WOULD A PRESIDENTIAL SYSTEM BE BETTER FOR MELANESIA?

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INTRODUCTION

This paper seeks to explore what the Pacific Island region, and particularly Melanesia, can learn from Micronesia’s experience with US inspired presidential political systems. Micronesia receives little attention from the South Pacific. It is a region with a long colonial experience, including rulers from Spain, Germany, Japan and the US. It is said (in jest of course) that the Spanish came for God, the Germans for gold, the Japanese for glory and the Americans for good!! One of the ways American influence has continued is through the presidential political systems they left behind. My interest was generated by the growing political instability in Melanesia, where the Westminster parliamentary system was clearly under increasing strain, in contrast, it seemed, to the US influenced Micronesian states. Were there lessons to be learned here that could benefit Melanesia?

This brief paper begins with a quick consideration of the issue of “failed” states and “inappropriate” political systems. An attempt is then made to identify what is wrong with the Westminster parliamentary systems, particularly in Melanesia. The alternative Presidential model is then defined and its advantages and disadvantages considered. The experience of the Pacific Island states is then surveyed, with particular attention being paid to the presidential model in Palau and the FSM, the quasi-presidential system in Kiribati and, very briefly, the parliamentary systems using presidential terminology, Nauru and the Marshall Islands. The paper concludes with an assessment of what lessons can be learned from this variety of experiences.

INAPPROPRIATE POLITICAL SYSTEMS

The reference to “failed” Pacific Island states raises the question of just who or what has “failed”. From the perspective of the outside critic (usually Australian in the Melanesian context) it is the corrupt and inept politicians who have contributed most to their country’s political and economic collapse. One rebuttal is that the “artificial” nature of the countries national boundaries and political systems inherited from the colonial era meant that there were no Melanesian states to fail. If anything has failed it is the creation, and therefore the “fault”, of the colonial power. The Westminster parliamentary political system, it seems, has not survived the “transplant” to the fragmented societies of Melanesia. This raises the question addressed in this paper of whether a Presidential system would have fared better. The Papua New Guinea Prime Minister and father of the nation, Michael Somare has suggested that this may indeed have been the case. His critics suggest Somare would have liked an appointment as President for life! The analysis is also timely in the light of the Australian led intervention into the Solomon Islands. Australia will find that putting the Solomon’s together again the way it operated as a Westminster parliamentary system before the 2000 coup is not a solution. Alternative models, such as presidential and federal systems, need to be considered.

WHAT’S WRONG WITH THE WESTMINSTER SYSTEM IN OCEANIA?

Given the different cultural and historical settings in which the Westminster parliamentary system evolved, it is not surprising that difficulties have been experienced in transplanting it to a Pacific environment. These difficulties include:

- Divisiveness. As I have noted 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.”

- Lack of accountability. The Westminster parliamentary system gives the opposition the task of keeping the government honest. This is why power sharing arrangements which seek to promote consensus government work to undermine the Westminster system. The greater the emphasis on consensus, the less the holding of the government accountable by the opposition. 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 – it 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. 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. Ideally there should be two major parties which will from time to time take on both government and opposition roles. These two dominating parties should, also ideally, be delivered by the 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 the Westminster two party systems are not relevant to most Pacific societies. This has produced a weak and fragmented multi-party system more characteristic of proportional electoral systems. Small parties can hold disproportionate influence.

WHAT IS A PRESIDENTIAL SYSTEM?
In order to determine whether a Presidential system would be able to overcome these disadvantages it is necessary to define the key elements of presidentialism.
Satori provides the following “defining criterion”: “A political system is presidential if… the head of state (president) (i) results from popular election, (ii) during his or hers pre-established tenure cannot be discharged by a parliamentary vote and (iii) heads or otherwise directs the governments he or she appoints”
Satori points out that direct election is a necessary, but not sufficient, condition. Austria, Ireland and Iceland have elected Presidents who have little power – they are what Satori calls “façade” presidents.

A key requirement of the US presidential system is the separation of powers between the three branches of government: executive, legislature and judiciary. This is very different from the Westminster system where the executive is drawn from, and held accountable to, the legislature. In contrast, the president serves for a fixed term and cannot be dismissed by a parliamentary vote. The president both appoints and dismisses cabinet ministers and other key officials from outside the legislature who hold advisory roles only. The courts ensure the actions of the president and the legislature are in accord with the constitution. A further defining characteristic is the combination of the roles of head of state and head of government.

WHAT ARE THE ADVANTAGES OF PRESIDENTIAL SYSTEMS?
The following features make up the main advantages of Presidential systems:

Effective and stable government. Presidential systems provide strong and effective government. The fixed term of office avoids (short of impeachment) the instability created by votes of no confidence in parliamentary systems.
National unity. The requirement for direct election forces the presidential candidates seeking to maximize their vote to run nationwide campaigns which ideally will have a unifying effect. It should assist the process of enhancing and maintaining national unity. This contrasts with a parliamentary system where a PM needs the support of a majority of MPs to retain power, but may have only a narrow clan or regional base of popular support.

Accountability. The division of powers should help ensure accountability. The president is accountable to both the legislature and judiciary, and is easily identifiable as the person responsible for the government’s action or inaction.

Expertise. The requirement for the President to choose their cabinet from outside the legislature opens up the possibility for the recruitment of a greater range of experience and expertise.

WHAT ARE THE DISADVANTAGES OF PRESIDENTIAL SYSTEMS?

Satori gives presidential systems a poor report card. He reports that, with the important exception of the US “all other presidential systems have been fragile – they have regularly succumbed to coups and breakdowns.” The Latin American experience “display a worrisome experience of fragility and instability.” 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 were 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.” IDEA identified just four presidential democracies which had enjoyed more than 30 years of continuous democracy. These were the US, Costa Rica, Columbia, and Venezuela.

In addition to this empirical data, the following problems have been identified with presidential systems:

Legislative log jams. Satori laments that the “divided power struggle engineers paralysis and stalemates.” which may make it difficult or impossible to pass necessary legislation. This is most likely to happen when different parties control the Congress and the Presidency.

Rigidity and the lack the flexibility present in parliamentary systems. This makes it difficult to get rid of discredited leaders. (Clinton would not have survived in a parliamentary system!).

Potential for abuse of power, given the concentration of power in one person.

Lack of “political apprenticeship ” for the head of government. In parliamentary systems potential PMs must impress their parliamentary colleagues. No such apprenticeship is required for presidents.

Restriction on terms of office (e.g., two terms in the US.) This may be destabilizing and wasteful of leadership talent.

WHAT HAS BEEN THE PACIFIC EXPERIENCE?

Pacific island states generally inherited the political systems of their colonial ruler. An exception was Tonga, which was never a colony and remains a monarchy. Westminster type parliamentary systems are dominant in the former “British” (and by extension Australian and New Zealand) administered Polynesia and Melanesia. The only presidential and quasi-presidential systems are in Micronesia where the US was the major pre – independence administering power.

To summarize, the independent and self-governing Pacific island states divide into the following groupings:

Parliamentary systems: Cook Islands, Niue, Tuvalu, Samoa, Papua New Guinea, Solomon Islands, Vanuatu. Fiji. As the role of the Head of State is largely ceremonial these cases are not considered in this analysis.

Parliamentary presidents (To use Yash Ghai’s term): Nauru and Marshall Islands.
Presidential systems: Palau, Federated States of Micronesia (FSM)
Hybrid presidential and parliamentary: Kiribati

PACIFIC PRESIDENTIAL SYSTEMS

Amongst the Pacific Island states only Palau and the FSM have executive presidents.

Palau comes closest of all Pacific states to mirroring the US political system. The President, who is both Chief of State and Head of Government, is directly elected at four year intervals, and is restricted to two terms. This year voting for President will take place on 2 November – the same date as in the US. Until now the President and vice President have run on separate tickets. However the current President, Tommy Remengesau, has proposed a constitutional amendment to provide for a single presidential ticket. He also favors moving to a unicameral legislature. The President selects his own cabinet from outside the legislature, thereby maintaining a strict separation of powers.

There are some differences with the US. Palau does not have an electoral college. A further difference is Palau’s adoption of 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 Remeliik was elected in 1980 with just 31% of the vote against four other candidates.

The FSM, while it has an executive president who serves as both Chief of State and Head of Government, is not a pure presidential system. This is because the president is not chosen by popular vote, but is elected by Congress. 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. A 2003 proposal for a referendum to change the constitution to provide for the popular election of the president and vice president failed. To be eligible the aspiring president must be one of the four “at large” Senators elected to Congress for four year terms to represent each of the four states which make up the FSM (Chuuk, Pohnpei, Kosrae and Yap) 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 by the newly elected President and Vice President. This can jeopardize a president’s political career – as it did in the case of President John Haglelgam of Yap. To be re-elected President he must first gain re-election to an “at large” seat in Congress.

On the issue of who may be president, there was a “gentleman’s” agreement that the office should rotate around each of the four states. However this agreement has now broken down. In mid 2003 Joseph Urussemal of Yap unexpectedly gained the presidency over Redley Killion from Chuuk after splits developed in the state delegations. Chuuk, which contains about half the population of the FSM, has not held the Presidency since 1987. The president appoints his own 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 the same state.

Kiribati: A hybrid presidential/parliamentary system

In Kiribati those aspiring to be president (Beretitenti – both Head of State and head of Government) must first gain election to the legislature. In this sense they are no different than an aspiring Prime Minister in a parliamentary system. However the process then becomes very different. In Kiribati those seeking nomination as a presidential candidate must gain this from the legislature (maneaba), which nominates at least three but no more than four candidates from amongst its members. A nation wide poll follows – in accordance with the presidential model. The president may serve only three terms, no matter how long or short each term is. But it must be noted that, following the parliamentary model, the President retains his seat in the legislature and remains subject to a vote of no confidence from the legislature. Some protection is provided by the knowledge that a successful no confidence vote in the President will trigger a dissolution of the House and spark a general election. The President selects his own cabinet from elected members of the legislature. There is, then, no US style separation of powers.
The Marshall Islands and Nauru both operate parliamentary type systems, but continue to use presidential terminology. The parliamentary nature is confirmed by the legislature's role of selecting the President from amongst its own members. The President can also be removed, through a vote of no confidence by the legislature. However in the case of the Marshall Islands for such a vote there must be agreement on who the new president will be. (A similar provision would have benefited Nauru.) The office combines the roles of both Head of State and Head of Government in both the Marshall Islands and Niue. The President selects his own cabinet from elected members of the legislature. There is no restriction on the number of times the President may be re-elected.

SHOULD THE PRESIDENTIAL SYSTEM BE MORE WIDELY USED IN THE PACIFIC?

On the basis of experience to date, should the Presidential system be more widely adopted? Does the Micronesian experience suggest that it would deliver a better form of government for Pacific Island states?

The evidence is mixed – generally positive in the case of Palau, but more negative for the FSM. After a shaky start – involving a Presidential assassination (Haruo Remeliik in 1985) and suicide, (Lazarus Salii in 1988) Palau is one of the better performing Pacific island small democracies. Its GDP per capita of over US$9000 is amongst the region’s highest. This is a result in good part of political stability which has attracted foreign investment and a flourishing tourist industry.

This year the FSM celebrated 25 years of independence, However doubts are being expressed about whether it will survive a further 25 years – given its problems of diversity of language, resources, geography and general lack of common interest. It is not a shining example for other possible Pacific presidential federations to follow. Its largest state of Chuuk has been labeled a “failed state” teetering on bankruptcy, the result of mismanagement and corruption. A former President, John Haglelgam, has commented: “We are now thinking the unthinkable” (ie the break up of the Federation.) President Urusemal agreed that “our national unity is increasingly at stake.”

How have the other Micronesian states fared? Kiribati is a further example of a successful small democracy. The restriction to three Presidential terms cut short the promising presidential service of Iremia 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 Imata Kabua, which stretched from before independence until his death in 1998.

Regarding other Micronesian states, a presidential system may have curbed Nauru’s steep decent to “failed” state status. Its parliamentary system has produced a staggering 16 changes of government (through no confidence motions) in 10 years. Such political instability has undoubtedly contributed to the country’s economic collapse.

CONCLUSION

Would a Presidential system bring political stability to Melanesia? IDEA have commented that the issue is not whether a parliamentary or presidential model is the best system, but which fits the social system, political history and culture. A presidential system would, in this regard, be better suited to hierarchical and chiefly Polynesia than the more egalitarian Melanesia.

Nevertheless, although the experience of Micronesia is mixed at best, a case can be made that Melanesia would benefit from the introduction of the presidential system of government. The fixed term of office would provide much needed political stability. (However admittedly this could also be achieved while retaining a modified parliamentary system.)

The challenge for Melanesia is to devise a political system that reflects the diversity and the strength of the inherently democratic nature of its localized society. The reflection 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. Accountability needs to be assured at both the local and national level.

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 figure – which could be a president elected through a nation wide poll. The challenge will be to devise a federal system which gives sufficient voice to the smaller states. The experience of the FSM shows how hard this is to achieve in practice.

Nevertheless the need to enhance national unity provides the strongest case for adopting the presidential model. A president standing above the issues of local or regional politics could help unify the diverse and fragmented states of Melanesia – including PNG, Solomon Islands, Vanuatu and even, possibly Fiji. In the case of Fiji, although a parliamentary system, the President, who is chosen by the Great Council of Chiefs, can wield considerable moral authority because of his chiefly status. This was demonstrated by the late Ratu Mara, who was respected even by the Indo Fijian community. Fiji could arguably benefit through 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 election, unlike parliamentary elections, would almost certainly deliver an indigenous Fijian as President.

The case of Ratu Mara in an earlier period when he was Prime Minister highlights an interesting point. The parliamentary systems of Melanesia worked best when they in effect operated like presidential systems, with the focus on the leader. This was mainly in the immediate post independence era, when Mara dominated Fiji politics, Somare PNG, Lini Vanuatu, and Mamoloni the Solomon Islands. These leaders gained special status – even charisma – through being independence leaders. That period has now passed. It is possible that it could be recreated through a change to a presidential system.