

WEDNESDAY 25TH NOVEMBER 2009

The Speaker, Sir Rt. Hon. Peter Kenilorea took the Chair at 10.21 am.

Prayers.

ATTENDANCE

At prayers, all were present with the exception of the Ministers for Justice & Legal Affairs; Rural Development & Indigenous Affairs; Communication & Civil Aviation; Mines, Energy & Rural Electrification; Agriculture & Livestock Development; Infrastructure Development and the Members for East Honiara; Central Makira; Mbaegu/Asifola; Central Honiara; Lau/Mbaelelea; East Makira; North Guadalcanal and West Makira.

MATTER OF PRIVILEGE

Mr Speaker: Before we continue with the discussion of second reading of the Bill, I have request from the Hon. Deputy Speaker to make a matter of privileges.

Hon. Kengava: Under Standing Order 25 on matters of privilege, I thank you for giving me leave to express on the floor of this Parliament what I regard as lack of respect for members privileges in parliament through what I term as false politicking.

Sir, I feel that my right and that of my constituents have been tampered by the claim that I support a group of Members of Parliament under the spokesman-ship of the respectable Member for Vona Vona to oppose the Constitution Political Parties Amendment Bill 2009. I would therefore like to justly defend that right by stating the followings:-

1. I was never a part of the 15 Members of Parliament planning to stop the Bill;
2. At no time was I approached by those wanting to stop the Bill to join their group
3. At no time did I sign the memorandum of understanding referred to in the Solomon Star on yesterday's paper, 24th November 2009.
4. At no time have I ever decide to oppose the Bill and I made that very clear to the constitutional review committee meetings on the Bill.

The claim made by my fellow MPs whoever they are that I was one of them that opposed the Bill undermines my privileges to support the bill as the representative of my constituency of North West Choiseul. Therefore, I would like to disclaim on the floor of this Parliament the claim that made headlines in the Solomon Star newspaper today 25/11/09.

Lastly, the incident is clearly a very good example of the very reason why the Constitution Political Parties Amendment Bill 2009 is very much needed by this country. The sickness of false politicking amongst Members of Parliament only tampers with our privileges as representatives of our constituents. Such a practice needs to be controlled by law.

With the above I thank you for allowing me the privilege to disclaim the claim made against me as the Member for North West Choiseul Constituency. Thank you.

Mr Speaker: I wonder whether the honorable Prime Minister wishes to make some clarification as to the approach he wants to take this morning on the debate or we just go ahead and continue the debate as we left it yesterday.

Mr. BOYERS: Point of order. Thank you, Mr. Speaker, I also sympathize with my colleague for North West Choiseul in his statement and make clarifications that he is totally correct in his position. He was never a part of the signatories, his name was there but he never signed the statement. I think what has resulted is false reporting on the perception and I totally agree with my colleague. I do not think that is false politicking but I think it is poor reporting. I would just like to acknowledge the statement made by the Member of North West Choiseul.

Mr Speaker: Hon. Members, on Friday 20th November, the Prime Minister who is in charge of the Bill delivered his opening speech, debate on the second reading of the Bill commenced yesterday and the Prime Minister again adjourned debate to this date. Members may speak on the general principles of this bill. In so doing, I kindly remind Members to comply with the rules of debate which is set down in our Standing Orders.

Hon. SOGAVARE: I also want to participate in the debate of the Constitution Political Parties Amendment Bill 2009 moved by the Prime Minister on 20th November 2009 and is now set down for us to debate.

Sir, the way the government is going about this Bill seems like heaven will fall down tomorrow, there is not going to be any tomorrow, and so the urgency and the desperation that goes with it has surely raised eyebrows as to how the government is dealing with this Bill. I need to make it clear at the outset that we

do not have difficulty whatsoever agreeing with the underlying concepts, principles, ideals and intention of this Bill. We also do not dispute the argument that we need to properly organize political parties in Solomon Islands. Our problem, however, is we find it very, very difficult to follow those ideals and intentions announced by the Government in the way the Bill is structured. As a matter of fact, the contrary is the case and in the course of this contribution I will touch on some areas.

Disappointing still is the fact that the legislative arrangements for the proper organization of political parties is also overshadowed by the incorporation of provisions in the Constitutional Amendment Bill that are clearly contrary to the intention of the Bill if we take these bills as a package. In fact, I had expected a convincing argument by the Ministers considering the way the Prime Minister's Office is really hell bent in trying to get Solomon Islanders to support the bills. Yesterday listening to some of the Ministers deliberating and one or two backbenchers who talk in support of the Bill, it is really disappointing to hear those who contributed to the debate yesterday failed miserably to answer the concerns raised by first, the Member for Savo/Russells, the MP for Central Guadalcanal, the Leader of the Independent group and the MP for Vona Vona. None of those who spoke yesterday answered those points; not one. Instead, all that the proponents of this Bill from the government side did was endorse the ideals, intentions purported to be carried in the Bill without rebuffing the arguments made to the contrary which were clearly unassailable. Given that kind of performance, the government cannot possibly be serious about getting this Bill passed; you are not serious at all.

The Government also wants to appeal to the people of the people of this country by saying that it had received overwhelming support for the bills during a series of consultations in the provinces. I would like to say that the integrity of these consultations is questionable because anyone can come up with results published. All you need to do is to structure the consultations in a predetermined way to produce the desired outcome. This is a questionnaire type of thing. I am saying this because no one in his or her right mind will support the bills if they were given the information that is now available to the House as tendered by colleagues who spoke yesterday. Not one answered the points.

The Opposition group made a submission to the Chairman of the Taskforce clearly outlining our views after the workshop that we held inside this Chamber with Professor Paterson. It would appear that those concerns have fallen on deaf ears just like all other concerns that are raised by prominent people of this country to the government, which also fell on deaf ears. A prominent lawyer offered his assistance to help the government to may be fix the draft, but do you know what they told him? "Your time is over!" What sort of attitude is

this? This Bill does not belong to the government itself. Once it is passed it is going to affect the lives of all of us. Such an attitude like that shows that the government has different agendas altogether or may be the small group that supports this bill have different agendas and have pulled the rest of the group to their side. We have become helpless victims of a very few people. This does not speak well of a government that boasts to have a listening ear to the voice of the people. And I am obliged to maybe remind the government again of what we on this side of the House are concerned about, which we put to the government. Unfortunately, when this Bill came out in its final draft our views and concerns were not taken up.

We made it very clear in our submission that we acknowledge that the Bill, as rightly pointed out by some of those who spoke yesterday, addresses two critical issues, and the issues are what they went around the country telling our people about, which are corruption and political instability. Those are the two issues the Committee went around selling to the people of this country. We know that and the government clearly attributes the prevalence of political instability and election related corruption to three things. First is the weak party system, second is the absence of any form of restriction on politicians to switch allegiance and thirdly the excessive use of motions of no confidence. These are the points that seem to be driving this whole thing.

We also observed that although political stability is highlighted as the primary objective of the package, economic developments that result from a greater stability of government and also ensuring that the government elected by the people is guaranteed to rule the entire term of Parliament, also makes up the underlying rationale behind the proposed legislation. We also made the point that we have serious reservations in trying to follow this line of argument as the reason for justifying the incorporation of what is clearly a highly restrictive, penalizing legal framework that must necessarily involve the removal of the basic constitutional rights of politicians to freedom of conscience, Section 11, expression, association and assembly. These are inalienable fundamental rights of citizens of this country. I will talk more on this when we probably come to the Bill.

A good number of politicians in this Chamber have been in public life long enough to know that the political environment in Solomon Islands is clear, it is an open book to anyone who takes serious interest in making observations on causes of political instability inside the country. You do not need anyone to tell you about it. In this regard, we are concerned that a very few people within the government are trying to tell the country that we can black box the causes of political instability and rectify them through a restrictive legislating framework. Anyone who is long enough in Solomon Islands politics would precisely know

the main causes of political instability which the government narrowly defines as uncontrolled grass hopping. And I am amused to hear the contribution by the Member of Parliament for East Are Are who was trying to tell Parliament yesterday that this Bill is one of the strategies to stop grass hopping. Sir, we must be joking. The fact of the matter is that the Bill actually allows grass hopping in numbers because the whole party is allowed to move and for reasons that are not clearly defined too. The grasshoppers develop very big muscles in the legs and so they are jump very strong and jump in numbers. This is disaster. It is akin to jumping from the frying pan into the fire.

One of the reasons as well, highlighted by the proponents of this Bill is the need to provide suitable environment for investors. I must agree with that but given the point raised by the Member for VonaVona concerning the case of Vanuatu and maybe other countries that are experiencing more changes in government during their term in parliament but enjoy a reasonable and very high rate of growth, it clearly suggests that changes in government has positive impact on development. These developments, which apparently run contrary to the line of thinking carried in the bill, in the legislative package that is advanced by the government deserves our closer attention.

The pertinent question we put to the government is, is there such a thing as positive instability? What comes out forcefully from that scenario, the scenario presented here is that political instability defined as the vulnerability of government to change is not necessarily a bad thing provided a number of important issues are addressed and we represent the following points: Firstly, and probably most importantly is the preparedness of the alternative government to take over the government system and to deliver on day one. Secondly is the quality, the appropriateness and effectiveness of alternative development strategies that can be effectively adapted into the machinery of growth in the short period of time and provide results.

The rationale here is that Solomon Islands can have a stable government that advances lousy policies and takes the country nowhere on development front. This observation is not far from the reality of development strategies that we advance in this country. Just imagine the economic impact of stabilizing a government with such an attitude toward development. Now without the benefit, I guess, of a detailed analysis of the experiences of the other countries, one probably is reasonably justified to conclude that the countries that enjoy positive economic growth and vibrant private sector development amidst political instability as defined are those that have clear political directions and national development strategies that are clearly understood by every stakeholder. Any adjustment to the direction, resulting from a change in political thinking, is quickly communicated to the economic players. We made the point

that we are not asking ourselves enough questions to establish these basic essentials. We jump. What is it that provides the basic consistency necessary to continue to provide the comfort that the private sector and other economic players need in countries that enjoy economic growth amidst political instability as defined by the government. Is Solomon Islands missing something? What is it? Is it political instability guaranteed by law, locking up politicians so that they cannot think? Is it long term development plan that is apolitical? I think the last question here deserves some comments in addition to the points that I have already raised, the Opposition also observes that the country has been without a long term multi-decade development plan that all stakeholders inside the country can jointly claim ownership over. I am raising this because we are talking about economic development.

The point directly challenges the usefulness of short term, short medium term planning to provide the direction that important players need inside this country. Since the expiry of the country's last series of seven years long term development plan in 1989, all of us know that the country has been subjected to a series of short term plans, which are nothing more than ruling governments program of action, which have no long term effect in terms of providing the direction that the country needs to follow. After four years are over they go. I think the country is suffering from loss of directions as a result.

Political government exists inside a vacuum, as it were and are lost themselves. We believe these issues have more impact on stability of purpose and direction that Solomon Islands as a country badly needs over our years of existence as a nation than the narrow interest of ruling political governments, which these Bills under consideration are designed to achieve. I do not think those of us who advance this type of view are alone in making this observation. As a matter of fact experiences of countries that are implementing political party legislation shows that we need to tread this path carefully.

The Prime Minister has made a point that the Bill is different from the one adopted by PNG. I beg to differ. The wordings maybe different but the structure is just the same. We should be looking at the broader picture in our efforts to address issues of national interests. Locking up politicians and restricting the floor of political thinking in such an environment is akin to sowing seeds for revolt against the system by Solomon Islanders, I guess, who are sick and tired of politicians making mess of their lives, and if that is not enough we want to add another 20 of those kinds of people to come into parliament. I think the Member for Vona Vona has made this point loud and clear. It is a serious point that requires careful consideration.

In terms of reform of the electoral process, we consider that it is a must, and I need to make our position very clear. We have no problem supporting a

reform of the party system but not in isolation of a comprehensive reform of the electoral system of this government. They have to go hand in hand. And as gathered during the two days seminar, the opposition group still maintains its stand that any reform on the election and removal of the Prime Minister and other policies that are based on the assumption of democracy will not be supported without a comprehensive reform of the country's electoral system. That must happen. We still maintain that the country's first-past-the-post system of electing people to political office in this country falls short of giving any elected leader the majority he or she needs to hold that office. This view is also shared by prominent leaders of this country. Sad to say that this falls on deaf ears. The reform that the government is suggesting probably, if carefully considered, should be an opportunity for the country to overhaul our electoral processes, and getting Solomon Islanders to demonstrate confidence on leadership under our electoral our system. We cannot, this side of the House cannot allow this matter to be addressed piecemeal as suggested by the Government in the legislations under consideration.

Corruption is another issue. On corruption, we made the point and did submit it to the government that it would be a long, long shot, and worse still unproven allegation to contend that restricting politicians' basic rights on how they conduct themselves in politics, especially how they relate to political parties, would remove corruption driven instability as defined. If the understanding of corruption driven political instability is what was advanced in all the forums that the taskforce holds, and that is Members switching sides due to promises of greener pastures and access to more financial resources and ministerial portfolio on the other side.

Removing a person's freedom of association would be improper and an unnecessary over reaction to a political behavior that can be addressed in a more responsible and civilized manner. We believe that the civilized way of attending to this problem is to address the causes of such behaviors, not to legislate against the perceived political behaviors, which this legislative package is trying to do. In this regard, we note that the package includes the strengthening of the opposition office by establishing the office of the deputy leader of the opposition and shadow ministers. The Prime Minister is also empowered under the legislative framework to appoint parliamentary secretaries. We welcome amendments like that as addressing the real issues. As a matter of fact we strongly believe that a good portion, may be 60 to 70 percent of the causes of political instability in Solomon Islands could be adequately addressed, simply by strengthening existing institutions of parliament and making Members of Parliament full time employees of parliament instead of project directors for their constituencies.

We also believe that consideration must also be made in this regard to review the fiscal strategy under the national budget to address rural development, especially government direct funding of the rural sector in the rural economy and the institutionalization of constituencies and the manning by appropriate level of quality public officers to implement Members' development plans in their constituencies. We just basically dropped that; we failed to look at it. As a matter of fact, it would be really over ambitious to think that legislating against crossing the floor or restricting a person's freedom under section 11, 12, 13 and 15 of the Constitution will guarantee against corruption. In fact, the exact opposite could be the outcome because the reform, you know what, has narrowed down the focus of any outside influence to a specific target. There is no need to look elsewhere and there is no need to look for who else to consider it, but it is the party with the guaranteed majority to form the government. We maintained that since allegation of corruption against leaders are allegations until proven. The existing laws against corruptions are adequate to deal with this problem.

Leadership is about trust and confidence, and we do not establish this by setting up a spying mechanism against leaders. We do not believe that restrictive measures proposed under the new system will guarantee a corruption free outcome. It will be worse.

The other issue is vote of no confidence. I think the issue of the power of parliament to remove a prime minister and the government. We agree that irresponsible moving of motions of no confidence is bad politics and demonstrates political immaturity and self-centeredness, especially when they are the same issues voted out by parliament are continued to be pursued as the reasons for the later motions, but of cost framed differently. Serious still, is when a motion of no confidence is passed purely on number games and not on the strength of the debates for and against the issues that is contended as the reason why a prime minister should be removed. There are marked differences between the process and the abuse of that process.

In regards to vote of no confidence, as a constitutional process, to remove a prime minister and his government, the question that we would be interested to know what is the concern of the government here? Is it the process or the abuse of the process? I think to be sensible it is the abuse of the process that we should be concerned about. We are concerned, however, that that is not what this reform appears to be driving towards.

We agree that the process is vulnerable to abuse, and indeed has been abused by political groupings to achieving their narrow political agendas and probably the agenda and interest of other people. And if indeed the abuse of the process is the issue then we are contending that the government has gone

overboard by throwing the baby with the water in the proposed constitutional amendment

Now, with due respect to the thinking that may have gone into the inclusion of the process when our constitutions are formulated, I think one powerful rational comes out forcefully and that is Parliament must be able to remove a Prime Minister and his government on justifiable reasons, which should be in all cases of national interest. However, one may want to argue this matter cannot convince anyone on any other reasons. It needs to be emphasized that the process must be done by Parliament. The proposed amendment to Section 34 and the incorporation of the new section 34(a) removes the effective use of the process from parliament giving it to the governing political grouping.

Yes, the Prime Minister can be removed but by the governing political grouping for reasons that may not be on national interest, given the non arms length nature of this new process. This is a big ask which is clearly contrary to the intention and wisdom of the provisions in the Constitution. Because of that we also do not support the reform of section 34, which effectively removes the provision for Parliament to debate a motion of no confidence on its deliberately judgment, instead of depending on the withdrawal of a political grouping allowed under the proposed section 38 of the Political Parties Bill from the coalition forming the government. This is cleverly done to camouflage the real intention of this reform, which is to protect the government beyond the reach of anyone because there is no way any politicians in his or her right mind will risk losing the benefits of being in the government. This is a very foolish thing to do. As a matter of fact, if the government is formed by one party it is even more difficult to remove it. The government, in this case, is protected and cannot be brought down, it is impossible. We raised this concern because the new section 34(a) which deals with the removal of the prime minister is silent on the removal of the government. As established above, the government in this case is over protected.

There is no guarantee that the scenario allowed under the proposed sections 38 of the Political Parties Bill will ever happen as we might think. This is a recipe for disaster. I think Solomon Islands will do well to learn from the experience of our next door neighbor, Fiji in this regard; the Rabuka coup is a direct response to a rigid parliament that basically locked up its members in a way that nothing could be done to democratically undo it. The Opposition group calls for a total review of the new process of removing and appointing a Prime Minister proposed under section 34(a).

We suggest that there is nothing wrong with the current law that a motion of no confidence can be moved on the floor of parliament against the Prime Minister and a government. A motion of no confidence in itself is not a bad

thing. It acts as a checking mechanism of the seriousness of a ruling government. A government that does not deliver does not have the right to exist.

The other point that is also raised is appointment versus election of a prime minister. We do not buy the argument that the reason of empowering parliament to elect and remove a prime minister is because political parties were not properly organized at that time in 1978 or something. Even if that was the constitutional rationale, it makes no sense whatsoever for the party with majority to have absolute control over who should or should not be the Prime Minister of this country.

We believe that it is a good practice to get parliament to pass an affirmative vote on the country's Prime Minister, even if it commands the allegiance of absolute majority. And for this purpose maybe a special motion of confidence on the Prime Minister will have to be designed and outlined in our standing orders. This is to qualify Parliament to entertain maybe a motion of no confidence should that become necessary in the future. As maybe gathered during the seminar, the Opposition Group insists that the process of election and appointment of the Prime Minister as outlined in Schedule 2 pursuant to section 33(1) and section 66 needs to be further simplified by removing options two and three. We made that point very clear in this parliament; we need to remove that.

The effect of that adjustment is that when no political parties command an absolute majority then the process will follow the existing system where nominations will be called by the Governor General for possible candidates for the office of the Prime Minister. Since Members will be voting on party line, and in accordance with pre election agreement, the exercise will be merely academic. A prime minister should be elected in the first round of the vote. But the important thing is that Parliament is involved in the process. This process should automatically divide government from opposition, the losing candidate and his party members automatically became the opposition. Of course, the process of determining who should be the leader of opposition would be outlined in Part 3.

The other important concern we have in making this suggestion is to rebuff the claim that it is difficult for the independent group to form the government. That seems to be what is advanced. It is really difficult for independent group. As correctly observed by the Member for Savo/Russells, no political parties is guaranteed absolutely majority of seats, it will be difficult. There is no guarantee there. As rightly observed by the Member Savo/Russells, forget about step one, as it will never happen. In a situation where say, for example, we put this across to the committee, say if independent candidates win 26 seats, which is not impossible because if you see parliaments so far, it is independent members that won a lot of seats, those who run as independents not

under any political parties, if they win 26 seats they can hold their ground until step 4 by just sitting down without listening to anyone. They may put up their candidate and vote him in as prime minister and they run the government. And this can defeat the whole purpose of reforming and stabilizing political parties. We suggest that under this scenario the independent group probably should be required by law to join the political party that wins the majority seats. But there is a catch there because you will still need a constitutional amendment to achieve that. We can stabilize, we can reform political parties, they are just stabilized and remain there, they do not run the government but they are very stable. It is the independents because they win in numbers will run the government, and this group needs to put together new policies and things like that. That is allowed under the constitution.

We submitted our views to the government on the amendments, after the consultations we have on the floor on Parliament and listening more to consultation that are either made, views expressed by lawyers on sections 11, 12, 13 and 15 dealing with fundamental rights, we need to be really careful with them. Section 11 deals with the freedom of conscience, as rightly expressed yesterday by those who spoke to the Bill.

In regards to section 33(1) the opposition group is suggesting a major review of the process of appointing/electing a prime minister as outlined in Schedule 2. As I mentioned already options 2 and 3 must be removed. Where the leader of the party commands support of absolute majority, he is nominated to the Governor General for appointment. Before that nomination is made parliament needs to pass a vote of confidence on that prime minister.

In regards to section 33(4), we do not really have a problem with that. Section 33(5), the Opposition also really does not have problem on that amendment. Section 34, as I mentioned already, the Opposition has the following comments to make on that amendment. The new section 34(a) we need to re-look at that, but section 34(a), which is effectively outlining the new process only deals with the removal of a prime minister, but is silent on the removal of the government. That is unacceptable and the group is suggesting a total review of this new process. And I have already discussed this that Parliament must still be involved in the removal and election of a prime minister.

We also are suggesting that the review should involve the removal of the new section 34 in its entirety and instead improve Section 34. The appointment of the Prime Minister under Section 33(1), I referred to in this section, is as per suggestions that I have already made when I talked about Section 33(1) earlier. In regards to section 37, the Opposition group does not have any problem with that. On section 39, the Opposition group also does not have problem with that particular amendment to that section. Section 50(h) and (i), I think the idea that

the policy that an individual winning an election under a political party must not be allowed to switch allegiance as an individual on pain of losing his seat, you may need to relook at that. On section 53, the group does not support the intention of this subsection. There are no justifiable reasons for that kind of penalty. Members should be allowed to hold positions other than ministerial portfolio, and we made that point on the floor of this Parliament. On section 66, the Opposition really does not have any problem with that amendment. On Section 69(c) the Opposition group also does not have problems with this Amendment. Section 69(d) is not problematic. On section 93, the Opposition also does not have any problems with that. On section 145, the Opposition also does not have any real problems with that.

On Schedule 2, an amendment to that, the Opposition group has tendered to the government its position that it must be reviewed in its entirety. Options 2 and 3 must be redone altogether. Consequential amendment and transitional, the Opposition group does not really have problem with that.

Sir, we believe that the intention to regulate and institutionalize political parties as a strategy to addressing political instability will not be effective without (we maintain the position) without a comprehensive reform of the country's electoral system. The reform advanced by the government clearly seeks to make political parties the focus of attention in achieving political stability by stabilizing the movement of people in and out of political parties. But it falls short of getting this line of thinking right through to the voters level. The general voters will still vote on candidates based on the strength of individual candidates as opposed to political parties. Such piecemeal approach is not right. We believe that if the government is serious about addressing political instability then it is an opportunity for Parliament to overhaul the entire electoral process.

The government is so concerned about election related corruption and wants to put an end to it. But on the other hand we bluntly refuse to address the electoral system, citing timing as the reason. This is not acceptable. What is four years to get the system right compared to 30 years of implementing a system that is not properly regulated? You might as well use the next four years to do a proper thing.

The issues that are crucial in making our electoral system work are many, but we only cite two very important points as follows. The first is that the country must seriously consider adopting a comprehensive preference voting system now to ensure that candidates are elected by absolute majority of voters in the constituencies. The reform that the Government is advancing seeks to make political parties secondly parties as the central focus of voters' attention. If that is the intention of the government then serious consideration must now be

given to what sort of entity should seek election. Is it political parties or individual members of political parties? As presented in this reform, it does not make any difference at all. Individuals, even though you are a member of a political party you go and run the elections as an individual and you will still be involved in influencing people to vote for you. If the intention is to direct people's attention to political parties then let us do it properly. Let us get people's attention to political parties and to policies advanced by political parties so that what people are electing is political parties and the best policies. Those are the views we have.

In summary, if the intention is to address political stability, the system needs to be, (we made this point to the government), needs to be overarching and takes a holistic approach and we consider the whole political spectrum. Do not just pick bits and pieces here and there. Allow people to go and do whatever they want but when you come here you lock them up. That is not right. In summary, I would like to establish the points that we put across to the government in submissions they asked us to do.

We say that the Bill only addresses a fraction of the problem. Even then some of the amendments proposed are potentially problematic and may even encourage external driven instability and law and order problem. This is particular so with the amendments to section 34 and the incorporation of the new section 34(a), which locks up the government making it impossible to be removed by any means. In order to address the problem in its entirety, we suggest that the reform must also focus on voters, the electoral system and mechanism for political party formation and growth starting with the electorate. Thirdly, political parties must have roots in the ground and nurtured from the electorate right up to Parliament, across the whole political spectrum and not only in Parliament. It must not be imposed from above, especially through legislation that is considered by the upper echelon of the government. The fourth point we put across is that it has no bearing, the reform has no bearing on how people cast their votes at local level and does not address issues faced by electorates. The election system and the government structure and the system too, there is no convincing evidence to prove that political instability is the cause or is caused by lack of party institutionalization and effectiveness. No, accordingly we believe that the whole issue of addressing political instability through the regulation of political parties should be addressed with a comprehensive reform of the electoral systems and processes. We believe that there is no real urgency in legislating the institutionalization of political parties now. We need to do it properly.

The group notes, however, as I mentioned already that some sections in the Constitution, which I have gone them through already, the Constitution

Political Parties Amendment Bill 2009 already caters for political stability in the absence of any political parties bill. We want to see that if it is re-organized it should not have any problem passing through this House. I think it is a starting point to address political instability by including amendments to, what I have already mentioned, strengthening the institutions of parliament. These positions and privileges if done comes with remunerations, maybe access to housing and transport and fringe benefits that go with the offices and it should start to address the issue of political stability.

We also made the point that we are concerned that certain amendments in the Bill, we would like to see addressed, and I have talked on that, like members of parliament should continue to elect the prime minister, as in the current system and this power should not be given to anyone else to appoint the prime minister in the case where he does not have absolute majority. The amendment to section 34 and the incorporation of the new section 34(a) effectively locks up the government and this is not acceptable. Section 34(a) effectively removes the power of Parliament to remove a prime minister by assigning that role to the governing political party. We suggest that the new section 34(a) must be removed in its entirety and instead the existing section 34(a) be improved to cater for the new changes.

The Opposition is also concerned that the removal of the prime minister does not remove the government. We suggest that this important issue should be addressed in the improved section 34. Section 53(b) & (c) does not make any sense at all. A member who is removed by his political party should not be penalized in that way. He should be entitled to be given parliamentary assignment and should be free to choose who to affiliate with.

Probably what can be gathered from this debate is that there are a number of amendments to this constitutional amendment that our group has no problem with. But when that is put with the amendments to Section 34(a) and the processes outlined in Schedule 2 on the appointment and election of the Prime Minister then that is where we have problem. And if a package like that comes with it, the other amendments, then this side of the House will not support those amendments. That is the position I will tell Parliament now, because of the fact that this amendment comes with amendments that we are not comfortable with, and for that reason I oppose the Bill and respectfully ask the Prime Minister to withdraw the Bill, redo it properly and then bring it back for us to look at later. Thank you.

Hon. WALE: Thank you, Mr. Speaker, for giving me this opportunity, in the words of the Member of Parliament for Savo/Russells, “a very new MP for Aoke/Langa Langa who knows nothing”, to contribute briefly to this debate.

And forgive me for any lack of depth in my contribution, as it will be due to that fact that I know nothing.

I have been impressed by the level of engagement in the debate that has been going on so far, as it is obviously an important process dealing with important matters of our nation and therefore this particular Bill and the issues it contains is like a mother wanting to give birth to a baby and the birth pains are too much. These are legitimate issues that this debate has brought up.

We recognize that we stand at a crossroad in the development of the political history of our young and beloved Solomon Islands, and this morning I count it a rare opportunity, one that I do not take for granted and indeed a privilege, and one that gives me great honor to be able to participate in this debate on a bill of such significance and consequence for our beloved Solomon Islands. Only a few years ago, it would have been unimaginable that such a bill would ever reach the floor of this House. It is either as a mark of the maturity of our Parliament or at the very least, the desire for such maturity or a testament to the desperation of our nation for effective and stable government that we are today debating and deliberating on this Bill.

Mr. Speaker, I hope that you will bear with me, and I pray you and my colleague MPs to grant me grace and a little more time than usual to make my case on this amendment. Given the magnitude of the reforms contained in this amendment, it would be remiss of me not to indulge you with a little more detail than would otherwise be my style.

Sir, any constitutional amendment must not be made lightly and to add value it is essential that we understand the hopes and fears of our founding fathers, yourself included, as you negotiated and crafted the Constitution. We can safely assume that our founding fathers wanted to see judicial review, independence of parliament and stable and effective executive government. And that the relationships between these are crafted in a scheme to uphold protect and advance the principals of freedom, the rule of law and to build a strong independent sovereign nation state. It is precisely that these objectives were in mind that our founding fathers insisted on the proper management of the functions of the three arms of government. We must not lose sight of these important objectives, as we embark on constitutional reform, if we ever hope that such reform will actually redeem lost ground in securing and advancing these principles, which were held to be sacred by our founding fathers in the hope of building a stronger more united Solomon Islands.

Our founding fathers made a deliberate choice for constitutional democracy; in other words, limited government. This is the foundation they chose for our nation state and its democratic systems and institutions to guarantee personal freedoms and underwrite the individual's pursuit of progress

and happiness. It is, therefore, important to this debate, and in light of some misconceptions in some of the contributions yesterday that we gain a good understanding of history. I did not intend a tour of history but yesterday's debate has shown how necessary it is to help us get our bearings right on the foundational principles of democracy. Beyond that, I hope to achieve, though not necessarily in sequence, four objectives in my contribution to this debate. Firstly, I will endeavor to provide an explanation of the blessings of an effective and stable executive government. Secondly, I want to try and outline the failure of current provisions to provide for such an effective and stable executive government. Thirdly, I will try to provide an analysis and a defense of the amendments as an instrument of producing such a government. And finally, Sir, I will paint some general brush strokes on a subject matter that is all too familiar to all of us. I will point to some truths about human nature and our Solomon Islands political cultural context that make it prescriptive that such amendments be brought to this House for enactment.

I hope to provide counter-arguments to some of the objections raised against this amendment in the hope of assisting Parliament to exercise the due care expected of it, in its judgment on balance, of the benefits to be gained, and the risks posed by the proposed amendments, over and against the ills posed by continuing the current practice under existing provisions.

Mr. Speaker, with your indulgence, let me take us on a brief tour through the museum of democracy. History is important as it ensures that we learn from human experience to be better placed to make decisions that affect the progress of our society and the nation state formed to protect and advance it. I hope that our tour will not end in the museum, but that we will come out into the zoo (if you can pardon me the use of this analogy) where living creatures play for a look at how they relate to each other and how such relationships determine and define their communities. I hope also to give you the benefit of a bird's eye view of the political stage on which the drama of Solomon Islands politics is played. This will afford us a better sense of perspective of how various actors play their parts on stage and perhaps more by default than by design. We may even get a peek at what happens backstage that is probably driving what is happening on-stage.

It is important to this debate that we educate ourselves on the background and history of democracy. (Please forgive me if I am going to be a little pedantic in doing this). Democracy could be described as a system of government in which either the actual governing is carried out by the people governed or that the power to do so is granted by them. The term is derived from the Greek "democratia", which means popular government which was coined from "demos" meaning people and "kratos" meaning "state". In political theory,

democracy describes a small number of related forms of government and is also a political philosophy. Even though there is no specific universally accepted definition of 'democracy', there are two principles that any definition of democracy includes, and they are equality and freedom. These principles are reflected by all citizens being equal before the law, and having equal access to power. Additionally, all citizens are able to enjoy legitimized freedoms and liberties, which are usually protected by the Constitution.

There are several varieties of democracy, some of which provide better representation and more freedoms for their citizens than others. However, if any democracy is not carefully legislated to avoid an uneven distribution of political power with balances, such as the separation of powers then a branch of the system of rule could accumulate power and become harmful to the democracy itself. This is a significant point to which I will return. The "majority rule" is often described as a characteristic feature of democracy, but without responsible government or constitutional protections of individual liberties from democratic power, it is possible for dissenting individuals to be oppressed by the "tyranny of the majority". (This is another point to which I will return as it has been raised as an objection to this constitutional amendment and the political parties bill which will follow).

An essential process in representative democracies is competitive elections, which are fair both substantively and procedurally. Furthermore, freedom of political expression, freedom of speech and freedom of the press are essential so that citizens are informed and are able to vote wisely and such freedoms come with responsibilities. Popular sovereignty is common but is not a universal motivating philosophy for establishing a democracy. In some countries, democracy is based on the philosophical principle of equal rights. Many people use the term democracy as shorthand for liberal democracy, which may include additional elements such as political pluralism, equality before the law, the right to petition elected officials for redress of grievances, due process, civil liberties, human rights, elements of civil society outside the government, and separation of powers between the three arms of government. In other cases, democracy is used to mean direct democracy.

Although democracy has its origins in ancient Greece, other cultures have significantly contributed to the evolution of democracy such as ancient Rome, Europe and North and South America and other civilizations as well. Democracy has been called the last form of government and has spread considerably across the globe. The right to vote has been expanded in many jurisdictions over time from relatively narrow groups such as wealthy Whiteman in a lot of countries to a much broader franchise with New Zealand being the first nation to grant universal suffrage to all its citizens. However, suffrage still

remains a controversial issue with regards to disputed territories and areas with significant migration and some countries exclude certain demographic groups. Sir, if we paid any attention to the recent debates of the inaugural Youth Parliament, we would have heard the argument advanced for the lowering of the voting age in our country.

The term democracy first appeared in ancient Greek political and philosophical thought. Plato, for instance, contrasted democracy, the system of rule by the governed, as he called it, with the alternative systems of monarchy - rule by one individual, oligarchy - rule by a small elite class and a timocracy. Although Athenian democracy is today considered by many to have been a form of direct democracy, there were two distinguishing features of Athenian democracy that we would do well to give cognizant to. Firstly is selection by lot or allotment of ordinary citizens to government offices and courts, and secondarily the assembly of all citizens. All the male Athenian citizens were eligible to speak and vote in the Assembly, which set the laws of the city-state, although citizenship was not granted to women or slaves.

Sir, during the Middle Ages there were various systems involving elections or assemblies, although often only involving a small number of the population. The English Parliament, for instance, had its roots in the restrictions on the power of Kings written into the Magna Carta, explicitly protecting certain rights of the King's subjects, whether free or fettered and implicitly supported what became the English writ of habeas corpus, safeguarding individual freedom against unlawful imprisonment and granting the right of appeal.

The first elected Parliament in England was in 1265. However, only a small minority actually had a voice. Parliament was elected by only a few percent of the population, less than 3% in fact in 1780, and the power to call Parliament was at the pleasure of the monarch usually when he or she needed money, and the system had a lot of problematic features as is to be expected. The franchise, of course, was slowly increased and Parliament gradually gained more power until the monarch became largely a figurehead.

Although not described as a democracy by its founding fathers, the United States founders shared a determination to root the American experiment in the principle of natural freedom and equality. The US Constitution, adopted in 1788, provided for an elected government and protected civil rights and liberties for some. In the colonial period before 1776, and for sometime after, only adult white male property owners could vote. Enslaved Africans, free black people and women were not extended the franchise. By 1840s almost all property restrictions were ended and nearly all white adult male citizens could

vote, and turnout averaged 60 to 80% in frequent elections for local, state and national officials.

In the 1860 Census Sir, the slave population in the United States had grown to four million, and in reconstruction after the Civil War in the late 1860s, the newly freed slaves became citizens within the case of men and nominal right to vote and full enfranchisement of citizens was not secured until very recently after the African-American civil rights movement of the mid 1900 which campaigned for freedom from oppression from white Americans and gained passage by the US Congress of the Voting Rights Act of 1965.

Sir, in 1789, revolutionary France adopted the Declaration of the Rights of Man and of the Citizen. Although short-lived, the National Convention was elected by all males. Of course, closer to home the Australian colonies became democratic during the mid 19th century, with South Australia being the first government in the world to introduce women's suffrage in 1861. In those days, it was argued that as women would vote the same as their husbands, it essentially gave married men two votes, which was perhaps not an unreasonable assumption at the time. New Zealand granted suffrage to native Maori men in 1867, white men in 1879 and women in 1893, thus becoming the first major nation to achieve universal suffrage, although women were not eligible to stand for Parliament until 1919.

Scholars argue that there is often confusion in equating the presence of a written constitution with the conclusion that a state or a polity is one based upon constitutionalism. They argue that constitutionalism should not be taken to mean that if a state has a constitution it is necessarily committed to the idea of constitutionalism. In a very real sense, every state may be said to have a constitution, since every state has institutions which are the very least expected to be permanent, and every state has established ways of doing things. But even with a formal written document labeled a constitution, which includes the provisions customarily found in such a document, it does not follow that it is committed to constitutionalism. This argument probably has a lot of truth in it. There are examples of this in our region. I do hope that in our young democracy there is a fervent belief in and a commitment to constitutionalism. This is essential to guide us as we embark on constitutional reform.

In U.S history, constitutionalism in both its descriptive and prescriptive sense has traditionally been focused on the federal constitution. Indeed, a routine assumption of many scholars has been that understanding American constitutionalism necessarily entails the thought that went into the drafting of the federal constitution and the American experience with that constitution since its ratification in 1789. Sir, in fact, there is a rich tradition of state constitutionalism that offers broader insight into constitutionalism in the U.S.

While state constitutions and the federal constitution operate differently as a function of federalism, the coexistence and interplay of governments at both a national and state level, all rest on a shared assumption that their legitimacy comes from the sovereign authority of the people, in other words, popular sovereignty. This underlying premise embraced by the American revolutionaries with the Declaration of Independence unites the American constitutional tradition. Both the experiences with state constitutions before and after the federal Constitution, as well as the emergence and operation of the federal Constitution reflect an ongoing struggle over the idea that all governments in America rest on the sovereignty of the people for their legitimacy. This is a significant point to have in focus as we consider this amendment.

Our history is clear that the elections of Prime Minister have borne little or no resemblance to the collective mandate or wishes of the electorate. In effect, our people have had no hand in determining who becomes prime minister and the government that is subsequently formed. This decision has been left to Members of Parliament who have, for the most part, acted as individuals. And when acting as individuals in this important decision, they have betrayed their vulnerability to treatment and corruption, and thereby creating an atmosphere of tension in the public mind. Sir, these situations as we all know well, are the most dangerous as tensions could very easily be ignited and violence could result, as we saw in April of 2006. This amendment is a clear recognition of this important principle that government derives its legitimacy from the sovereignty of the people and its composition and the policies that it pursues ought to reflect their collective electoral mandate. I grant, of course, the objections that are being raised on the weaknesses inherent in the current First Past the Post electoral system to deliver such a mandate. (I will address that objection later on).

Sir, constitutionalism has both descriptive and prescriptive connotations. Used descriptively, it refers chiefly to the historical struggle for constitutional recognition of the people's right to consent and certain other rights, freedoms, and privileges. Used prescriptively, its meaning incorporates those features of government seen as the essential elements of the Constitution. In contrast to describing what constitutions are, a prescriptive approach addresses what a constitution should be. Sir, constitutionalism embodies the idea that government can and should be legally limited in its powers and that its authority depends on its observing those limitations. This idea brings with it a host of vexing questions of interest to anyone keen to explore the legal and philosophical foundations of the state. It is perhaps useful, at some stage, that such questions are explored.

Whether reflecting a descriptive or prescriptive focus, treatments of the concept of constitutionalism all deal with the legitimacy of government. An assessment of our constitutionalism, for example, will note that the idea serves to define what it is that grants and guides the legitimate exercise of government authority. Our founding fathers conceived our constitution to be a set of fundamental rules by which even the supreme power of the state shall be governed. Hence, ultimately, constitutionalism and our constitution came to rest on the collective sovereignty of the people, the source that legitimized government and its institutions. It is therefore absolutely critical that the electoral system is designed to procure a clear and unquestionable mandate from the electorate by ensuring that a majority vote by the electorate will determine executive government. I grant that this calls for electoral reform in our system to overcome the current inadequacies in the First Past the Post system. The CNURA Government has made a very clear and public commitment to comprehensive electoral reform in this direction, although it is apparent that we are running out of time.

One of the most salient features of constitutionalism is that it describes and prescribes both the source and the limits of government power. Constitutionalism is the name given to the trust which people repose in the power of words engrossed on paper to keep a government in order. Starting with the proposition that constitutionalism refers to the position or practice that government be limited by a constitution, usually written, many analysts take a variety of positions on what the constitution means. For instance, they describe the document as a document that may specify its relation to statutes, treaties, executive and judicial actions, and the constitutions or laws of regional provincial jurisdictions. This prescriptive use of constitutionalism is also concerned with the principles of constitutional design, which includes the principle that the field of public action be partitioned between delegated powers to the government and the rights of individuals, each of which is a restriction on the other, and that no powers be delegated that are beyond the competence of government.

These political and constitutional controversies also posed questions of constitutionalism: how do we identify the collective sovereign, what powers does a sovereign possess and how does one recognize when the sovereign acted. Unlike constitutional questions, questions of constitutionalism could not be answered by reference to given constitutional text or even judicial opinions. Rather, as in the case of the US, they are usually open-ended questions drawing upon competing views developed after independence about the sovereignty of the people and the ongoing role of the people to monitor the constitutional order that rested on their sovereign authority. There is an important role for people in

constitutionalism, and it is in our own best interests that the role of the people in our own democracy be accentuated.

Sir, a similar distinction could be drawn in assessing Britain's unwritten constitution as in the difference between the conventions of the constitution and the law of the constitution. Sir, the essential distinction between the two concepts was that the law of the Constitution was made up of rules that are enforceable by the Courts, comprising a body of laws in the proper sense of that term. In contrast, the conventions of the constitution consisted of customs, practices, maxims or precepts, which are not enforced or recognized by the Courts, yet they make up a body, not of laws, but of constitutional or political ethics. It is important for us to note this. We inherited the Westminster system of constitutional parliamentary democracy from Great Britain. The political ethics of governance in the UK is mostly regulated by these unwritten, but nonetheless highly respected conventions. We know very little about these conventions, and even if we know of them, history has shown that we have paid no respect whatsoever to them. In other words, the effective functioning of the Westminster system in Great Britain, and in other commonwealth jurisdictions such as Australia, New Zealand, Canada, etc., depend mostly on unwritten conventions that are respected by both the electorate and individual MPs and political parties as important stake holders in the political process. Therefore, if we want to see our Westminster parliamentary democracy to work as well over time as we gain a matured understanding of it, we ought to codify these conventions to guide us. And this is precisely what this reform is seeking to do.

This amendment is not seeking to go beyond what is in existence in other functional commonwealth Westminster parliamentary democracies, but rather it is merely seeking to codify it. Of course, in modern times, the difference between a parliamentary democracy that is a constitutional monarchy and one that is a republic is considered more a difference of detail than of substance. In both cases, the titular head of state, a monarch or president serves the traditional role of embodying and representing the nation, while the actual governing is carried out by an elected Prime Minister.

Sir, the most significant family of constitutional monarchies in the world today, is the countries of the commonwealth under Queen Elizabeth II, of which we are one. Unlike some of their continental European counterparts, the monarch and her governors-general in some of the commonwealth realms hold significant "reserve" or "prerogative" powers, to be wielded in times of extreme emergency or constitutional crisis usually to uphold parliamentary government. An instance of a governor general exercising his power was during the 1975 Australian constitutional crisis, for instance, when the Australian Prime Minister of the time, Gough Whitlam, was effectively fired from his position. This led to

much speculation as to whether this use of the Governor General's reserve powers was appropriate, and whether Australia should become a republic. It was a direct result of this Australian experience that our founding fathers decided that our constitution was to be written to exclude such 'reserve powers'. They determined in their wisdom that the Governor General, representative of the head of state, needs to act within the expressed limits of the Constitution. He cannot assume powers the Constitution did not grant him.

Although conceptually separate from democracy, republicanism included the key principles of rule by the consent of the governed and sovereignty of the people. In effect, republicanism meant that the kings and aristocracies were not the real rulers, but rather the people as a whole were. Exactly 'how the people were to rule' was an issue of democracy – republicanism itself did not specify how that was to be done. In the case of the United States, the solution was the creation of political parties that were popularly based on the votes of the people, and which controlled the government. Many exponents of republicanism such as in the US, Benjamin Franklin, Thomas Paine and Thomas Jefferson, were strong promoters of representative democracy. However, other supporters of republicanism, such as John Adams and Alexander Hamilton, were more distrustful of majority rule and sought a government with more power for the elites. And there were similar debates in many other democratizing nations. I think that issue is also one that is being debated here.

Those in our country who are advocating that the election of prime minister remains on the floor of Parliament, are echoing the argument that the elites have a greater say in the leadership and formation of executive government, thereby also giving them considerable influence, way beyond their numbers, over public policy and direction. This amendment moves in the other direction, in favor of the national electorate having a greater influence in these matters.

Let me move briefly now to liberalism. It is the belief in the importance of individual freedom. This belief is widely accepted today throughout the world, and was recognized as an important value by many philosophers throughout history. Modern liberalism has its roots in the age of enlightenment and rejects many foundational assumptions that dominated most earlier theories of government, such as the divine right of kings, hereditary status, established religion, and economic protectionism. John Locke is often credited with the philosophical foundations of modern liberalism. He wrote "no one ought to harm another in his life, health, liberty, or possessions," although, he himself opposed the granting of liberty to the Negro.

Sir, in the 18th century, in America, the first modern liberal state was founded, without a monarch or a hereditary aristocracy. The American

Declaration of Independence, includes the words (which echo Locke) that “*all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to insure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.*”

In a casual discussion on these reforms recently someone expressed the fear, based on the historical experience in our country that our elites have, for the most part, misused and abused government, albeit that they assumed a sort of mandate, however, deficient that mandate is for exercising government. This wise old lady went on to express her fear that power in the hands of the elite may mean marginalization of the poor. Too powerful an executive government could potentially neglect the cries of the people she said. If the elite of the country was complicit with such a powerful executive government, there could be government of, by, and for a few against the many. We must never allow this to happen in our beloved Solomon Islands. No political leadership should ever pretend to command such trust as to seek such power. It is incumbent on the political leadership of all executive governments in Solomon Islands to live and act, by the use of the powers reposed in government within the clear boundaries of law and reason. *Limited government must be protected and advanced by all who occupy and exercise government.*

Liberalism asserts that a state can be strong but constrained. We must hold this as sacred. There can never be an excuse good enough to threaten the principle of limited government. There are many in this House whose ambition it is to become prime minister, and I am not among that number, and it is noble that sons and daughters of this country should desire to lead it. However, such numbers must subscribe and unequivocally commit to these very important principles that under-gird our society and its government.

We are all too familiar with the strengths and weaknesses of human nature: we possess the capacity for reason and justice, and this makes free government possible. However, we also possess the capacity for undisciplined passions, vengefulness and injustice and this makes limited government necessary. Limited government with checks and balances contained in our Constitution is the primary foundation that ensures we hold these objectives in balance for the protection of the rights of the individual and the advancement of our beloved country. This amendment seeks to further clarify this necessary balance. Liberal democracy seeks to combine idealism and realism in constitutional government, and this is a necessary tension that must be kept well in focus as we consider these proposals for reform. Do these reform proposals take from or add to these timeless principles? The answer to that question

cannot lead us anywhere else but in the direction of the great need for a stable and effective limited government.

We know that there can be no happiness for the individual without liberty. There can be no liberty without self-government (that is government by consent), not dictatorship, no self-government without constitutional (limited) government, and no constitutional government without morality, and none of these high worthy goods without stability and order. It is therefore incumbent on all of us to seek in all earnestness for stability and order, and eliminate all propensity for and vulnerability to instability and disorder. This amendment and the Party Bill that will follow move us closer to these objectives.

The impact of liberalism on the modern world is profound. The ideas of individual liberty, personal dignity, free expression, religious tolerance, private property, universal human rights, transparency of government, limitations on government power, popular sovereignty, national self-determination, privacy, and the list goes on, "enlightened" and "rationale" policy, the rule of law, respect for science, fundamental equality, a free market economy, and free trade were all radical notions some 250 years ago. Liberal democracy, in its typical form of multiparty political pluralism, has spread to most of the world. Today all these ideals are accepted as the goals of policy in most nations, even if there is a wide gap between what government says and what they do.

The rule of law and equality before the laws are fundamental to liberalism. Government authority may only be legitimately exercised in accordance with laws that are adopted through an established procedure. Another aspect of the rule of law is an insistence upon the guarantee of an independent judiciary, whose independence is intended to act as a safeguard against arbitrary rulings in individual cases. The rule of law includes concepts such as the presumption of innocence, no double jeopardy, and the hideous pocus. Rule of law is a guard against despotism and are deliberate limitations on the power of government.

The relationship between liberalism and democracy may be summed up by Winston Churchill's infamous remark, that "...democracy is the worst form of government except all those other forms..." In short, there is nothing about democracy per se that guarantees freedom as opposed to a tyranny of the masses. The coinage liberal democracy suggests a more harmonious marriage between the two principles than actually exists. Liberals (and those of the liberal party will say this) strive after the replacement of absolutism by limited government: *government by consent*. The idea of consent suggests democracy. At the same time, the founders of the first liberal democracies feared both government power and mob rule, and so they built into the constitutions of liberal democracies both checks and balances intended to limit the power of

government by dividing those powers among several branches, and some have bills of rights intended to protect the rights of individuals. For liberals, democracy is not an end in itself, but an essential means to secure liberty, individuality and diversity. Solomon Islands is a grateful beneficiary of this rich heritage. We often talk and shout in this house and elsewhere about 'homegrown' concepts, and it is right, of course. However, we need the humility to acknowledge the experience of other cultures, societies and nations from whom we have learned in our own journey in constitutional democracy.

Lest any of my colleagues begrudge me, I now want to move briefly to the basic ideological difference between liberalism and social democracy, and this difference lies in the role of the state in relation to the individual. Liberals value liberty, rights, freedoms, and private property as fundamental to individual happiness and regard democracy as an instrument to maintain a society where each individual enjoys the greatest amount of liberty possible (subject to the harm principle). Hence, democracy and parliamentarianism are mere political systems which legitimize themselves only through the amount of liberty they promote, and are not valued per se. While the state does have an important role in ensuring positive liberty, liberals tend to trust that individuals are usually capable in deciding their own affairs and generally do not need deliberate steering towards happiness. Sir, social democracy, on the other hand, has its roots in socialism (especially in democratic socialism), and typically favors a more community-based view. While social democrats also value individual liberty, they do not believe that real liberty can be achieved for the majority without transforming the nature of the state itself. Having rejected the revolutionary approach of Marxism, and choosing to further goals through the democratic process, social democrats nevertheless retain a strong skepticism for capitalism, which they believe needs to be regulated or managed for the greater good. This focus on the greater good may, potentially, make social democrats more ready to step in and steer society in a direction that is deemed to be more equitable. In light of the global financial crisis caused by the greed of capitalists, there is much merit in what they have to say. In practice, however, the differences between the two may be harder to perceive. This is especially so nowadays, as many social democratic parties have shifted towards the center and adopted what has been referred to as the "third way" politics.

Let me now turn to our local context. It is probably fair to say that at independence and at least for the first two parliaments post independence, there was a sense of nationalism that motivated politicians and so helped to determine their behavior in Parliament and was the basis for what was a growing political party system. One could say that there was some respect or at least a growing sense of respect, for parliamentary conventions governing behavior. Although

personality was a key driver for political parties, ideology was beginning to feature and perhaps stronger than it does today. The corruption and horse-trading that has become such a hallmark of contemporary parliamentary politics today was largely unheard of. MPs were paid very little, but they serve their country regardless. Up to about 1989 one could argue that political parties were beginning to get the recognition they deserved when a large number of MPs were voted in under either the Alliance or United parties. The country rightly had high expectations of that Parliament. Of course, what was a blooming party system was totally destroyed by sheer political opportunism which has had the tragic consequence of seeing both political parties now greatly weakened, and in the case of the United Party maybe never to rise again from the dead. This also marked the loss of innocence as MPs realized their votes on the floor was a highly prized commodity that could attract currency. The rest, as we know is history, unfortunately still in the making.

There has simply been too much incentive for personal gain to cause and be part of political instability in our country. Generally, this has not served the national need for effective executive government. The general perception of the public around that time was that the government lost touch and so there was a strong desire for change in the 1993 general elections. There was also a strong desire in the electorate to reform the forestry sector and clean up that industry. As we know, the government formed after the elections had an independent member as Prime Minister in a coalition of at least five political parties with a majority in parliament of one. The then Prime Minister was perpetually held prisoner to the numbers game and his ability to pursue policy and national interest was greatly constrained. The NCP Government was finally brought down by logging and other vested interests, as it attempted to reform that sector. Much of these interests were foreign, although not all. The government that replaced the NCP was basically the same government that was in office prior to the 1993 general elections. If there was the desire for change in the 1993 elections, the system conspired against such a popular mandate and defeated the will of the people. That replacement government, as to be expected, merely pursued the policies that perpetuated the status quo that was rejected in the 1993 general elections. So once again in the 1997 general elections, the electorate voted for a change from that status quo and the cry for reform was very strong. The government formed after the 1997 elections had a prime minister who was the only MP in his political party. He had to attract more members whilst being Prime Minister to give him some stability. This forced him to forge relationships with outside interests that compromised his ability to lead government and make policy decisions. His desire to grow his party also served to undermine his coalition partners, and made for an uneasy coalition. Of course, we know what

happened to that government and the great tragedy that befell our beloved country. That Prime Minister was forced by a coup at the barrel of the gun to resign, and I need not go into the details of that, as we all know it well. The days subsequent to the coup must be the worst for our beloved Solomon Islands, especially in terms of governance. They were days when we experienced the worst abuses of government. The public treasury was a quarry for a few people, some of whom were in government. And although the TPA achieved the end of active hostilities, the Prime Minister then was arguably the weakest in history. God help us in our solemn pledge never again, to allow our beautiful Solomon Islands to ever fall into that black hole of the worst hatred, division, fear, disorder and greed that strangled our society, robbed hope from our children and paralyzed the state.

The intentions of this amendment were already being discussed prior to the 2006 elections, and prior to the instability and violence following the election of Prime Minister in April of that year. The events merely reinforced the dangers of retaining the status quo. This Parliament will be acting most irresponsibly if it did not learn the lessons of April 2006 and adopt the reforms contained in this amendment. We would be suffering from memory loss of the worst kind and would be allowing this country to remain vulnerable to political and social instability if we reject the reforms proposed in this amendment. Let us not trifle with this country's cry for political stability and effective executive government. This Eighth Parliament has a solemn responsibility to establish a platform for stable effective government and it cannot procrastinate any longer.

I now want to address some objections that have been raised against the reforms this Amendment seeks to enact. At the outset, I wish to point out the fact that there have been some valid comments in the objections and the Government has had to make policy choices on which it has gained consensus. I note at least 16 objections that are being registered against these reforms. I am sure there are more but I leave others to other speakers to respond to.

Freedom of expression of an individual Member of Parliament; the objection is that this would be stifled. It should go without saying that a member of parliament can and must speak his voice freely. This objection assumes that even within a political party a MP would not have freedom of expression. It would be easier for an individual MP to influence debate within a party forum than on the floor of Parliament. A MP can and must still voice any concerns he, she has on the floor of Parliament. The voice is not silenced by this amendment, if anything. A political party offers an opportunity for the individual MP to maximize his or her policy influence, in a way that would otherwise be difficult on the floor of Parliament under current arrangements.

Freedom of movement and association of a MP on the floor of Parliament, the objection is that a MP ought to be free to move and associate with any political grouping within Parliament. This amendment does not in any way remove this right. However, the amendment seeks to regulate how this right ought to be exercised with responsibility. A member of parliament can exercise this right at the appropriate stages in the political process timed in an overall scheme to ensure stable government. The MP makes a deliberate choice of which party to associate with. That MP exercises his or her freedom of association and movement by making that choice. All rights come with responsibilities. We must move away from the assertion that any right can be exercised without due regard to responsibility or even if it causes harm to the common desire for stable government. Parliament is about governance, and so a MP's exercise of his or her rights must always be judged in light of whether it protects and advances limited government, stable effective governance. Parliament is concerned with national interest and so it follows that rights asserted on the floor of Parliament must be exercised so as not to harm the national interest. This argument cannot be used merely as a pretext to protect the use of rights for personal or vested interests. The ability of a MP to hold executive government to account is neither removed nor diminished, rather it has been strengthened. Further, this objection betrays the fallacy inherent in the assumption that the practice of MPs crossing the floor whenever it suits them is an accountability check on executive government. We all know that this generally has not been our experience.

Sir, it has been asserted that the political party's culture is a foreign concept that will not work in Solomon Islands. On the surface, this assertion has some truth in it. However, it cannot be allowed to be over-stretched. Is not the concept of a constitution itself also a foreign to us? What about the notion of a nation state, as embodied in our constitution, is that also not a foreign concept? Culture is not static; rather it is dynamic and can be induced. We are in the process of building a modern liberal democratic nation state which, of course, must preserve what is good of our traditional values but must also be open to learn from what is good in other cultures and traditions. This objection therefore has to be judged as simplistic.

It has been asserted that addressing emoluments of MPs would achieve the same objective of stable effective executive government and this I think emanates from the fallacy that a MP would be a stable agent if receiving relatively high remuneration. The proponents of this argument are obviously blind to the reality of human nature never satisfied, always wanting more. The recent award by the PEC, which received such objection from the public and rejection from the court, are an example of MPs not satisfied with what they are paid and seeking more benefits for themselves, appearing almost oblivious to the

plight of the rest of the country. If you give a person more, human nature dictates that he or she will, in time, want more. Entitlements do not, in themselves elicit ethnical behavior that is essential to stable government.

It has also been said that we only need good MPs, not legislation as has been said by many other speakers before me. Almost all MPs in this House have crossed the floor at some time in their career, rightly or wrongly in the name of national interest, but perhaps also in pursuit of personal interest and ambition. It makes the notion of a good MP in our system a very relative term. We cannot wait in the hope the House will be filled with only good MPs because we will be waiting until Jesus Christ our Lord returns. This assertion is either blind or naïve about human nature. At its core the human being is very selfish; this is why we need the various mechanisms to avoid conflicts of interest when we are in positions that exercise power for the public good.

It has been asserted that it is a weakness to allow the transposition of the election of prime minister from Parliament to the party room that Parliament should be left to elect the prime minister. This view gives supremacy to Parliament over and against the people. We must understand that Parliament is formed on the basis of the consent of the people and derives its legitimacy from the government. Therefore, Parliament per se is not supreme, rather supremacy is in the sovereign will of the people. Parliament's supremacy, therefore, is never more than derived. It is therefore clearly better to shift the selection of prime minister and formation of government to closely resemble the mandate given by the people in general elections. The practice under existing provisions have resulted in a group of individuals in Parliament in a meeting of MPs electing the Prime Minister, almost always with little or no regard to the peoples' mandate in elections. The amendment will raise the importance and significance of the individual vote in a general election. When the individual casts her vote, she has to also consider how that vote will contribute to selecting a good prime minister and government for our country. And the resultant executive government will be more truly of, by, and therefore for the people. When the collective will of the people has turned against an executive government, this will be clearly demonstrated in the general elections.

We have had instances in the past when the popular will was against certain groupings that comprised government. But such objection could never be fully held against such government, as the groups that comprised it had simply metamorphosized into other groups, and so made it impossible for the electorate to hold them accountable. This amendment will ensure that the electorate will determine who becomes Prime Minister by selecting the political party that best represents the policies and leadership they desire for the country. Of course, it is true that for the most part people vote along tribal lines, and therefore the

objection that political parties will not have much resonance with the electorate has some merits. But at worst, this is a transition issue. Further electoral reform to enact full preferential voting will induce voters to look beyond tribal and wantok lines. We must take the long term view in these matters.

The objection has been raised that Party Leaders will become too powerful under the proposed arrangements; super ministers or super politicians. There is, I think, some truth in this in that the Prime Minister will be required in the proposals to consult regularly with Party Leaders on important matters, including appointments and terminations of ministers. In such matters it is a limitation on the prerogative of the Prime Minister and this leaves room for compromise and could arguably paralyze, compromise a Prime Minister. This was also a pragmatic choice made after much debate in government at various levels to safeguard against the Prime Minister taking unilateral decisions and terminating ministers simply for holding views different to his own. This obviously is an issue that needs revisiting sometime in the future to ensure we get the balance right.

It has been argued that the provision for the formation of coalitions after an election will serve to strengthen the hand of smaller parties who may simply open themselves to the highest bidder in the formation of government. The argument is that coalitions should be forged prior to an election. I have to admit that there is some wisdom in this argument. However, again the pragmatic choice was made not to limit the options in the formation of government and the participation of parties. Of course, coalitions can be forged prior to elections. It is entirely possible to foresee the pragmatic situation in which the party with the largest number of seats after an election could be locked into a pre-election coalition with partners without seats after an election, and the party with the highest numbers of seats ought to be able to enter into a viable coalition with other parties for the purpose of forming an absolute majority government.

It has also been said that independents should not be allowed at all, that only political party candidates could contest elections. I have to admit again that I share this sentiment. On the one hand, I acknowledge that individuals ought to be able to exercise their constitutional right to remain outside a political party. This would effectively become a protest against mainstream parties if such parties become stale or are out of sync with the community; this is the experience in other countries. Conversely, it is clear from our own history that independents have been a source of instability and so if we are to deal with political instability substantively, we would need to deal with the notion of independents perhaps by eliminating it totally as has been suggested. However, some balance is required in our consideration of this question. We must recognize the tendencies within human nature that calls for limitation . As the

adage has it, “absolute power tends to corrupt absolutely” and if there is no room for independents, we would virtually eliminate room for protest against the mainstream, if that mainstream held too much power and is not using it constructively. It is therefore a pragmatic choice to leave room for protest (as represented by independents) but that there would be incentives for such independents to join political parties in the mid to long term and reform such parties from within if they are out of sync with the community. Recognizing the problems associated with independents in our recent history, therefore, these reforms exclude independents from being considered in the numbers within political parties for purposes of formation of government. The numbers of independents joining a party after an election will not count in the decision to invite a leader of a political party to form government. This limitation effectively tilts the balance away from independents to parties. An independent cannot hold ministerial or other appointments within government and therefore will be mindful of not trying to extract too much, if his attitude is to try for the highest bidder because the time period for such trading is limited. However, this issue will require revisiting and may need to be further amended in the future. Even if independents were totally removed, we should still hope to see free speech and conscience within political parties and through it in Parliament.

The objection has been raised that the reforms could not work unless and until we move to a preferential electoral system. This argument has been way over-stretched. We all know that Australia, New Zealand and Canada, among other Commonwealth countries have had Prime Ministers appointed whilst they still use the First Past the Post electoral system with its inherent weaknesses. Australia only recently moved to a preferential system of voting. Likewise New Zealand only recently moved to the MMP system. This objection therefore cannot stand in the light of the experience of our neighbors, and we can gain some comfort from their experience. Further, there is general policy consensus in our country that we must move to full preferential voting system, and therefore we can consider this as a transitional issue.

Some have argued that the removal of a prime minister is too difficult whilst on the other side others have said it will be too easy. Both sides of this argument have been advanced. On one side, some have said that in light of the PNG experience, it would be too difficult to remove a prime minister. They argue that this would potentially result in a bad Prime Minister becoming too powerful and providing a nest for corrupt government. This, coupled, with regulated movement of a MP means a MP could not hold a prime minister or the government to account in Parliament.

Firstly, and at the outset, this argument has been used to perpetuate the status quo. We know that in the status quo MPs are known to have made some

money during periods of political fluidity with absolutely no regard to the national interest. (I hope this is not the real reason behind this objection). Therefore, the status quo cannot be used as an argument in this matter, as it allows for a lot of corruption.

Secondly, it has been assumed that in the status quo an MP is able to hold the government to account in Parliament, but this has simply not happened in our experience, as has been advanced. Unless, the proponents of this argument are prepared to admit that they equate political instability and fluidity withholding government to account then that argument could stand. But political instability is not a function of accountability, and this objection seems to emanate from this convoluted logic. If we assert that political instability is a tool for holding government to account, then similarly we must also grant that anarchy is also a legitimate accountability tool. This is clearly an absurdity. Thirdly, one needs to read carefully this amendment to note the stark contrasts to the PNG OLIPAC legislation on this point. Fourthly, I wish to ask a rhetorical question: What would be an appropriate threshold for the removal of a prime minister, in the hopefully unlikely event that it becomes necessary? On the other side, it has been argued that it is too easy to remove a prime minister in the amendment on two fronts. Firstly, the removal (by replacement motion) of a prime minister on the floor of Parliament only requires an absolute majority that is easily obtainable. This was an amendment that was added to the bill after the parliamentary workshop on the two bills. The initial proposals were to allow for changes to the Prime Ministership to be made within party or coalition caucus. The provision in the Bill therefore, the current one, is no different from the threshold requirement in current provisions. It is therefore no easier or harder than at present.

Further, it has been argued that a prime minister therefore is even more imprisoned by the numbers game, now within his own party or coalition caucus, without the benefit of being able to call on MPs from the opposition to join him or her in government. Therefore, it is asserted it does not deal with the numbers game substantively. I have to admit, that I share similar concerns on this point. However, we must note that it is important that there are mechanisms and processes available should it become necessary to remove and/or replace a prime minister. The threshold for such removal must not be set too low that it perpetuates instability, and in the same light it cannot be set too high that it becomes virtually impossible. Once we have made the choice, the policy choice to leave room for the removal or replacement of a prime minister, a pragmatic determination has to be made to balance the two objectives. Under existing provisions, a simple majority is sufficient to remove a prime minister on the floor of Parliament.

It has been said that the scheme contained in the proposed Schedule 2 to the Bill is too complicated. As I have said earlier, our political culture prefers a prescriptive regulatory framework for the avoidance of doubt. The scheme contained in the proposed Schedule 2 is set out to give ascendancy to political parties. Only the leader of a political party can be prime minister to move away from the current experience in which an independent MP can be prime minister. The political party with the largest number of seats after a general election must always receive first preference in the process of appointment of prime minister, in recognition of the electoral mandate granted by the people.

It was asked why retain as a last option in the proposed Schedule 2 the current practice of a meeting of members to elect a prime minister? This is simply a pragmatic policy choice. Initially, the last option was for the Governor General to dissolve Parliament in the event it cannot form a government with absolute majority, and it would simply be too expensive to have to go back to elections which are expensive, and so the pragmatic choice is to retain the current process as the option of last resort. Let us hope that we will never need to have recourse to it. Further, we hope that having this pragmatic option does not invite anyone to conspire against the clear intent of the overall scheme of the proposed schedule by frustrating the first three options to create instability.

Some have objected to the Bill on the grounds that it is prejudicial to the interests of women. Exactly how this could be, I cannot see. The objection is that women MPs when they finally do arrive in our Parliament, hopefully in 2010, should be free to cross the floor to protect their interests. I acknowledge that there could be valid grounds for women to be concerned that their rights and interests are protected and not undermined or compromised in any reforms. However, we must also grant that all rights and interests of sectors of our society must be subject to the overall desire of our society for greater political stability and order. Instability will certainly never advance the plight of women. Do the proponents of this objection prefer the political instability so prevalent under the current system as a legitimate tool to protect and advance the interests of women? This surely must be absurd. Further, individual rights contained in the Constitution require that the rights of all individuals be respected, including that of women. No law that discriminates against any sector of our society can stand against this clear intent of the Constitution. It is an irrational fear that under these reforms, the situation might arise that through stable government legislation will be passed will be prejudicial to women or any other sub-sector of our society. This fear is irrational as it is ill-informed of the wider body of law within our jurisdiction and within common law that protects the rights of groups within society. In fact, the contrary is more likely; a stable executive government that is not imprisoned by the numbers game is far more likely to make and take

tough decisions that will advance the interests of minorities and of sectors of our society that feel disadvantaged. These reforms ought to have the support of women.

It has been raised against the Bill that it will not eliminate corruption. I need not point out the terrible fact that we will never totally eliminate corruption on this earth how I wish that we could. This is not an excuse for compromise. We must do everything we can, the best we know how to stamp out corruption from within our society at all levels. This Bill is part of a number of reforms that taken together will make substantive headway in our crusade for good and right governance. We have seen that political instability gives fertile ground for corruption on a grand scale. Likewise, it ought to be clear to all of us that political stability can also be exploited for corruption. This Bill proposes checks and balances that will ensure that such can be substantively dealt with without causing political instability. Other reforms as was alluded to by other speakers such as ICAC legislation, National Audit Office legislation, cleaning up of the electoral register of voters, among others, must come to complement the reform proposals in this Bill and existing laws in our war on corruption.

The objection has been raised that we simply cannot afford the institutions to implement the requirements that these two bills impose on us. I would respond to that objection simply by saying that our beloved Solomon Islands has paid too high a price socially, economically, financially and spiritually under existing provisions for its propensity to allow for political instability. The cost of political instability has simply been too great. We have suffered violence and destruction and other evils as direct consequences of the political instability. How can the cost of the institutions be possibly more than these costs? I simply cannot understand this objection in the light of the comparative cost. We must therefore be prepared to count the cost of having these institutions to supervise what is arguably the most strategic link in our governance framework. I do not think the cost will be prohibitive, but it will be a strategic investment we must make for the future leadership and governance of our beloved Solomon Islands. Doing nothing is clearly not an option.

I now want to turn to the blessings of having an effective and a stable executive government. Stability is a prerequisite for effective executive government. A stable and effective executive government ensures consistency of policy. Instability and frequent changes to policy zaps confidence and forces short-termism both on government and on the private sector, and the Leader of Opposition shall referred to the lack of long term development plans and the fact that we have been stuck in short terms plans.

Legislative and economic reform needs to be sustained over a longer time period if they are to yield lasting fruits for the development of our society and

economy. Instability and weak executive government precludes such benefits from ever being realized. It should go without saying that substantive long term planning is only possible if based on an underlying assumption of political stability, and the effectiveness of executive government to implement it. The success of any government is tied intimately to the creature that is called the public service. This creature seems to have a mind of its own and moves at its own pace. Even a shadow of instability or uncertainty is enough to slow down this creature into a wait and see mode, which frustrates the implementation of government policy and the delivery of services to our people. Stability and effective executive government are essential to ensure a more active, engaged, committed and accountable public service.

Stable executive government removes the distraction of almost always pandering to the whims of the numbers game. The country has very high expectations, and rightly so, of its Prime Minister and its executive government, and therefore, the Prime Minister's focus and attention should never be taken away from any length of time from policy. The Honorable Leader of Opposition and I am sure any other former Prime Minister can testify to the unpleasant fact that the numbers game is a spider's web that is weaved on irrational fears, deceit, conspiracy, greed and the very things that clearly work against the country and its national interests. This web has been the prison that our recent Prime Ministers have been chained in. How can we expect the Prime Minister to exercise reasoned rationale balanced judgment when he or she is imprisoned by the irrationality of this web.

Stable executive government ensures resources are allocated based on informed choices. Ours has been a struggle to distribute national resources fairly. The dictates of reality on the ground may require that focus is given to some areas of policy and not others at various times. This will enable systematic development of the various sectors of the economy over a longer time period, as opposed to always spreading our resources thinly across many fronts and not achieving very much over the long term.

Sir, political stability is an important catalyst to creating confidence in the economy and in the investment market. Investors can plan with a higher level of certainty, leading to more long term corporate investment which will create employment and economic opportunities as the basis for economic growth and development. This is essential if the government's revenue base is to broaden and less reliance is placed on donor assistance in the long term. Sir, the case of Vanuatu has been cited but it needs to be noted that Vanuatu is considering similar legislation to achieve stability on the floor of their Parliament.

Stable and effective executive government is indispensable to national unity. The Member for Savo said that this Bill has nothing to contribute to national

unity. Quite to the contrary! A stable government is able to focus on socio-economic policies that are essential to addressing issues of inequality in development that are essential to growing a cohesive society, a robust economy, and a strong state.

I will now turn to the failure of current provisions to provide for such an effective and stable executive government. The sources of tyranny can be traced to the instability of weak government rather than to the presumptuousness of strong government. Weak government often attracts the animosity of anarchists and reactionaries, and these tendencies are beginning to show in our society. Instability will almost always produce weak executive government and weak government will never be able to decisively confront and deal with threats to its very own existence and that of the state.

The presumption that strong leadership will emerge during elections from an unstructured political field void of robust policy is inherently misguided and inevitably leads to compromised governance. We need not look far for evidence of this weakness. This situation has often led to political calculations based on the lowest common denominator. We must avoid this. Political leadership by the lowest common denominator cannot be good for the long term development of our beloved Solomon Islands.

There is the need for processes and mechanisms that refine and critique policy to ensure it is based in reality and to test it with public opinion and to test its cost efficiency. Under current arrangements, there is no pressure for informed reasoned policy, and therefore individuals seeking office often lie to the constituencies because they have no idea of the realities. It also creates the undesirable situation in which some MPs will be elected only on their promises of the use of RCDF and not on any national policy at all. If we have 50 individual MPs who campaigned only on the RCDF and no national policies, our Parliament will be a mockery and the executive government will be reduced to kindergarten, where children will fight over the goodies.

Sir, the people of Solomon Islands want to expect more of their parliament and their executive government. And they have the right to expect more and better of their Parliament and government. The same is required for the disciplined grooming of future political leadership to provide our young democracy with a depth of ethnical leadership talent. Outside of political parties, where and how do we expect to groom future political leaders on ethnical leadership, policy formulation, exercising political judgment and continuity in vision as older more experienced leaders pass on the mantle to younger groomed and disciplined ones? Without the discipline of political parties, as is the current situation, it has been clearly demonstrated that individuals are more prone to act as mercenaries, instead of sober thinking

balanced leaders. Our country simply cannot afford not to plan for and it must consistently invest in the development and mentoring of political leadership. After the people, leadership is the next most strategic resource of any society and nation. With bad leadership, even if all the wealth of the whole world were ours, we would squander it in greed and other vices. But good leadership evokes confidence in a people to rise above hardship and want and to persevere in the pursuit of a worthy vision for a society and nation. If leadership is that important and I dare say it is, present arrangements conspire against it. We cannot therefore stand idly by and not address it. These reforms are a sincere attempt at addressing these.

Our political sensibilities require explicit written boundaries. We have clearly demonstrated that we are either unable or unwilling to operate our governance systems under any unwritten conventions. It is simply too presumptuous to say that we can and we know this. Worse, where even written law is silent, there has been the tendency in our political culture to exploit such a silence, often over and against the clear spirit or intent of the law. Sometimes this was manifested in the use of syntax to defeat the clear intent of law.

Government by consent assumes the granting of a 'mandate' by the governed. This could never be realized, nor properly discerned, when the mandate being sought from constituencies are by unconnected individuals who are more likely to be acting on their own individual instincts and judgments. This betrays the vain hope that a miracle or an accident would ensure that policies these individuals propose to their constituencies will bear an overall commonality, and that such body of policies is based on informed choices and reliable data. Therefore, the national electorate, under present arrangements, will never be properly asked for a common mandate on a common body of policies. And so it follows that there will never be under present arrangements, a national mandate from the governed without political parties. It is therefore a fallacy that any executive government has ever enjoyed a national mandate. I know presumptuous statements have been made on this subject but such cannot be allowed to stand.

The mandate, however, presumptuous it might be, sought from the national electorate, under present arrangements, has been void of certainty on leadership. When the national electorate grants its mandate, it ought to do so, on both a body of policies and on the leadership that demonstrates to the electorate that it possesses the capacity to deliver on such a mandate. This is critical to accountability. It is unreasonable to expect that a platform of policies can ever be pursued with any vigor by a leadership that lacks competence, zeal, energy, passion and commitment to such body of policies, as would certainly be the case if such leadership was left entirely to the whims and trades of 50 individuals on

the floor of this House, with no regard to a national mandate. Under current provisions, the national electorate could not grant a national mandate for a common body of policies nor for leadership. This is a serious deficiency that this reform seeks to remedy.

In conclusion, I hope that I have succeeded in the objectives I set out to achieve. I hope that our brief tour of history has clarified the foundational principles of limited government founded in the collective sovereignty of the people and that our convictions and commitment to the timeless gems and principles of constitutional government have been renewed. I trust that I have been able to persuade Members that the blessings of an effective and stable executive government seen against the failure of current provisions to provide for such an effective and stable executive government, combined to far outweigh the risks and objections raised against this reform.

I hope that the analysis and defense I have advanced in support of the amendments as an instrument of producing such a government is helpful, as Members consider the future of our beloved country and the potential for it to be filled with hope for our children. I beg the forgiveness of those in the house or outside it, who may have been offended by my sketch of human nature and our Solomon Islands political culture. No offence was intended. However, I hope that the sketch has helped Parliament to see why it is imperative that these reforms deserve the whole-hearted support of the House.

It ought to be clear that it is no longer a viable option for our beloved Solomon Islands to continue under the current arrangements. To do nothing, after years of compromised results and especially the events of April 2006 cannot be an option. This Parliament cannot continue to trifle with the future of our beloved Solomon Islands. This House was birthed through the baptism of the fire of violence at its inauguration, and it is incumbent on this house to make these necessary reforms as it approaches prorogation.

On balance, in light of our historical experience to date and the shortcomings of the current provisions, it is clear that the benefits of the proposed amendment greatly outweigh the risks and objections advanced against it. However, the valid comments in the objections must be taken onboard to help improve and strengthen the frame work contained in the Bill in a spirit that Parliament together looking forward glimpsing a vision of a stronger Solomon Islands is united to see political process that will ensure greater cohesion and unity in our people. Thank you.

Sitting suspended for lunch break at 1.16pm

Parliament resumes at 3.3.42 pm

Mr Speaker: Parliament is now resumed and I understand that the Hon. Prime Minister wishes to move a motion under Order 35(1).

Hon. Sikua: I move that the Second Reading debate on the Constitution Political Parties Amendment Bill 2009 be adjourned to the next sitting day.

Debate on the Bill adjourned to the next sitting day.

Hon. Sikua: I move that Parliament do now adjourn.

The House adjourned at 3.44 pm.