

MOVEMENT FOR DEMOCRACY IN FIJI
INAUGURAL TIMOCI BAVADRA LECTURE
PARLIAMENT HOUSE, CANBERRA
15 NOVEMBER 1990

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The Hon Justice Michael Kirby CMG*

A GIANT LEAP

*"Once to every man and nation
Comes the moment to decide,
In the strife of truth with falsehood,
For the good or evil side;
Some great cause, God's new Messiah,
Offering each the bloom or blight-
And the choice goes by for ever
'Twixt that darkness and that light."*

J Russell Lowell

My first visit to Fiji took place in 1970. I can still feel the humidity and smell the rich flowers which line the road from Nadi to Suva. My destination was the holiday of a busy barrister's dream. Far from the maddening work of the law in Sydney, I was retreating to an island off the coast of Fiji whose only connection to civilisation was by the flashing of a mirror. Only in that way would a boat be summoned to take the visitor home to the mainland, and then back to "civilisation" by the shining jet.

As I ventured to this rendezvous in the sunshine, my car journeyed past school buildings. Beside them the Union

Jack fluttered merrily at the head of the pole. For this was still a colony. It was on the eve of independence. A giant step for Fiji lay awaiting.

As it happened, I was upon my distant island when a crackling transistor brought me the message of mankind's giant leap into space. The distant voice of astronaut Armstrong told me of the small step for man which opened a new era for humanity. It seemed at the time to be a specially fitting way to celebrate the new era which was about to open in Fiji. I felt full of confidence. The islands had an established record of tolerance, with two communities of roughly equal numbers living in apparent harmony together. The leader of the independence movement, Ratu Mara spoke ceaselessly and with proper passion about multiculturalism and multi-racialism. What a jewel of democracy this land would be. The portents seemed full of promise.

DR TIMOCI BAVADRA

I never met the subject of this Memorial Lecture series. By every account this is my great misfortune. It is appropriate and necessary, particularly in the inaugural lecture, to say something of him and of his qualities. Necessarily, I must do so by report.

Timoci Bavadra was born near Lautoka on the 22 September 1934. He was educated at the famous Queen Victoria School between 1949 and 1954. He excelled not only in academics but also in cricket and rugby. In 1955 he entered the Fiji Medical School. His course there lasted

nine years. He graduated in 1960. He became an intern at the Lautoka Hospital, near the place of his birth. At about this time he was a finalist for selection for a rugby tour of Australia. Later he was to come in a different capacity.

Dr Bavadra pursued his medical discipline. In the early years he worked in rural villages. For various times between 1966 and 1971 he worked on secondment in the Solomon Islands, as they were then called. He was there at the precious moment when Armstrong landed on the moon and when Fiji attained its independence from the United Kingdom and the Queen became the Queen of Fiji.

In 1971 Dr Bavadra returned to Fiji. He remained in the health services of the Government of Fiji until 1985. He rose to a high rank in the direction of the provision of primary and preventative health care in the islands. He took a keen interest in the health of villages and in the status of women so far as health services were concerned. He took part in many international conferences where his skills and integrity were soon recognised.

During this period he married Adi Kwini Bavadra. In their extended family they brought up no fewer than eleven children. Also in this time Dr Bavadra took a leading part in the activities of his professional association: the Fiji Medical Association. He rose to serve on its Executive.

All of these activities prepared him for a further public service which began on 11 April 1987. In advance of the election, Dr Bavadra had been elected leader of the Labour Party. That Party, in coalition with the National

Federation Party (NNF) mounted an election campaign aimed to replace the Alliance government which had ruled Fiji from independence under the leadership of Ratu (by now Sir) Kamisese Mara. The NFP had been riven with factionalism. That factionalism had deprived it of office at an earlier election where unity might have led to an earlier change of government. But the election on 11 April 1987 was a decisive defeat for the Alliance. It was a decisive victory for Dr Bavadra and his Labour Government. More importantly, it was a decisive victory for democracy which can only flourish where there is a true choice and where, from time to time, government is peacefully changed.

Dr Bavadra's success in the election was traced by political analysts to two main causes. The first was the defection from the Alliance Party of large number of Fijian voters of Melanesian ethnicity. They did not vote for the party. They abstained from voting in large numbers. This led to losses in the seats assigned to the Melanesian Fijians and also in the seats on the common electoral roll. The second factor was the concern of Fijians of all races about suggested corruption, which was more than hinted at during the election. It was said that an inquiry would be held into hurricane aid funds under the control of the former Prime Minister.

Sir Kamisese Mara acknowledged the defeat at the polls. Gracefully, he handed over power to Dr Bavadra who was commissioned by the Governor General to be the Prime Minister of Fiji. He formed a government. The government

was sworn into office. It held office for little more than a month.

On 14 May 1987 there occurred the mutiny of Royal Fiji Military Forces led by Colonel Rabuka. This became known as the "first coup". Its events have been traced elsewhere. The "decrees" made under the authority of the military were challenged in the courts. The judges made an outstanding statement reaffirming their loyalty to the Queen, to the Constitution of Fiji and to their oaths of office. They advised the Governor General to stand fast by the Constitution of 1970 and to comply with his plain duty as the Queen's representative and the constitutional head, under her, of Fiji. Chastened by this clear call to principle, an attempt to work out a compromise between the various forces and in a typically Fijian way seemed at first to have succeeded.

But on 27 September 1987 there occurred the treasonable overthrow of the constitutional government of Fiji. This became known as the "second coup". By that overthrow, Dr Bavadra was de facto deprived of his position as constitutionally elected Prime Minister and head of government. He and his cabinet were arrested and deprived of liberty. Dr Bavadra never accepted these shocking events. He led the opposition to them. He spoke ceaselessly in Fiji and elsewhere (including Australia). And little wonder. A more shocking assault upon Parliamentary democracy could hardly have been imagined and in a more unlikely place.

Sadly, Dr Bavadra died on 3 November 1989, a hero of