to come by. It was published in the newspapers only once, in large electoral supplements that were daunting even to the highly educated reader. The parties did not, on the whole, help to lighten this load: they obviously preferred that voters support them holus-bolus, so simply urged them to tick above the line, without explaining even what their list was, much less why it took the shape it did.

One cannot blame the parties for this: it is only to be expected that they will use whatever legitimate means they can within the system to advance their chances. It is the above-the-line aspect of the system itself that is at fault. The purpose of introducing a preferential system, surely, was to encourage voters to consider the options available to them, even to look beyond candidates of their own ethnic group. Why interfere with this positive feature of the system by tempting the vast majority of voters to take the easy way out and just tick their preferred party?

That voters ticked a party above the line certainly meant that they wanted this party to be their first choice. But since many of them would not have known the party's preferences, it must be concluded that if such votes came to be used for further preferences, they were scarcely votes of the voters at all, but votes of the parties. Some theorists and politicians might think this a good thing, in the belief that political parties would be more ethnically accommodating than the people at large. Even if this were true (which is by no means clear) and even if voters were fully aware of their party's preferences and/or were happy to give their right of choice to their party, the ticket option is a serious erosion of democracy. It entices people away from choices they are fully capable of making, and should make, themselves.

True, these above-the-line voters could have voted below the line instead. But if they did not fill out 75 per cent of the possible numbers below the line, or made some other numbering mistake, their vote would be invalid. So, ticking was much easier.



Therefore, I question the legitimacy of the AV system, as it was implemented in the 1999 and 2001 elections. It seems to me virtually certain that many voters had their votes transferred to other candidates in a way they did not know about and did not intend.

Possible modifications to the present AV system

One solution for both the simplicity and legitimacy problems, in the aspects treated above, is to discard the ticket option. A basic AV ballot paper could consist of just the current below-the-line portion, and the compulsion to put numbers beside the names of 75 per cent of the candidates could be removed. Having just one method for filling out a ballot paper, and making that method as straightforward as possible (for example requiring no more than the figure '1' or its equivalent) would produce a much more user-friendly AV ballot paper, which, more importantly, would convey the voters' wishes more accurately and meaningfully.

Even if the ticket option were maintained, it could be made much simpler by having only one section, like the below-the-line portion of the 2001 ballot paper. Entering one or more numbers in sequence beside candidates' listed names would indicate a voter's own list of preferences; entering a tick in just one of the boxes would indicate acceptance of that party's list of preferences.

However, there are other features of AV that demand not just a modification of the rules, but a basic change of electoral system.

Interpreting votes – 'the will of the people'

The purpose of holding elections is to allow the people to select the candidates they want in the House of Representatives to form a government. Article 21/3 of the Universal Declaration of Human Rights says:

The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures. (quoted in FCRC 1996:41)

Since people have different opinions, how do we come to a conclusion as to what 'their will' is? In practice, this is determined according to the rules of the voting system in force.

For a concrete demonstration of what this means, consider Table 1, compiled from the results of the Fiji elections in 1999 and 2001. It shows first, the seat allotments (out of the total of seventy-one) each party received under the AV system used; secondly, an estimate of what they would have received under a first-past-the-post (FPP) system; and thirdly, an estimate of what they would have received under a proportional representation (PR) system.

Table 1 Actual and likely electoral outcomes (seats won by contesting parties) under three voting systems, 1999 and 2001

		1999													
		FAP	FLP	GVP	NFP	NVTL	PANU	SVT	UGP	VLV	Ind	Total			
AV		11	37	2	0	1	4	8	2	3	3	71			
FPP		6	34	0	0	1	4	18	4	2	2	71			
PR		8	24	0	11	3	3	14	1	7	0	71			
		2001													
		BKV	CAMV	FAP	FLP	NFP	NLUP	PANU	SDL	SVT	UGP	Ind	Total		
AV		0	6	0	28	0	2	0	32	0	1	2	71		
FPP		1	7	0	32	0	1	1	26	0	1	2	71		
PR		1	7	1	25	7	3	1	20	4	0	2	71		

Notes

¹ The full names of most of the parties mentioned in the table do not concern us in this article. Only four major ones are given in the text.

² A few other parties that contested the elections are not included here as they did not win (or would not have won) seats under the electoral systems considered.

The likely number of seats that would have been won by each party under FPP and PR is calculated from the first preferences of valid ballots cast. These results are only conjectural because, under either of these systems, campaigns would have been waged differently and some voters would have voted differently. Even so, it is probable that the seat-holdings would have been similar to those conjectured here.

In theory, people express their will by voting. In practice, their will is interpreted – and sometimes, it would appear, seriously distorted – by the electoral system used to count votes and determine winners. Since election



results may thus vary greatly depending on the electoral system used, we may legitimately ask, 'which system provides results that more truly reflect the people's will?' In deciding on an electoral system, surely this should be the priority issue, the main criterion. If 40 per cent support party A, 35 per cent party B, and 25 per cent party C, surely those are the approximate percentages of parliamentary seats each of those parties should respectively win – if, that is, we share the concern for equal suffrage expressed in the UN Declaration. A result of this kind, of course, is precisely what a proportional representation system achieves.

It is axiomatic that there is no universally best electoral system. But it does not follow that there are no better or worse systems for particular situations, or even in general. Not enough attention has been given to trying to determine scientifically which systems yield results corresponding most closely to what can reasonably be called the will of the people. It is as if there is a palette of electoral systems from which we might choose any single one that we please according to our preferred political or sociological goal. This is convenient for political scientists and electoral engineers, but it does scant justice to the views of the public, whose will these systems are supposed to measure. Proportionality is not the only factor to be considered, but it is an extremely important one.

The AV and FPP systems can seriously pervert the people's wishes, as shown in Table 1. AV and FPP leave too much up to the vagaries of individual constituencies, whereas PR reflects the national mood as a whole.

An argument sometimes made is that AV and FPP tend to provide clear majorities and stable government – in contrast to PR, which can easily lead to political fragmentation and unstable government. But this argument does not stand up to scrutiny (see Lijphart 1994:144). It is true that PR tends to increase the number of viable parties, often resulting in coalition governments. However, the recognition of different groups and the involvement of more than one group in government may be precisely what is desirable, or even necessary, for stability. Furthermore, as Enid Lakeman has pointed out, a country whose government swings back and forth between two parties that have clear electoral majorities can also be quite unstable in that policies lurch back and forth likewise, with detrimental effect (1984:48).



There are many countries with stable governments under PR (e.g. Costa Rica, Ireland and Finland) just as there are unstable governments under the other systems (Congo, Haiti and Pakistan⁵). Fiji is a prime example of the latter: coups have occurred after two elections, the first under FPP, the second under AV. This evidence contradicts the contentions that AV and FPP provide stability. In fact, because their winner-takes-all nature may generate resentment and fear of ethnic domination amongst the losing group, their outcomes under these systems are more likely than PR to provoke political unrest.

Likely scenarios if proportional representation had been used

PR would have provided Fiji with much healthier, not to mention fairer, outcomes than did AV in 1999 and 2001. How detrimental it was for Fiji that, in spite of strong support (almost a third of the Indo-Fijian communal votes in 1999 and almost a quarter in 2001), the National Federation Party won no seats in either of those two elections.

Under PR in 1999, the Fiji Labour Party would have had to enter into more substantial dialogue, not only with its coalition partners, but also with some other group, in order to form a government. The Labour Party-led People's Coalition, as it was called, would have held only thirty-five seats – Fiji Labour Party (FLP) 24, Fiji Association Party (FAP) 8, Party of National Unity (PANU) 3. The Labour Party would still have been by far the largest party in parliament, but not as large as AV made it. A more modest result of this kind would have neutralised one of the factors contributing to the 2000 coup: that the Labour Party had a disproportionate number of seats compared to the size of its support base.

The winning coalition garnered a total of 336,868 first preferences, compared to 255,690 won by the other coalition led by the Soqosoqo Vakavulewa ni Taukei (SVT). It was surely unjust that the SVT coalition, with so much electoral support, won only ten seats – SVT 8, National Federation Party (NFP) 0, United General Party (UGP) 2 – compared to fifty-two seats won by the Labour coalition – FLP 37, FAP 11, PANU 4. If the SVT coalition had won the twenty-six or so seats they would have won under a PR system, as shown in Table 1, it is highly unlikely that a coup would have taken place. The extra sixteen or so seats would have made them a force to be reckoned



with in parliament (remembering that the other coalition would have been weakened by an equivalent sixteen or so seats, with a total of about thirty-six). Although losing the election, the leaders of the SVT and Federation parties, Sitiveni Rabuka and Jai Ram Reddy respectively, would have formed a significant multiethnic opposition grouping or entered a multiparty cabinet with the winning coalition (as provided for in the constitution). PR would thus have brought about precisely the multiethnic government the Commission aimed for.

Instead, the Labour Party won an absolute majority, making easy implementation of its policies possible. This victory thus meant a great reduction in power for many chiefs, ex-MPs and the business class, some of whom were allegedly complicit, and are being prosecuted for their role, in the 2000 coup. The flame of interethnic strife did not ignite by spontaneous combustion. It was deliberately lit and fanned by opportunists and by some of those who had lost much in the election result and thought they could lose much more.

A year after the coup, the election of 2001 was fought directly on the ethnic issue. The electoral skewing in 2001 was as serious as that in 1999. The Soqosoqo ni Duavata ni Lewenivanua (SDL) with 160,227 first preferences won thirty-two seats, and the Labour Party with 218,728 first preferences won only twenty-eight. Furthermore, the total of 135,432 first preferences for the five or so 'moderate' parties did not win them a single seat. The redirection of most of these votes artificially inflated the holdings of the SDL and Labour parties, thereby largely eliminating the political middle ground. The SVT won no seats at all in 2001, even though it had 20,560 first preferences, whereas the New Labour Unity Party with only 17,099 first preferences secured two seats and the United General Party with only 3,261 first preferences, one.

In a preferential system, of course, lower-order preferences are expected to affect the overall result. Not everything depends on first preferences. Nevertheless, analysis of the election results, the composition of the House of Representatives and perceptions of the electorate indicate that twice, AV came up with the wrong answer. What it provided on both occasions cannot be reasonably interpreted as the will of the people, even if one accepts that the 'correct' party led the government. In 1999 Esther Williams and Kaushik



Saksena could say, 'The election result has confirmed that under the new system of voting, fair representation in parliament can not be expected' (1999:61). The results of the 2001 election only reinforced that judgement.

Multiethnic government

To guide its electoral recommendations, the Commission drew up a list of ten criteria, the primary one being to achieve multiethnic government. However, I contend that the will of the people, or fairness to the people, is even more important than a highly desirable objective like multiethnic government.

Further, multiethnic government is not synonymous with multiethnic parties. The Commission was prepared to be quite unfair to ethnically based parties (e.g. FCRC 1996:317, 324). All shades of opinion should be fairly treated by the electoral system. If there is some ideology that is unacceptable, then let it be banned by law. But it is not right to skew an electoral system in ways favoured politically by the electoral planners. It is not their prerogative, but the people's, to make those decisions. The Commission believed that multiethnic parties were the key to multiethnic government. But a multiethnic government can also be put together from a coalition of ethnically based parties. In other words, multiethnic parties are not the only answer.

The Commission also believed that AV would promote moderation. But it is simplistic to regard 'moderation' as desirable and 'extremism' as to be avoided, even though English appears to spin the two terms in this way. A political viewpoint is not good, bad or indifferent according to whether it is extreme left, extreme right or somewhere in between, but according to whether or not it is well principled and beneficial to society. History is full of cases of views considered extreme (the right of women to vote, for example) ultimately being accepted and implemented as desirable.

The particular moderation the Commission was thinking about was ethnic moderation. They wanted to promote harmony between Fiji's ethnic groups. A voting system, however, cannot make distinctions between this kind of moderation and others. If a voting system promotes moderation, then it promotes moderation in all sorts of other fields as well as ethnic ones.

The way vote-pooling operated in the 1999 and 2001 elections illustrates this problem well. The Commission presumed that only parties of similar



persuasion would pool votes. Multiethnic parties, it thought, were likely to profit from this, as they would attract votes from both major ethnic groups, whereas ethnic parties would not. But experience has shown that vote-pooling is governed by a lot more than ethnic considerations. In constructing their registered list of preferences, parties and individual candidates often gave high preferences to most unlikely bedfellows, because of a perceived personal, local or other advantage. Often, then, good preferences were 'thrown away' on non-viable or even strongly opposed candidates in order to disadvantage as much as possible some 'good' candidate considered to be the greatest threat to the party or candidate concerned.

Even more importantly, the idea that AV promotes moderation is fallacious. To the contrary, far from promoting moderation, AV tends to exaggerate the majority's seat-holding, however moderate or immoderate the views of that majority may be. The Indo-Fijian communal constituencies, where AV has functioned like a first-past-the-post system, provided a clear example of this: because the Labour Party won a majority in all nineteen of these constituencies, it won all nineteen seats, despite significant support for the Federation Party.

The same type of thing occurs even when there are three (or more) seriously contending parties. Let's suppose an ethnic party A at one political extreme wins 33 per cent of the vote in a constituency, another ethnic party C at the other extreme wins 27 per cent, and a multiethnic party B (a moderate party) wins 40 per cent. The probability is high that, as C is eliminated under AV, most of C's votes will go to B, giving that moderate party victory. If that sort of ratio is fairly consistent from constituency to constituency, this would give 'moderation' a great win, and multiethnicism would triumph.

A simple transposition of the figures, however, would be enough to produce the opposite result! If C wins 40 per cent and B 27 per cent, then B is eliminated, moderate though they be, and those votes will go to A or C, the ethnic parties. If, again, there is a consistent trend from constituency to constituency, the ethnic party C wins and moderation suffers a severe defeat. Even if B's votes go unevenly between A and C in the various constituencies, B and its moderation come out at the bottom.



Thus AV offers no advantage for moderation here, and the argument promoting AV for this purpose is false. AV may well promote moderation when moderation is already in the ascendancy. But it may promote the very opposite when it is not. For advocates of moderation, this outcome is hardly desired or desirable: when moderation is most necessary, AV works against it; when the need is considerably less, only then does AV promote it.

PR, on the other hand, gives each party a fair proportion of political representation according to the support it gets, ethnically 'extreme' or 'moderate' as the case may be. Taking our example, if the moderate party B wins 40 per cent of the votes, that is the proportion of representation it wins. In parliament, such a proportion will be significant: parties A and C are more likely to support the policies of B than they are each other's policies. True, they could 'gang up' on some issues, but on many others there will be enough support from A or C, or from both, to pass legislation proposed by B. It is surely reasonable that B would not get a clean sweep on everything; nevertheless, it would do well.

Finally, what happens in the other example, when B is the minority party holding only 27 per cent of the vote? Under PR, despite being the minority party B has sufficient representation to make a big difference. Neither Party A (33 per cent) nor party C (40 per cent) can pass legislation on its own. Each is more likely to gain some support from B than from the other, but such support would come only after dialogue and the moderating influence of B.

It is well to point out here that these arguments are not 'being wise after the event'. I made such arguments before AV was used in Fiji and expanded on them in 1999 (Arms 1997b:8; 1999b:18).⁶

Desirability of proportional representation

AV has not in practice produced the multiethnic government that was the principal criterion behind its adoption. Moreover, it cannot be expected to do so with any degree of reliability, because the theoretical rationale for AV is seriously flawed.

Substantial reforms to Fiji's electoral system would greatly ameliorate its political troubles. A return to FPP or several modifications to the present AV system, though possible, would fall short of solving Fiji's representational



problems. On two fronts, PR would be a great improvement: it would address the 'will of the people' criterion, which should be the prime concern, and it would more fairly and reasonably meet the Commission's multiethnic government criterion.

The obvious fairness of PR has made it a very popular type of voting system. From its first introduction in Belgium in 1889, it has now spread to approximately a third of the world's democracies (IPU 1993:1, 7). Many electoral experts specifically recommend it for situations of interethnic tension such as that experienced in Fiji (see Lijphart 1997:238). Fiji experience, though, does not support the view that AV helps in these circumstances. I draw your attention to the fact that mechanisms for vote-pooling – an alleged advantage of AV – can be added to PR systems, if not already there (see Lijphart 1994:150; Sisk 1996:62). This is not to say that PR would solve all Fiji's political problems or ensure fair government. Even if the composition of the House of Representatives were numerically truly representative of the whole community, it would still be possible for power to be concentrated in the hands of just one faction or coalition of factions. If majoritarian rules are in place for the passing of legislation, it is still disturbingly easy for a majority to override the rights and legitimate concerns of a substantial minority. The composition of the House may be proportional, but the decisions it takes (and their fruits) are not usually shared out proportionally among the groups that compose it.

Regrettably, this 'majority rule' attitude is all too common in Fiji and is even equated with democracy. But democracy is 'government of the people, by the people, for the people', not 'government of the people, by the majority, for the majority'. What is needed in Fiji (as in so many places) is the will to listen genuinely to others' concerns and to adapt constructively to accommodate them as far as is reasonably possible. Such a cooperative approach can be reinforced by the work done in sector standing committees, with genuine contribution to issues by both houses of parliament, and by other legislative rules of consultation (and perhaps veto-power) that give all viewpoints a real chance of being taken seriously into account. The sharing of power and the way decisions are made in Switzerland (including the use of referenda) are examples of strategies that can be adopted in this regard (see Linder 1994:168–173). While details of these other potential reforms are beyond the scope of this



paper, I emphasise that PR is at least a first step in reform. Without a genuinely representative and consultative process, Fiji is severely handicapped in efforts to address its political problems.

Any form of PR would benefit Fiji substantially, so the decision to adopt PR is the first decision that needs to be made. There are three main forms of PR: a list system, a mixed-member proportional system, and a single transferable vote system. In the following sections, I outline how each of these three main forms of PR might be suitably tailored for Fiji's situation, listing advantages and disadvantages of each.

A list system for Fiji

In the list system I would suggest for Fiji all voters would be on a common roll. The country would be divided into fourteen to eighteen multimember constituencies, based primarily on the fourteen Fijian provinces plus Rotuma. However, some provinces have such a large population (e.g. Rewa and Ba) that for voting purposes they should be divided, while others are so small (e.g. Namosi and Serua) that they should be combined.

The proportion of seats each constituency would have would then be determined (for they would be of different sizes). Voters would simply tick the name of their chosen candidate(s) for their constituency. All votes would be summed nationally as well as regionally, and the proportion of seats won by each party nationally would be determined. The proportion of seats due to each party at the constituency level would be provisionally determined in the same way, but because the sum of the proportional allocation of seats in all constituencies would usually not fully accord with the proportional allocation of seats at the national level (which is more important), certain seats would be reallocated to rectify this difference.⁷ Finally, the successful party candidates for each constituency would be decided according to the number of ticks each received.

Advantages

- 1) The system is close to fully proportional at both national and regional levels.
- 2) Although voters are on a common roll, fair ethnic representation is ensured for as long as a particular ethnic group wants it.



- 3) The system provides balanced regional representation by using constituencies based on Fiji's provinces, a feature attractive to many, especially Indigenous Fijians.
- 4) It is very easy for the voter – just one ballot paper and one tick.
- 5) List systems are the most common PR system in use, and Fiji could draw from others' experience.

Disadvantages

- 1) Party lists are a new concept for Fiji and would require some explaining (but the concepts are not difficult, and any initial resentment of another electoral change should be soon overcome).
- 2) The system can sometimes lead to candidates of one party vying with each other for election as much as vying with candidates of other parties (which could be overcome by using closed lists, but then voters have less influence on who precisely would be their representatives).
- 3) The ballot paper would be somewhat longer than in the past (but there would only be one paper, and its length would be quite manageable).
- 4) Sections 50–54 of the constitution would need to be substantially rewritten.

A mixed-member proportional system for Fiji

In the MMP system I would suggest for Fiji all voters would be on a common roll. The country would be divided into thirty-six single-member constituencies, with representatives elected through AV, as currently occurs. Proportionality would be achieved by having the remaining thirty-five seats as list seats. As well as designating its candidates for the local single-member seats, each party would present a national list of candidates for the list seats. Some or all of these candidates could also run in the local seats.

Each voter would vote only once in the local constituency, but this vote would serve a double function. The *preferential order on the vote* would be used to determine the representative for that local constituency. The *first preferences of each vote* would be summed nationally to determine the total proportion of seats each party should receive nationally. If a party's local seats fell short of the total number of seats it was due nationally, that shortfall would be made up by taking candidates from the top of the list and declaring them elected.



Advantages

- 1) The results are proportional.
- 2) Thirty-six single-member constituencies are maintained; although many would regard multimember constituencies as preferable, the retention of a sizable number of single-member constituencies is a compromise that may be broadly acceptable.
- 3) It makes it easier for a diverse range of personalities to enter parliament; people with valuable political talent, though not good, perhaps, in waging electoral campaigns, can still be elected through their party's list.
- 4) Conditions can be attached by law to the lists (e.g. requiring a certain percentage of women or a particular ethnic group to be accommodated by the list).
- 5) Giving voters only one vote each encourages them to put the national interest first, and it encourages parties to take all constituencies seriously and to appeal to all ethnic groups.⁸

Disadvantages

- 1) The system sets up two sorts of representative within parliament, which in turn can create undesirable, and indeed false, expectations as to their respective roles.
- 2) It still employs AV in the local constituencies, so regional representation would still be affected by AV's deficiencies (but it is nevertheless preferable to the FPP system).
- 3) Voters may not be able to oust a non-performing MP; even if rejected in a local seat, the MP may return to parliament on the party's list.
- 4) Sections 50–54 of the constitution would need to be substantially rewritten.

A single transferable vote system for Fiji

I would suggest for Fiji an STV system under which voters would rank candidates (1, 2, 3 etc.) on their ballot paper, as they do currently under AV when voting below the line. When the votes are counted, the lowest candidates would be successively eliminated, as in AV, and their votes transferred to other candidates according to the preferences written on the votes. In addition, if a candidate won more votes than needed for election, those surplus votes would also be transferred.

The present division of constituencies into open and communal would be maintained and each voter would continue to have two votes. However, all constituencies (except the Rotuman one) would become multimembered. The present twenty-five open seats can be easily and naturally arranged into five five-member constituencies. The current constitutional allotment of communal seats would be divided up in a similar, if not so even, way. The Rotumans would retain their one-member constituency, the Generals would have one three-member constituency (as per their three-seat allotment), the Indo-Fijians would have three five-member and one four-member constituencies (as per their nineteen-seat allotment), and the Indigenous Fijians would have three five-member and two four-member constituencies (as per their twenty-three seat allotment).

Advantages

- 1) The system is proportional, but not fully so, there being, as it were, a built-in threshold that prevents a proliferation of very small parties.
- 2) The voter is not tied to a particular party, but may give first preference to a member of one party and second preference to a member of another party, thus having his or her precise wishes accommodated better than is possible under the other systems.
- 3) The method of filling in the ballot paper is the same as for AV, so there would be minimal new learning required of the voters. The iniquitous above-the-line and the 75 per cent below-the-line provisions would, though, be avoided.
- 4) STV, in conjunction with AV, was the system suggested by the Street Commission of 1975⁹ as suitable for Fiji.
- 5) STV is a combination of preferential-style voting (like AV) and proportionality (see Arms 1997a:129; Reilly & Reynolds 1999:36–38).
- 6) It would require only modest modification of sections 50, 52 and 54 of the constitution.

Disadvantages

- 1) It is not as fully proportional as the other systems; this may result, for example, in a small party with nation-wide support doing considerably less well than a similar small party with only very localised support.



- 2) It can sometimes lead to candidates of one party vying with each other for election as much as vying with candidates of other parties.
- 3) Like AV, STV is non-monotonic – that is, under certain circumstances a candidate may sometimes do worse through having too many votes at a particular stage or, conversely, may do better through having fewer votes rather than more.
- 4) The system as proposed retains two ballot papers, which would be a bit longer than the present AV ballot papers (but simpler in structure).
- 5) STV is complicated to count (although Fiji certainly has scrutineers capable of conducting it).

Note that the STV system could be adapted to operate on a strictly provincial basis with only one ballot paper, just like the list system suggested earlier. Vice versa, the list system could be built around the current communal/open division using two ballot papers.

The STV system could also be adapted to be party-based rather than candidate-based. Such a change would undermine advantage (2) outlined above, but would overcome disadvantages (2) and (4). In a party-based STV system, the parties would each put up a closed list for each constituency. Voters would rank the parties (not the candidates) 1, 2, 3 etc. Only slight modifications to the counting rules would be necessary.¹⁰ The system would work very well to provide proportional representation of the parties in each constituency, the topmost candidates on the parties' respective lists being elected according to the degree of support for those parties.

Considerably more information is available about the systems described and their sundry variations, but the brief description provided is adequate to illustrate that a range of PR systems could be coherently adapted for use in Fiji's context (see Arms 1999a, 2001a, 2001b, 2006). Any of the three systems would be a vast improvement on the AV system currently in place.

Feasibility of proportional representation

What are the real chances of PR in any of the forms described being introduced into Fiji? The main criterion for an electoral system should be, as I have argued, that it comes reasonably close to realising the will of the people as to who should



be their representatives, at both local and national levels. Such a goal is only fair to the people. But being fair to the people is also being fair to the parties and candidates. It is these parties and candidates who through parliament have the major say in electoral changes. Will they be interested in PR?

The minor parties – those who are very small or have missed out notably in Fiji's AV elections – can be easily persuaded to opt for it. Lack of PR has resulted in their being reduced to little or no representation in parliament, so they have much to gain by it. But larger parties, such as the Soqosoqo ni Duavata ni Lewenivanua and Fiji Labour Party (the two largest in the 2001–05 parliamentary term), achieved power (and a very inflated power at that) under the AV system. Will not the hunger for power and the desire to shut out other contenders induce them to resist change? Clearly, an appeal must be made to them to do what is right and fair and what is really in the national interest.

The political state in Fiji is still unsettled. Changing to PR might seem at first to be a further unsettling factor. However, because it would probably result in a far more cooperative political scene, in contrast to the highly confrontational scene under AV, the benefits would far outweigh the cost and hassle of further change. Furthermore, even self-interest should persuade the SDL and Labour parties to switch to PR. The SDL needs to be reminded that its future under AV is anything but secure. Other parties tend to 'gang up' against the party in power. The SDL's seat-holding in the 2006 election is likely to shrink considerably.¹¹ After all, parties regarded as incumbents have become victims of AV: the National Federation Party collapsed from twenty-seven seats to nil in 1999, and there was a large fall-off too in the Soqosoqo Vakavulewa ni Taukei's seats. The SDL would be very foolish to feel exempt from this tendency under AV.

The issues are similar for the Labour Party. Although in principle they support PR (they certainly did when the 1997 constitution was being framed), they did not get enough of an electoral fright in 2001 to think seriously about the need for reform. However, analysis of preferences suggests their seats shrank by about a quarter in 2001 because of this feature of AV. Indeed, under most voting systems other than AV they would have been the largest party in parliament in 2001 and would probably have been able to form the government.



Nevertheless, not fearing a Federation Party-like wipe-out at this stage, they may be happy enough to weaken that party further as an electoral force by using AV for a bit longer. Yet this could be a dangerous strategy. If the Federation Party becomes too weak, the Labour Party could split or another powerful (probably multiethnic) party emerge. The range of political thinking within the Indo-Fijian community is too wide to be accommodated by the Labour Party alone. A further consideration is that the Labour Party has appeal beyond the Indo-Fijian community. This support is swamped in the non-Indo-Fijian communal seats and provides no electoral advantage for them. A switch to PR, while admitting the Federation Party back into the arena, would allow the Labour Party to foster support in other communities more effectively – a most desirable thing if Fiji is ever to move away from heavily ethnic-oriented politics.

All in all, the SDL and Labour parties, with an eye to the long-term future, need to push for a change now. PR is safer for incumbent parties than other systems because it cushions in a fair way a party's fall from grace (compare the losses of the Federation Party and SVT in 1999) and leaves it with enough forces to fight another day. It also makes a party's rise more gradual, whereas AV can exaggerate it in quite an unpredictable fashion (e.g. the Labour Party's huge win in 1999 and the SDL's dramatic and instant growth in 2001). Parties and the people need protection from such extreme surges, up or down, of electoral power – surges that do not correspond to the true level of public support.

Strategies to implement proportional representation

Ideally, Fiji would be experiencing a widespread and knowledgeable public clamour for PR. Realistically, however, this cannot be expected in the short term. The people are aware that something is seriously wrong with the current system, but have no acquaintance with PR voting systems. The educational process required to build awareness of and support for PR would be massive. Encouragingly, some non-governmental organisations have already embarked on this much needed process.

The need for change, however, is too great to wait for such an educational process to be complete. Nor would the public expect this. They expect their



leaders to take the necessary steps to improve Fiji's political situation. Parties need to be persuaded to put electoral reform – or better again, explicitly PR – on their national agenda.

There are some further complicating factors: (1) AV is written into the constitution, which makes it difficult to change; (2) changes in Fiji's demography mean that the communal seats in parliament are now more disproportionately allocated than formerly – Indigenous Fijians 23, Indo-Fijians 19, General Voters 3, Rotumans 1 – and this lack of proportion is likely to increase; and (3) there are intense differences of opinion on whether the Cabinet should be multiparty. It may be possible for the political parties to consider these issues as one package and come to a comprehensive solution. But even if there is not, there is a role here for enlightened leadership to make decisions in the common good regarding the electoral system alone and to be attentive to responsible lobbying for a change of system.

The use of a referendum to elicit the public's view, while attractive in principle, is not so attractive in its practical implications. Without a good public understanding of the issues, the results would reflect the views of the vested interests with the best propaganda machine. Therefore, it would be important to conduct workshops to help the average voter understand PR. Also important would be conferences in which local electoral issues are discussed in an open way by political and community leaders and electoral experts. The aim would be to work towards a PR electoral system that is reasonably simple for the public to use and that could be agreed on as providing fair and genuine representation in the so-called House of Representatives.

This paper is itself, I hope, a useful step in this ongoing process. I have tried to show that AV has not provided fair representation in Fiji, nor the multiethnic government aimed for by the Commission. It is, furthermore, difficult on the ground for voters and voting officials. Why therefore retain it? PR would seem to be the ideal electoral system to meet Fiji's current political needs. I have therefore suggested forms of PR specially configured to suit the Fiji context. In conclusion, I have discussed the practicalities of having PR introduced in Fiji at this stage.



Notes

This paper is a revised version of a paper, 'Towards replacing the alternative vote in Fiji with proportional representation', presented at the Conference on Political Culture, Representation and Electoral Systems, Vila, Vanuatu, 10–12 July 2004.

- ¹ For readers not familiar with preference voting, a further summary of the operation of AV in Fiji is given later in the text.
- ² This is what is known as the 'ticket option', explained further at a later stage in the text.
- ³ After the 1999 election, Esther Williams and Kaushik Saksena reported that only 40 per cent of their respondents thought that voter education was adequate (1999:46). My own involvement in voter education confirms this.
- ⁴ I personally had little success in eliciting this information from voters. While some voters might understandably not wish to share their knowledge, others clearly did not know the answer, and still others seemed to have no idea of what my inquiries referred to.
- ⁵ Pakistan is now, in fact, under military rule, but this merely illustrates my point. It became unstable to the extent of losing (temporarily) its democracy.
- ⁶ For more detailed arguments against AV on this whole question, see Fraenkel & Grofman (2006).
- ⁷ Reasonable rules can be devised to achieve this. Alternatively, proportionality in the constituencies may be considered enough (it is considered enough in, for example, the single-transferable vote system, which is discussed below).
- ⁸ New Zealand uses a two-vote MMP system (employing FPP, not AV, in the single-member constituencies). Such a system could be used in Fiji, but I suspect it would tend to reinforce ethnic politics in single-member constituencies that are ethnically lop-sided. The system suggested above is more likely to provide constructive inter-ethnic engagement and promote a healthy emphasis on national over regional issues.
- ⁹ The role of the Street Commission was specifically to suggest reforms to Fiji's electoral system (which at that time was the first-past-the-post system) (see Royal Commission 1975).
- ¹⁰ The first count would determine how many times the quota could be divided into the total number of votes of each party. That number of candidates for each party so qualifying would thereupon be declared elected. The surplus value (if any) for each such party would then be divided evenly among all that party's votes. These would *not*, however, be transferred immediately, unless there were no remaining unelected candidates for the party concerned. Instead, this surplus value would be regarded as the ongoing value of votes still held by that party.



The next count would consist of the elimination of the party holding least value – original votes at full value in the case of parties that did not yet have a candidate elected, all original votes at reduced value for a party that had one or more candidates elected. The eliminated party's vote would be transferred in the normal STV way. Next would be a check on whether any further candidates have been elected. In either event, the procedures are repeated as appropriate. Note, however, that it is only the last received parcel of votes of the party of an elected candidate that have their value reduced to be that party's surplus and ongoing value.

¹¹ The 2006 election took place while this paper was being edited. My prediction here has proved false. The SDL increased its seat-holding and the Federation Party publicly declared it would split its preferences between the SDL and the Labour Party (that is, it would not 'gang up' against the SDL). My warning is relevant, nevertheless. Had the Federation Party given Labour its preferences in the Laucala or Serua/Navosa open seats (or both), the SDL would have fallen short of an absolute majority. Consequently, Labour might have been able to form the government rather than the SDL.

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