

# Fijian Studies

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### Articles

Of Journals and Journeys: Reflections	Brij V. Lal	5
A Room to Write: End of Life without Fiction	Subramani	25
The Tamarind Tree: Vignettes from a plantation frontier in Fiji	Brij V. Lal	35
Faction, Fact and Fiction	Doug Munro	51

### *Fact, Fiction & Faction: A Selection of Published Works*

<i>Tombstone Blues</i> : Is Josephine Earp's Memoir of her Legendary Husband a Hoax?	Jefferson Decker	63
Fact, Fiction or Faction	Pamela Rushby	67
Totaram Sanadhya's Experience of Racism in early White Australia (a transcreated narrative)	Purushottama Bilimoria	71
Indian Indentured Labourers of Guyana – A Historical Fiction Perspective	Khalil Rahman Ali	89

### Dialogue

Hope and Disappointment: Nearly Impossible Task of Searching Ancestral Roots in India	Satish Rai	99
The Fiji-Indian: A Complex Fate	Satendra Nandan	109
Message from Fiji Media Watch: World Press Freedom Day, 3 May 2015	Agatha Ferei Furivai	127
On Open Letter	James Bhagwan	130
World Press Freedom Day Address, 2016	Shailendra Singh	133

### Documents

'Defactualization': A Brief Note on the Making of <i>Syria</i> Wreck Rescue Record	Ganesh Chand	138
The McGregor Report (On the <i>Syria</i> Rescue Operation [1884])	William McGregor	145
'Letter from Alex Cockburn to Acting Colonial Secretary Dr. William McGregor	Alexander Cockburn	155
Dr. William McGregor to Arthur Gordon, 11 June 1884'	William McGregor	158

When no one is left to tell the story,  
would there be no history?

On History:  
Fact,  
Fiction,  
&  
Factions

# Dialogue

## World Press Freedom Day Address, 2016

**Shailendra Singh**

It's a real honour and privilege to be here this evening. The theme for my World Press Freedom Day talk is: *Access to information and fundamental freedoms – this is your right*. From the outset, an important point needs to be re-emphasised: news media is the major conduit for the public's access to information. Some vested interests have attempted to differentiate between media freedom and the freedoms of the public at large. In reality, the two are inseparable, even when accounting for media's imperfections, and structural weakness. In the greater scheme of things, the old adage — media freedom is your freedom — is very much true, regardless of what some might have us believe. The media's fundamental role is to dig up information, and bring it to your attention. Usually it's information certain people do not want you to see. Sometimes we take for granted, even forget, how critical this ferreting role is. Then, we are given a stark, jarring reminder.

### The Panama Papers

I am referring to the Panama Papers: *The New York Daily* describes the scandal as the biggest journalistic leak ever — more than 11 million documents — unveiling a global web of financial corruption. World leaders, government workers, billionaires, and celebrities are in the thick of it. Here's an example of the falsehood we see time and again when such matters are exposed: Some leaders, who previously spoke out against similar tax evasion schemes, are directly implicated in the scam.

Usually, it is such hypocritical leaders, and their functionaries, who tell us that media freedom is self-serving; that it is distinct from citizen freedom. This is simply good old divide-and-rule tactic to hide things from us. The Panama Papers wouldn't be public if not for a whistleblower, and the work by the International Consortium

of Investigative Journalists.

What can we learn from this latest, grubby scandal? For one, we are reminded that such is the natural order of things, the powerful, under the cover of secrecy, will exploit the weak, and the rich will exploit the poor, given half the chance. Two, we again realise that information will not be handed over to us on a platter.

### No illusions

Have no illusions: governments, big business and other vested interests will not voluntarily surrender information. They will fight tooth and nail to suppress it. On our part, we will have to work and fight, as always, to secure and uphold our right to information. As history shows, this is a never-ending battle, with media and journalists, at the forefront. Which brings me back to my earlier point — media freedom is indeed your freedom — so please support it.

I now turn to the local context. On today's topic, we heard some really good news from Parliament last week. The Attorney-General, Aiyaz Sayed-Khaiyum, confirmed that the Freedom of Information Bill would be tabled in the next sitting. This is a momentous and commendable development. The premise of such Bills is to make government more transparent and more accountable.

It is a participatory mechanism that empowers citizens by giving access to the inner workings of government, with the hope that greater public scrutiny will keep in check corruption. However, examples from countries like South Africa, Malawi and India, etc., show that the mere existence of a law does not guarantee access.

### FOI problems

Some problems include:

- Low public awareness about the right to information, and how to use this right
- Outright refusal to provide requested information
- Charging excessive fees
- Complicated process
- Creaky infrastructure
- Poor filing and record-keeping, and;
- So-called 'lost' files

When the Bill becomes law, the Fiji government needs to demonstrate its commitment by dedicating sufficient resources for

its implementation. Unless the ideas in the law are brought into actual practice, it will be useless.

As I mentioned before, media is the major enabler when it comes to the public's right to information. So media should not only have free access to information, they should be able to publish material without fear of reprisal. As such, the lifting of fines and jail terms for journalists in the Media Decree is a positive step by government. Next, government should consider abolishing fines for media companies, and fines and jail terms for editors and publishers.

Due to these punitive measures, it's questionable whether media will have the drive to fully exercise their powers under the proposed Freedom of Information Bill. If media is cowered, then the proposed law is useless and irrelevant.

### **Barred content**

Another problematic decree provision bars content "against public interest or order; against the national interest; or content that creates communal discord". This provision, said to be modelled on the Singapore media law, is well-meaning, but vague. Government view of what is for, or against the public interest, can be quite different from the media view. For instance, the Rabuka government depicted coverage of the \$300 million National Bank of Fiji scandal as an attack against an indigenous government. But the media reckoned the coverage was a legitimate part of their watchdog role.

Under the current Media Decree, the Rabuka government could have possibly prosecuted the media for doing their job.

It is understandable why various Fiji leaders invoke the name of Singapore. The comparisons with Fiji are tempting, and quite valid in some ways. Like Fiji, Singapore, is a multiethnic country. It was poor, impoverished, and in turmoil in the 1960s. Ethnic riots, partly blamed on unrestrained media reporting, threatened the fabric of society. Consequently, social cohesion became an important state policy pillar for nation-building and development, and informed Singapore's future media legislation.

### **Political stability**

Today, Singapore is one of the wealthiest nations in the world, thanks to decades of political stability. Whether Singapore pro-

gressed because of, or in spite of its restrictive media law, is an ongoing debate. Suffice to say that political stability is really important for Fiji also. Instability has stunted development for decades.

So government efforts to promote social cohesion are really commendable. The future of the country depends on it. But social stability must not become the excuse for over-zealous media laws that override our freedom to access information.

While comparisons with Singapore are valid in some respects, they are also fraught with problems: Singapore has been virtually free of corruption since inception. Historically, Fiji has been plagued by corruption.

We can also learn from countries like the Philippines. The dictator Ferdinand Marcos imposed martial law in 1972, which saw corruption reach unequalled proportions in the next 14 years. Marcos, his family, and his cronies plundered the nation with impunity because the news media could not criticise them. Wanton corruption saw the Philippines experience a dramatic increase in poverty and social unrest. What Fiji can learn from the Philippines is that if corruption is a pre-existing problem, curtailing the media can really worsen the situation.

### **A delicate journey**

I would like to conclude by pointing out that as a developing, multi-ethnic country, Fiji is prone to civil conflict, followed by military rule. With the 2014 elections, Fiji transited from authoritarian to a form of democratic government. We appreciate that democracy is a process, not an event. In Fiji's case it's a delicate journey fraught with risks. One challenge before the country is how to regulate the media without simultaneously suppressing legitimate freedom of speech. To build on the progress achieved so far, government should reconsider the Media Decree rather than leave it intact for some future government to abuse.

### **Author**

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