

Electoral engineering in Papua New Guinea: lessons from Fiji and elsewhere

Jon Fraenkel

University of the South Pacific

The South Pacific's two largest independent island states embraced bold institutional reform packages at the turn of the millennium. Both Papua New Guinea and Fiji shifted away from first-past-the-post (or plurality) systems and adopted instead variants of the Australian-style 'alternative vote' system¹. Both introduced new legislation designed to limit parliamentarians' ability to cross the floor in the hope of strengthening the role of political parties. Both countries also saw their prime ministers, who were the key architects of these reforms, badly defeated at the first elections held under the new systems they had introduced. Fiji's reforms were introduced as part of a new constitution in 1997, and two elections since (1999 and 2001) have provided some opportunity to assess and analyse the impact of the new legislation. Papua New Guinea's electoral reforms, introduced in 2001–2002, remain largely untested, although legislation governing party and government formation came into force before the 2002 polls and the new electoral laws apply to by-elections thereafter, and to the forthcoming general elections scheduled for 2007. This paper seeks to explore lessons that the Fiji experience may provide for Papua New Guinea.

The critical trigger for the PNG reforms was the perception that the British-style Westminster system, and first-past-the-post voting laws, had failed to deliver stable governments or popularly supported parliamentarians since independence in 1975². Numbers of candidates contesting elections have since risen at every election, reaching an average of 27 per constituency at the most recent polls in 2002 (Table 1). Numbers of victors obtaining over 50 per cent of the vote have plummeted, with the majority of MPs being elected on the basis of less than 20 per cent of the vote at the last three elections. National elections have become vehicles for the articulation of clan rivalries, particularly in the highlands. Customary 'big-men' compete for wealth, influence and authority through electoral processes, driven by pecuniary rewards attached to state office holding (Standish 2002). Evidence of widespread dissatisfaction with the existing set-up, or with the prevailing elite political culture, is that an exceptionally large number of incumbent MPs fail to secure re-election. Over half of all MPs have lost their seats at most elections since independence, with incumbent turnover reaching an all-time high of 75 per cent at the 2002 polls.

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Table 1 Selected features of PNG elections under first-past-the-post voting laws

	1977	1982	1987 ¹	1992	1997	2002 ²
Average number of candidates per constituency	8	10	14	15	22	27
Number of registered political parties	6	8	14	11	12	43
Incumbent turnover (per cent)	62	52	47	60	52	75
Number of constituency victors in 10 per cent deciles						
>50 per cent	18	14	7	7	4	1
40–49 per cent	16	14	5	4	2	3
30–39 per cent	26	20	12	12	9	16
20–29 per cent	39	36	42	34	34	23
10–19 per cent	10	22	39	44	44	44
0–9 per cent	0	3	1	8	16	16
Total seats	109	109	106 ¹	109	109	103 ²

Notes: ¹ Excluding three constituencies where elections were postponed. ² Excluding the six failed Southern Highlands constituencies, for which by-elections were held in April–May 2003.

Sources: 1977–97 from Okole, H., 2002. 'Institutional decay in a Melanesian parliamentary democracy: Papua New Guinea', *Development Bulletin*, 60:37–40, Table 1; 2002 from *Post-Courier*, 1 August 2002, and Papua New Guinea Electoral Commission, 2002. *National Elections 2002*, <http://www.pngec.gov.pg/resultsNat2002/SummaryResults.html> (for incumbent turnover in Enga, Southern Highlands, Goroka Open and Ungghai-Bena).

Inside parliament, politicians have frequently steered clear of political parties, or formed fleeting party attachments that play second fiddle to personal advancement. No single party has ever obtained an absolute majority in parliament. Papua New Guinea has had ten governments since independence, three of which have been dislodged by votes of no-confidence. Governments are frequently formed by back-room cabals, which proceed to divide between them the spoils of office. MPs on the opposition benches thus have every incentive, and little institutional inhibition, to plot the next 'no-confidence' bid. 'Unbounded' politics in Papua New Guinea, as in Solomon Islands (Steeves 1996), has defied conventional axioms about the evolution of two-party systems under first-past-the-post voting

laws, and yielded instead a highly volatile set-up, in which unscrupulous and opportunistic 'rubber band' or 'yo-yo' politicians prove willing to repeatedly switch allegiances for personal gain.

Limited preferential voting

Papua New Guinea had previously experimented with optional preferential voting prior to independence, and used this method in general elections held in 1964, 1968 and 1972 (Reilly 1996, 1997, 2001). When the system was abandoned in 1975, the Papua New Guinea Electoral Commission argued, in line with the experience in Ireland and some of the Canadian provinces (Punnett 1987:35; Jansen, forthcoming), that with optional marking of preferences outcomes

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differed little from those under first-past-the-post system (Papua New Guinea Electoral Commission, cited in Reilly 1996:45n). The new limited preferential voting system, otherwise known as the alternative voting system, provided for in the 2002 Organic Law on National Elections, entails compulsory ranking of candidates. Voters are required to list three candidates in order of preference. Ballots with less than three candidates ranked are to be declared invalid. If no candidate gets a majority of first preference votes, the lowest polling candidate is eliminated and his or her voters' second preference votes are redistributed among the remaining candidates. This process of elimination and redistribution of votes continues until one candidate obtains 50 per cent +1 of the remaining valid votes. Table 2 indicates how the count worked in Papua New Guinea's 2003 Abau Open by-election, the first contest to use the new voting laws.³ First count leader Puku Temu obtained just short of the absolute majority threshold (48.97 per cent), but obtained 50.9 per cent of the vote at the third and final count by drawing on preference transfers

from the two lowest-polling candidates, who were eliminated.

In Fiji, a similar compulsory preferential voting system was introduced as part of the 1997 Constitution, spearheaded by former coup leader turned civilian Prime Minister Sitiveni Rabuka. Together with his major Indo-Fijian ally, National Federation Party leader Jai Ram Reddy, Rabuka hoped that the new electoral rules would facilitate greater cooperation between the 52 per cent ethnic Fijian and 44 per cent Indo-Fijian communities. Yet the new system did not work as expected. Rabuka and Reddy were badly defeated. Instead, the opposition Fiji Labour Party, despite negligible ethnic Fijian support, emerged with an absolute majority (52 per cent of seats), although it secured only 32 per cent of the national first preference vote (or 38 per cent including transferred preferences). Transfers of indigenous Fijian preference votes proved critical to ensuring Labour's victory in 13 of its 37 seats, taking it over the absolute majority threshold (Fraenkel 2001). Within a year of assuming office, the Labour-controlled government was overthrown by a group of ethnic Fijian

Table 2 Abau Open by-election results, 2003

	First count	Per cent	Second count	Per cent	Third count	Per cent
Puka Temu	8,911	48.97	8,945	49.16	9,113	50.09
Desmond Tiara Baira	4,177	22.96	4,200	23.08	4,308	23.68
Kilroy Koiro Genia	3,125	17.18	3,142	17.27	3,365	18.49
Vagi Mae	984	5.41	996	5.48	1,409	7.74
Onea Thavula	897	4.93	912	5.01	excl.	..
Gideon Aruai	101	0.56	exl.
Total allowable	18,195	100.00	18,195	100.00	18,195	100.00
Informal	349					
Grand total	18,544					

Note: excluded = excl.

Source: Standish, B., Gelu, A., Okole, H., Sepoe, O., Kaiulo, A. and Kome, C., 2004. 'Limited preferential voting in Papua New Guinea: report on the Abau by-election of December 2003', The Australian National University, Canberra:28 (unpublished).

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extremists led by George Speight. Speight and other coup leaders were ultimately arrested and imprisoned by the military. Yet when the courts ruled that Fiji's 1997 Constitution had not in fact been abrogated, they did not restore to office the Labour-led government. Instead, fresh elections were held in August 2001. This time, a hard-line ethnic Fijian government emerged victorious, now drawing on preference votes transferred from more moderate parties, including the mainly Indo-Fijian backed National Federation Party. Neither the 1999 nor the 2001 election provided support for claims that the alternative vote fosters moderation or cooperation in ethnically divided societies.

As in Fiji, Papua New Guinea's new electoral system is aimed at encouraging more moderate or conciliatory candidates, who reach out beyond their core bases of support in the hope of obtaining second or third preference votes from other communities. To do so, according to Horowitz and other enthusiasts for the alternate voting system, they would need to behave in a more cooperative manner towards other communities, by making policy concessions on electorally divisive issues (Horowitz 1991, 1997; Reilly 2001). Yet, as Lijphart (1991:95–96) points out, the limited preferential voting and first-past-the-post systems in fact provide 'exactly the same incentives' to compromise. Whereas under limited preferential voting, minority parties (or candidates) are expected to pool preferences, under first-past-the-post they instead pool votes, with smaller parties agreeing to stand aside in favour of larger parties who have a real chance of winning.⁴ Both types of arrangements might plausibly evoke a more conciliatory style of campaigning, but neither necessarily does so. Papua New Guinea, which defies old orthodoxies about the likely formation of two-party systems under first-past-the-post voting laws, provides a salutary warning against the more naïve institutional determinist theories.

In Fiji, as in Papua New Guinea, voters were required to rank candidates in order of preference, although preferences had to be recorded on the ballot paper for 75 per cent of all candidates in order to record a valid (or formal) vote. Fears that voters might have difficulty ranking so many candidates, coupled with a desire to strengthen the bargaining capacity of political parties, led the Fiji Constitutional Review Commission to recommend a split-format ballot paper, with 'above' and 'below-the-line' sections.⁵ Voters could either order 75 per cent or more of candidates in order of preference (voting 'below the line') or they could more simply tick next to a single party or independent candidate (voting 'above the line'). Above-the-line votes were deemed to express backing for party slates. Before the polls, political parties submitted complete rankings for each constituency. Where the first preference choice of a voter who had completed the ballot paper above the line was eliminated, the ballot was then redistributed in accordance with those party preferences.

The result of these two initiatives was an extraordinary increase in invalid voting. At the 1999 elections, 8.7 per cent of votes were declared invalid. At the 2001 polls, 12 per cent of all ballots were so discarded. By contrast, previous levels of invalid voting in elections held under the first-past-the-post system stood at around 2–3 per cent (Fraenkel 2002). In both 1999 and 2001, over 90 per cent of voters ticked their ballots above the line, giving extraordinary control over the final results to party officials. Many were confused by the new system, understandably so given that ballot papers were stacked with large numbers of party symbols above the line. Most bizarrely, parties were even allowed to submit lists giving their preferred rankings in constituencies where they did not stand candidates. Papua New Guinea's more simple and straightforward system

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avoids some of the pitfalls of Fiji's overly party official-controlled voting laws, but even the obligation to rank three candidates is likely to substantially increase the extent of invalid voting. In the Abau by-election (see Table 2), the victor obtained an absolute majority at the final count, so realising one of the major virtues proclaimed for the new limited preferential voting system. In other elections, it is likely that many ballots will become exhausted before the final count (that is, all three of voters' preferred parties or candidates will be eliminated). If so, victors will continue to be elected with less than a majority of all votes cast.

In Fiji, there was little evidence of Horowitz's anticipated moderation-favouring changes in political conduct at either the 1999 or 2001 polls. In fact, the majority of transfers of preference votes flowed from the more moderate or centrist parties towards the more extremist organisations (Fraenkel and Grofman, forthcoming). Voters frequently cast their first preference for a favoured candidate, then deliberately wasted their second and third preferences on independents or no-hope candidates. In Australian elections, the alternate voting system usually facilitates the drawing of minor party preferences behind the Liberal/National Coalition or the Labor Party, thus enabling outcomes to be decided at the final 'two-party preferred' count. In Papua New Guinea, it is likely that a large number of candidates and parties will continue to contest elections. If, as in 2002, on average 27 candidates contest each constituency, polling officials could need to undertake as many 26 counts to establish a victor. Fiji has no experience of such a high degree of vote splitting, but constituency outcomes decided at the seventh, eighth or ninth count were frequently the most arbitrary and controversial, drawing as they did on lower-order preferences. Yet these types of contest proved decisive in enabling the Fiji Labour Party to cross the absolute

majority threshold in 1999 (Fraenkel 2003:20–22). Unlike the Condorcet system of extensive pair-wise contests or the Borda count (both of which take into account the lower preferences of all voters), limited preferential voting does not ensure the election of a 'most preferred' candidate. The second or third preferences of the leading candidates are never counted, only those of the eliminated last-placed candidates. As Winston Churchill once commented in a debate on electoral reform in the British House of Commons in 1931,

[i]magine making the representation of the great constituencies dependent on the second preferences of the hindmost candidates. The hindmost candidate would become a person of considerable importance...I do not believe it will be beyond the resources of astute wire-pullers to secure the right kind of hindmost candidates to be broken up in their party interests. There may well be a multiplicity of weak and fictitious candidates to make sure that the differences between No. 1 and No. 2 shall be settled, not by the second votes of No. 3, but by the second votes of No. 4 or No. 5, who may, presumably, give a more favourable turn to the party concerned. This method is surely the child of folly, and will become the parent of fraud. Neither the voters nor the candidates will be dealing with realities. An element of blind chance and accident will enter far more largely into our electoral decisions than ever before, and respect for parliament and parliamentary processes will decline lower than it is at present (Churchill 1930–31:106–7).

The literature analysing the experience of the alternate voting system provides some evidence that it has served to increase the number of political parties or candidates contesting elections. When the alternate

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voting system was first introduced in Australia, one objective was to create a more flexible context for the emergence of multiple political parties who would still be able to jointly centralise their preference votes to prevent Labor victories. (Graham 1962) In Fiji, the introduction of the alternate voting system created some incentive to stand multiple candidates or parties appealing to different pockets of voters. For example, an important ingredient of the ethnic Fijian-backed *Sogosoqo ni Duavata ni Lewenivanua* (SDL)'s election victory in 2001 was the advent of a regionally based party in western Viti Levu, the Bai Kai Viti (BKV)⁶, which was able to draw votes away from the rival Party of National Unity (PANU), which had been closely aligned with Mahendra Chaudhry's Labour Party after the 1999 elections. The BKV split the western Fijian vote, and gave its second preferences to the SDL, enabling the SDL to make a clean sweep of the western Fijian communal seats. In some constituencies, the SDL itself stood multiple candidates in 2001, hoping to draw their votes behind a single contestant at later stages in the count.⁷ Churchillian wire-pullers sought to field dummy candidates whose votes could be subsequently centralised behind the intended victor.

The adoption of preferential voting is likely to put extraordinary pressure on Papua New Guinea's electoral administration. Requiring voters to list three candidates in order of preference will make both ballot papers and the count considerably more complex than in the past. One of the major, but also most underrated, virtues of the first-past-the-post system is simplicity, both for voters and elections officials. Officials simply need to tally the number of votes for each candidate, and the victor is the candidate with the largest number of votes. Simplicity enhances comprehensibility, and thus legitimacy, in the sense that the public can easily understand why victors

won and why losers lost. Even with the first-past-the-post system, the 2002 Papua New Guinea elections proved 'an enormously complex logistical exercise', marred by inaccurate, inconsistent and inflated electoral rolls, abuses in usage of excess ballot papers, intimidation and kidnapping of both officials and voters, theft of ballot boxes, poll extensions, self-regulation of balloting by unscrupulous candidates and campaigners, and an estimated 100 or more election-related deaths. (Standish 2003; Nelson 2003; 'Election chaos taken to the point of logical absurdity', *The Economist*, 25 July 2003) In areas where the authority of the state itself is a matter of contention, introducing elaborate new laws designed to modify political behaviour is like trying to run before one can walk, and risks weakening support for democratic processes.

Laws to strengthen political parties and restrict party hopping

The Organic Law on the Integrity of Political Parties and Candidates was enacted in 2001⁸, and covers the registration and funding of political parties. It aims at strengthening political parties via controls over funding, and at restricting party hopping. There are strong financial incentives for candidates to join political parties and, consequently, strong disincentives to stand as independent candidates. Once a vote has been held for a Prime Minister, party members are obliged to remain loyal on budgetary and constitutional votes, and in votes of no confidence. Cases involving MPs who cross the floor or fail to follow the party whip on these specified issues are heard by an Ombudsman Commission and then, if necessary, referred to a Leadership Tribunal, with the ultimate sanction being the forfeit of seats. New rules are aimed at restricting post-election horse-trading, by giving the

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party with the largest number of seats the first opportunity to form a government. Unlike the new voting system, which came into effect only after the 2002 polls, the Organic Law was already operational during the 2002 polls. Already, one result has been a sizable increase in the number of political parties, which rose from 12 in 1997 to 43 in 2002, although many of the new parties existed only on paper and failed to obtain a single member of parliament.

Fiji also adopted laws aimed at strengthening political parties as part of the 1997 Constitution. The split format ballot paper, with an 'above-the-line' section enabling voters to endorse party slates, was aimed at strengthening political parties' bargaining capacity. A multi-party cabinet provision, entitling all parties with more than 10 per cent of votes to representation in cabinet, also provided a disincentive for smaller parties and independent candidates. Like Papua New Guinea, Fiji also adopted rules aimed at preventing members of parliament from switching sides. According to the 1997 Constitution

71.-(1) The place of a member of the House of Representatives becomes vacant if the member...

(g) resigns from the political party for which he or she was a candidate at the time he or she was elected to the House of Representatives;

(h) is expelled from the political party for which he or she was a candidate at the time he or she was last elected to the House of Representatives and

(i) the political party is a registered party;

(ii) the expulsion was in accordance with rules of the party relating to party discipline; and

(iii) the expulsion did not relate to action taken by the member in his or

her capacity as a member of a parliamentary committee... (Fiji Islands Constitution Amendment Act 1997).

These provisions had two major consequences in the wake of the 1999 and 2001 polls.

During the year in office of the Mahendra Chaudhry's Labour-led People's Coalition government, the indigenous Fijian opposition parties strove to unite on an anti-Labour platform. All parties allied with Labour witnessed internal splits, with top-level ministers remaining in the cabinet while grassroots members joined the opposition. None of these allied ethnic Fijian MPs officially defected, although many crossed the floor in the midst of the 19 May 2000 coup that dislodged Chaudhry's government (Fraenkel 2000). Before this, the difficulty faced by the opposition parties was that, with 37 of the 71 seats in parliament, Labour held an absolute majority. Within the Labour Party itself, ethnic Fijian disquiet was similarly evident. Deputy Prime Minister and Labour Party MP Dr Tupeni Baba and several of his Fijian Labour Party associates spoke out against Chaudhry's leadership style, and were later to break away and form a New Labour Unity Party (NLUP). Shortly before the 19 May coup, local magazine *The Review* ran an article outlining the opposition strategy of breaking away ethnic Fijian Labour MPs with the objective of dislodging the government.⁹ Yet any such course of action was illegal under the floor-crossing provisions of the Constitution. Whatever one thinks of the merits or otherwise of the platform espoused by opponents of the Chaudhry government, it might have been preferable had their existed a constitutional vent for those grievances. In this sense, the floor-crossing rules introduced rigidities into Fiji's political set-up that prohibited efforts to secure constitutional regime change by uniting Fijian parliamentarians in opposition to Mahendra Chaudhry's premiership.

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After the 2001 polls, floor-crossing rules again became topical. NLUP MP Kenneth Zinck crossed the floor to join the SDL government, while his only other elected fellow party member, Ofa Swann, remained part of the opposition, in accordance with the NLUP's declared position. Angered by Zinck's defection, the NLUP President expelled Zinck for having 'effectively crossed the floor'. Zinck took the matter to the High Court, where Chief Justice Timoci Tuivaga criticised 'the rather slapdash approach taken to the purposed disciplinary action to which the plaintiff was subjected'.

The fundamental error of the party as I see it was its failure to follow the rule of law governing disciplinary matters within the party. In these circumstances the conclusion is irresistible that the party was not legally vested with any powers to lawfully expel the plaintiff from the party...the purported expulsion of the plaintiff from the party was *ultra vires* and therefore unlawful.¹⁰

The NLUP eventually reconstituted its disciplinary procedures under S71 of the Constitution to expel Zinck, but the Speaker of the House ruled that

[if] a member of parliament who is expelled from his or her political party brings proceedings in the courts challenging the validity of the expulsion, his or her place in the House of Representatives does not become vacant unless and until the proceedings, including any appeal, are determined adversely to him or her ('Zinck stands firm', *Daily Post*, 27 January 2004).

Both rulings ease the way for floor-crossing MPs to drag out proceedings through the courts and so avoid losing their seats. In Papua New Guinea, loopholes have already been exploited in the Organic Law, and political parties remain able to shift allegiances collectively if they do so in

accordance with party rules (Standish 2002:30). Even if it is agreed that laws prohibiting floor crossing are desirable, whether these can effectively be implemented is a moot point. The prospect, as already witnessed in Fiji, is that the law courts get repeatedly drawn into major decisions influencing parliamentary and party conduct and in the process become ever more politicised.

The Organic Law may serve to restrict MPs from changing political parties and to enforce greater loyalty to prime ministers, but in so doing it may also help to prop up weak and corrupt governments, and thus to deprive voters of an important mid-term sanction against unpopular regimes. Papua New Guinea already has laws that prohibit votes of no confidence for the first 18 months after a general election and the last 12 months before a general election. Recent efforts by Prime Minister Somare to increase the 'grace period' after an election to 36 months, over half the lifetime of Papua New Guinea's five-year parliaments ('PNG Parliament in uproar over no-confidence measure', *Post Courier*, 19 September 2003), suggests that the type of electoral engineering that inspires some sections of government fits squarely within the tradition of what Alphonse Gelu calls Papua New Guinea's traditional authoritarian political culture (Gelu 2000).

Electoral engineering: for or against?

Papua New Guinea's new limited preferential voting system, fortunately, avoids some of the pitfalls of Fiji's alternate voting system. It is simpler, and contains no provisions allowing party officials control over the transfer of preferences. Objectives also differ. In Fiji, the goal was to facilitate some rapprochement between the ethnic Fijian and Indo-Fijian communities. In Papua New Guinea's highly

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heterogeneous clan-based political system, limited preferential voting might stand a better chance of meeting the more modest goal of encouraging candidates to broaden their support bases. Yet Papua New Guinea's limited preferential voting system is likely to yield a substantial increase in invalid voting, and contests centred on acquisition of preference votes will do more to modify the style, rather than the substance, of political campaigning. The added complexity of limited preferential voting as compared to first-past-the-post is likely to intensify the logistical and administrative problems witnessed during Papua New Guinea's 2002 election. For these reasons, long-time observer of Papua New Guinea politics Bill Standish concluded after observing the 1992 elections in Simbu province in the Central Highlands that 'an optional preferential voting system would be too complex for both the electoral staff in this province and the scrutineers and candidates' (Standish 1996:320).

Rules governing the formation of parties, and protecting incumbent governments, are likely to be more damaging. Prohibiting challenges to incumbent governments, and requiring parliamentarians to follow a party line, is a dangerous business, and potentially arms unpopular and corrupt regimes with legal methods of retaining office. The sympathy expressed in some sections of the national press for Somare's efforts to immunise his government against 'no-confidence' votes suggests a growing penchant for a strong national leader able to stand above the petty and parochial squabbles of parliament. ('Shame on PNG Parliament for "no-confidence" vote', *Post Courier*, 27 November 2003) Critical issues connected with the affairs of state are likely to attract increasing intervention by the country's high courts in the political process, and consequently to weaken the separation of powers.

The types of constitutional engineering currently being advocated in the Pacific rest on exaggerated claims about the institutional causes of governance failures and naïve expectations that juggling with electoral rules will transform political culture. Yet communally based voting patterns (Fiji) or exceptional fracturing of the vote and fluidity of parliamentary loyalties (Papua New Guinea) were not caused by first-past-the-post voting laws. Nor are new voting laws likely to substantially modify these characteristic forms of political behaviour. In some circumstances, the effect of such institutional changes may be, at best, relatively harmless. In other circumstances, new rigidities produce unforeseen responses, or meet with unexpected contexts, which undermine the benign intent. The Pacific island countries would be better advised to adopt more neutral and facilitative constitutional arrangements, which avoid themselves becoming issues of partisan contention.

Notes

- ¹ In Papua New Guinea, the system has become known as limited preferential voting, but the conduct of the count and the compulsory marking of preferences, as well as the use of single-member districts, make this similar to the 'alternative vote' system used in Fiji and in Australia's lower house.
- ² 'Parliament has not worked as well as it should. In recent years instability within the system has brought about a paralysis in decision-making, and consequently a failure in policy-making, in implementation of policy, and in the delivery of basic and essential services to the people. Many observers have concluded that a major reason for this is that politicians have demonstrated a lack of commitment to the people who voted them into parliament and to the platforms and parties they stood for in election campaigns. Parties themselves lack commitment to the ideals, policies and people they purportedly represent. As a result, some politicians and parties make themselves available to the highest bidder in terms of positions of power and financial rewards.' (Prime Minister Sir Mekere Morauta, 'Explaining the proposed political integrity laws', *The National*, 21 August 2002, www.thenational.com.pg/1003/integrity.htm)
- ³ Abau, it should be noted, was used as something of a showcase for the new laws, selected in preference to other constituencies because of proximity to the capital Port Moresby and consequent lower costs of running a large-scale public awareness campaign.
- ⁴ This occurred in several electorates in Chimbu in the 2002 national elections, although it was individual candidates or their clan leaders that initiated such manoeuvres, since parties have little or no meaning in Papua New Guinea's electoral contests. (Bill Standish, personal communication, 20 February 2004)
- ⁵ In this, they were influenced by the practice for the Australian Senate, where parties also submit lists of preferred rankings and where voters are likewise able to endorse those party slates. Elections to the Australian Senate use the single non-transferable vote system, and are often contested by large numbers of candidates. The Australian lower house, which employs a similar preferential voting system to that adopted in Fiji and Papua New Guinea (the 'alternative vote') does not allow ticks for party slates (although parties are allowed to distribute 'how to vote' cards specifying party-preferred rankings). Voters are required to rank order candidates.
- ⁶ Both of these parties were led by ethnic Fijian ministers in the military-installed interim government.
- ⁷ The danger with such tactics, of course, is that a favoured challenger may be eliminated at some stage during the count.
- ⁸ Parts of the Organic Law were agreed on 22 February 2001, and the remainder came into force on 22 February 2002.
- ⁹ 'Operation Chaos', *The Review*, May 2000; see also 'Dangerous Tinkering', *The Review*, April 2000. For further evidence of efforts, within the Labour Party, to dislodge Chaudhry from the premiership, see the comments of Australian High Commissioner Sue Boyd, cited in Dobell (2000:176).
- ¹⁰ *Kenneth Zinck v. New Labour Unity Party, Ratu Meli Vesikula, Tomasi Tokalauvere and Lorraini Tulele*, High Court at Suva, Action No. HBC424J2001S, 18 December 2001. Justice Tuivaga, already a controversial figure owing to his activities in the wake of the May 2000 coup, also concluded that the NLUP's actions were 'surprising' given its constitutional orientation towards national unity and, further, that 'the plaintiff's approach to his parliamentary responsibilities was consistent with the concept of multi-party government which is being fostered by the constitution.' This last, rather misplaced, comment provides a revealing example of the dangers of enabling the judiciary to exert so much sway over the internal affairs of political parties and parliament.

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