CIVIL SOCIETY ALLIANCE FOR DEMOCRACY

MEDIA STATEMENT | 28 OCTOBER 2026

CSAD demands halt to rushed Constitution Bill and six months of public consultation

The Civil Society Alliance for Democracy (CSAD) condemns the rushed and deeply inadequate process through which the People's Alliance Party-led Government is seeking to replace Fiji's Constitution, and demands that the planned third reading of the Constitution (Amendment) Bill on 2 November 2026 be deferred.

The Government must reopen written submissions and provide at least six months for meaningful public education, consultation and scrutiny of the actual constitutional text it proposes to enact. Further parliamentary consideration should take place no earlier than April or May 2027, given the impending general election and only when that work has been properly completed.

A constitution determines who exercises power, how that power is restrained, what rights people enjoy and how they can hold their government accountable. The Government's timetable treats these foundational questions as business to be cleared before a political deadline.

The public has been denied a reasonable opportunity to participate

After setting aside the Constitution Review Commission Draft and producing a substantially different draft within weeks, the Government introduced its Bill on 30 September. Parliament proceeded to the second reading and vote on 2 October, just two days later.

The formal invitation for written submissions opened on 12 October, and submissions closed at 4 pm on 23 October. Committee public consultations began only on 15 October. Parliament had therefore already endorsed the Bill at its second reading before public consultation on the Government's text had even begun.

Meaningful consultation requires time and a genuine opportunity to influence the text

The Government Draft Constitution runs to 150 pages and contains 229 sections. Citizens and organisations were being expected to understand its provisions, compare them with the existing Constitution and the Commission's draft, assess their combined effects and prepare considered submissions within an exceptionally short period.

Even organisations with legal and policy expertise face serious difficulty undertaking that work within such a timetable. The barriers are greater for people who need translations, accessible formats, community discussions or assistance to understand complex constitutional language.

Submitters were allowed only four or five minutes to address the committee, and consultations lasted a few short hours at every venue, and were shockingly tokenistic in nature. People cannot reasonably be expected to compress an examination of the country's proposed constitutional order into a few minutes and then accept that they have been meaningfully consulted.

Thirty days is a minimum not a deadline

Section 160(2)(c) of the current Constitution requires an interval of at least 30 days between the second and third readings, and requires each reading to be preceded by full opportunity for debate. Section 160(2)(d) separately requires the relevant parliamentary committee to report before the third reading.

Thirty days is a floor, not a ceiling. These provisions do not compel Parliament to hold the third reading within that 30 days. A committee report must be the product of serious scrutiny, rather than an administrative exercise designed to justify a predetermined voting date.

CSAD considers the two-day interval between introduction and the second reading grossly inadequate for informed consideration of such a consequential Bill. Parliamentary speeches and a vote do not, by themselves, establish that members had a full opportunity to examine and debate the proposed constitutional settlement.

The Government cannot remedy a democratic deficit by repeating it

The Government has repeatedly criticised the 2013 Constitution for its democratic deficit, yet how can that deficit be remedied through a process that itself is deeply deficit and even denies people a meaningful opportunity to shape its replacement? Democratic legitimacy requires more than an elected government introducing a Bill and securing the votes to pass it; it requires informed public participation, genuine deliberation and a willingness to change the text in response to the people. There is no shortcut to constitution making. It entails the hard job of building consensus across the various divides in a society.

By rushing a substantially rewritten constitution through Parliament and compressing consultation into a few weeks, the Government risks reproducing the very exclusion of the 2013 process it condemned. A referendum at the end (especially one done through a hastily enacted legal framework) cannot retrospectively cure an inadequate process or substitute for the public's right to help shape the constitutional choices placed before them.

The Commission's earlier consultations cannot be treated as sufficient consultation on the Government's substantially rewritten text. Where recommendations have been rejected or materially altered, the Government must explain and defend its choices and allow the public a fair opportunity to respond.

The consequences of error will outlast this Government

Concerns raised about the draft include internal inconsistencies, defective cross-references, unclear transitional arrangements and provisions with potentially serious consequences for democratic accountability. Questions about executive power, independent appointments, electoral design, constituency boundaries, immunity, children's rights and commencement require careful examination and independent legal and technical expertise.

These issues cannot responsibly be resolved through hurried hearings followed by a rushed committee report. Errors in a constitution can distort institutions, weaken rights and generate disputes for decades. The public must also be able to scrutinise substantial revisions before the final parliamentary vote.

CSAD demands a credible process

1. Defer the third reading planned for 2 November and abandon any referendum timetable that prevents meaningful consultation.

2. Reopen submissions and provide at least six months of meaningful consultation supported by accessible public education and adequate time for oral presentations.

3. Publish both the complete draft and clear explanatory materials in English, iTaukei and Hindi including a comparison explaining departures from the Commission's recommendations.

4. Commission an independent legal and technical review of the entire text and publish its findings and proposed corrections.

5. Publish a reasoned response to submissions explaining which recommendations are accepted or rejected and why, and allow scrutiny of substantial revisions before a final vote.

The general election must proceed within the existing constitutional timetable. Reform must continue through a lawful process across the election, with any necessary reintroduction of legislation in the newly elected Parliament. April or May 2027 should be the earliest point for further consideration, rather than another deadline imposed regardless of readiness.

The present approach makes a mockery of the promise of a people-centred constitutional review. The Government must abandon the rush and allow every provision to receive the scrutiny its consequences demand. The Constitution belongs to the people of Fiji, and their right to shape it must take precedence over the Government's timetable.

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About CSAD

This statement is issued by the Civil Society Alliance for Democracy (CSAD), an independent, non-partisan alliance bringing together civil society organisations and individuals committed to democracy and accountable governance in Fiji.

Its institutional members are the Centre for Democracy & Dialogue (CDD), Fiji Council of Social Services, Transparency & Integrity Fiji, Social Empowerment Education Programme (SEEP), ILGA Oceania, femLINKpacific, Conciliation Resources, Fiji Council of Churches, School Management Association of Fiji, Shree Sanatan Dharam Pratinidhi Sabha of Fiji, United Nations Association of Fiji and Interfaith Search Fiji.

The Alliance's individual members include academics, legal practitioners, civil society leaders, development practitioners, policy professionals, and youth and LGBTQI+ advocates, who contribute their expertise and perspectives in their personal capacities and share a deep commitment to democratic consolidation in Fiji.