

Reforms in PNG politics: political stability vs independent legislature

by Michael Kabuni

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PNG Prime Minister James Marape survived the latest Vote of No Confidence in September 2024

Photo Credit: [Facebook/Marape-Rosso](#)

At the 2024 [PNG Update](#), the PNG Prime Minister James Marape went to great lengths to argue that [political stability is a prerequisite](#) for economic development. He referenced the high economic growth that started in the 2000s under the late Prime Minister Michael Somare as the basis of political stability. While the growth did coincide with political stability, especially with the passage of the Organic Law on the Integrity of Political Parties and Candidates (OLIPPAC) that prevented, among other things, Members of Parliament (MPs) switching sides and parties, it was [largely driven](#) by high commodity prices and subsequently the construction phase of the ExxonMobil-led LNG project. The recent no-confidence vote against Marape in September, which he survived, has sparked debates about the suitability of Papua New Guinea's parliamentary system.

This blog looks at two proposed reforms currently before the parliament — namely, alternative forms and systems of government, and a revised OLIPPAC — and their limitations.

In 2022, the PNG government tasked the Constitutional Law Reform Commission (CLRC) to investigate alternative forms and systems of government to the current unicameral parliamentary system. This review sought to identify models that would bring stability to the executive arm of the government. The report, with various proposed models, was [delivered to the government](#) in May 2024 for tabling in parliament. Four models stood out during the consultations, and here I will briefly discuss each.

The first is an upgrade of the current system of forming government. Currently, the political party with the highest number of MPs elected in a general election is invited to form the government. However, because no political party has ever had more than 50% of MPs, all governments have been coalitions. This model would mandate the largest party to form the government without the need to meet the 50%-plus-one minimum threshold. However, PNG politics is very fluid and the largest party [usually](#)

loses MPs after the end of the 18-month grace period. What happens when MPs leave the largest political party that formed the government, and the party is no longer the largest party? This question has not been answered.

Under the second model, the people would elect the prime minister directly in a nationwide election. This would mean the prime minister's tenure is not subject to the parliament and votes of no-confidence. But who holds the prime minister accountable if the parliament does not? This model proposes impeachment provisions would be embedded in the Constitution to hold the prime minister accountable. However, if MPs' service delivery roles are not abolished, they might have an incentive not to impeach the prime minister because, in PNG, the prime minister controls Constituency Development Funds (CDFs) — known as District and Provincial Services Infrastructure Program (DSIP/PSIP) funds. The control of CDFs by the executive has been observed in many countries, where CDFs are used to “buy compliance from the legislature.”

In a variant of this second model, accountability might be achieved by drawing on the Bougainville model where the prime minister can be recalled through a referendum and a new one elected ([section 58 of Bougainville's Constitution](#)). However, this would be logistically and financially impractical given PNG's difficult [topography and related expenses](#). Also, violence, malpractice, and corruption during elections in PNG, which are to some extent contained within the provincial and district boundaries, could spill nationwide if this direct election model were adopted.

The third model is a bi-cameral parliamentary system, with a lower house and an upper house. However, this model will still require an executive and a legislature, and if the service delivery role of parliamentarians is not abolished, the house that ultimately controls the funding will “buy the other into compliance”.

The fourth model, and the one arguably best suited for PNG, is to maintain the current unicameral parliamentary system but either abolish the CDFs and the service delivery functions of the MPs and restrict them to lawmaking functions, or else legislate the CDF funds so that MPs are legally entitled to them and are not beholden to the executive or the prime minister to access these funds. Either way, the legislative arm of the government becomes independent. It is unclear if this model would stop MPs switching sides, but it does strengthen the legislative arm of the government.

Now let's look at the amendments to the OLIPACC proposed by the Integrity of Political Parties and Candidates Commission. The OLIPPAC came into effect in 2001 ([amended in 2003](#)) with the goal of ensuring political stability through

restrictions placed on MPs aimed at making it more difficult for them to switch sides, among other things. The Supreme Court ruled those restrictions unconstitutional in 2010.

The revised OLIPPAC aims to strengthen political parties without infringing on MPs' rights to switch parties. Currently, political parties with parliamentary representation receive K10,000 per MP annually from the Central Fund administered by the Registry, with funding "following" the MP to their new party if they switch (Part 6 of OLIPPAC). The proposed reform proposes an increase to K20,000, but this money remains with the original party after an MP departs. Additionally, political parties would be encouraged to include provisions in their party constitutions for MPs to refund campaign contributions if they leave the party.

However, two proposed provisions in the proposed amendments have faced significant opposition: requiring parties to endorse female candidates in at least 10% of seats and mandating the merger of parties with fewer than five MPs.

Political parties oppose the female candidate requirement because they prefer candidates perceived to have high winning chances, who are most often not female candidates. On the merger requirement, prominent one-man parties, such as Brian Kramer's and Gary Juffa's parties, would resist forced mergers.

Reform efforts should focus on making the parliament more independent and better able to hold the executive accountable, rather than solely seeking political stability. Political stability in a highly corrupt environment might lead to **an irresponsible and unbridled executive**. Removal of the service delivery role of the MPs would potentially remove the motivation for MPs to align with the government to access funding for service delivery. While there are no certainties, having a stronger parliament should strengthen PNG's democracy in the long run, as compared with a situation where the executive is stable and the parliament weak.

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