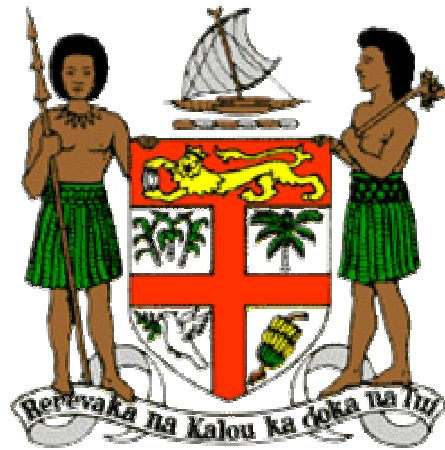




LUND  
UNIVERSITY

Department of Political Science

STV103  
Tutor: Professor Axel Hadenius



## *Vanua* and Fijian Paramountcy

- a Minor Field Study on the Fijian Land Issue

Carl Henrik Gunnehill

# Abstract

The aim of the thesis is to understand the Fijian land issue and relate it to the ethnical tensions that dominate the society. To theoretically understand the problem, Horowitz's theoretical tools are used together with Fijian scholar work, such as Ratuva's assessment on the Fijian understanding of land. Out in the field, material was gathered to enlighten the situation on a micro perspective through interviewing legally non-acknowledged settlers. The studied settlers' situation is put in relation to the land policy and the ethnical tensions. This task was, due to the political situation in Fiji, completed through the gathering and analyzing of materials taken mainly from official sources on the Internet.

The interviewed settlers' situation is a consequence of the land policy, which in turn is a result of the ethnical tensions, owing much to the historical colonial administration. The conflicting groups' views of today are clearly diverging, since the ethnical groups in Fiji are *unranked* and under the influence of the centrifugal force. None of the political attempts to solve the land crisis have been clearly beneficial. However, all parties now agree that the land must be utilized more efficiently, which will require the involvement of both ethnical groups.

*Key words:* Fiji, Horowitz, ethnical conflict, land policy, indigenous

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# Abbreviations

ALTA	Agricultural Landlord and Tenant Act
FIBS	Fiji Islands Bureau of Statistics
FLP	Fiji Labour Party
NTLA	Native Lands Trust Act
NLT	Native Lands Act
NLTB	Native Lands Trust Board
PIAS	Pacific Institute of Advanced Studies
SDL	Soqosoqo Duvata ni Lewenivanua
UD	Utrikesdepartementet
USP	University of the South Pacific

# 1 Introduction

The South Pacific state of Fiji is almost certainly to the majority of Westerners known as a laid-back paradise island. However, these appearances are after a more thorough examination quite deceptive. The state of affairs in Fiji is dominated by ethnical tensions that a number of times have contributed to political crises, coups and violence. Present Fiji is inhabited by two extraordinarily distinguished ethnical groups, namely indigenous Fijians and Indo-Fijians. The multicultural population of 828 000 consists of 57 % indigenous Fijians and a declining 37 % of Indo-Fijians according to the Population Census 2007.<sup>1</sup> The latter dominate the Fiji's business sector and are ancestors to the plantation workers that were hired by the former colonial power of Great Britain. The indigenous Fijians control the public bureaucracy and the military (UD 2006a).

The last elections were held in the fall of 2006 where the indigenous-oriented party SDL won and surprisingly invited the largest Indo-Fijian party FLP to the government. The coalition had however difficulties to cooperate and a harsh conflict with the military emerged and resulted in a bloodless military take-over the 5<sup>th</sup> of December 2006. The recent coup was the 4<sup>th</sup> to occur since 1987.

At the same time the ordinary life in Fiji goes on with continually diverse living standards and poverty both in the rural and urban areas. The land is by 84 % owned by indigenous Fijians but is often cultivated or hired by Indo-Fijians, mainly to carry out sugar farming. Long-time land tenures are now successively running out of time and there is an uncertainty about what will follow. In Fiji, the land issue is considered to be the most significant flashpoint of Fijian-Indian ethnic conflict and "a weeping wound on the body of Fiji" (Qarase 2006).

## 1.1 Purpose of the Study

The aim of this Bachelor thesis is to understand the land issue in Fiji and relate it to the ethnical tensions that since long have dominated the society. Out in the field, material was gathered to enlighten the situation on a micro perspective through interviewing legally non-acknowledged settlers living on the fringes of a Fijian native village's lands. In the thesis, the perspective will be broader. The

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<sup>1</sup> The trend has since the political turmoil began in 1987 been a constantly declining number of Indians. In the 1996 Census, 51 % were indigenous Fijians and 42 % were Indians.

studied settlers' situation will be related to the land policy and the ethnical tensions. As a guideline I will lay focus on the following questions.

What is the background to the ethnical tensions in Fiji and how can they theoretically be understood?

Where stand the different groups when it comes to the land issue?

What measures have been taken to solve the land problem?

In what ways are the *vakavanua* settlers' situation related to the Fijian land policy?

## 1.2 Delimitations

As said above, on December 5<sup>th</sup> 2006 the legitimate government was overthrown and the parliament was expelled in a coup by the military. The commander of the army later installed a hand-picked interim government with representatives from both ethnicities. During my stay in Fiji in September and October 2007 the Commander had issued martial laws but up to this day in December 2007 no more coups have occurred. However, things can change very swiftly on Fiji and my focus on the ethnical tensions and on the land situation will be the situation during my stay in the country.

From a micro perspective, I have delimited myself geographically to examine the situation in a certain village, 15 km north of the capital Suva: Sawani. When it comes to the dealing with the land problem in a broader perspective, I will limit myself to the most important interest groups. These are the Indian oriented FLP and the pro Fijian SDL, the latter heavily supported by the Fijian Methodist Church. Furthermore, I have done my best to capture the official views of the current non-democratically installed interim government and the NLTB authority which handles almost 90 % of all Fijian land. Regarding laws on the subject of interest, the 1997 Constitution must be mentioned as well as the NLA. Some paragraphs of the ALTA will also be related to.

## 1.3 Methodological Aspects

A whole thesis could by itself have been written about the methodological concerns involved in this research. Besides from the bare fact that a field study has been done, the certain political situation and the presence of the village spokesman during many of the interviews are concerns worthy to mention. For a political scientist it is obvious that the results of the study are dependent on the

chosen methodology and theory. The methodological twists from idea to thesis have indeed been many.

Before my journey, after numerous attempts aimed at different scholars, I came in contact with the head of the Department of Land Management at the University of the South Pacific in Suva. While there, I was granted an office at the university complex and access to its facilities. Since one of the purposes of the Minor Field Study is that the research also should gain the visited country, I discussed possible and more tangible topics regarding the land policy and spent two weeks at the university getting into the subject. I soon came across an interesting subject, namely the *vakavanua* settlers. These are basically settlers without any legally acknowledged rights and their kind is becoming more and more common in Fiji nowadays. Another reason to write about these settlers is that actually very little research on the subject has been accomplished before me, and the need for it is quite alarming, because of their increasing number. Through my mentor's contacts with a lawyer from a village north the Suva capital, and the presentation of ceremonial gifts for the village chief, I was allowed to stay in the village of Sawani to review the *vakavanua* settlers on the village's lands.

I lived in the chiefly family and the village spokesman was for a small commission summoned to be my guide. He accompanied me through the interviews and was crucial for me to be able to carry out my task. He showed me where the settlers lived, often in the middle of the jungle on the fringes of the village lands. He was a key-opener; since he is the spokesman everybody knows him and lets him in to their homes. When necessary he translated my questions to Fijian, even if the absolute majority speaks English fluently. Many representatives of the village as well as the *vakavanua* settlers considered it to be beneficial that the latter's presence and life story was to be documented. In total there are 15 settler families on a *vakavanua* basis in Sawani, and all except for one were available for an interview during my stay.

Hence, conversational interviews with the settlers as well as representatives of the land owners were completed -a method that is suitable to use when learning how people themselves perceive their world (Esaiasson 2003:281). However, the interviewing technique had to be continually adjusted since I interacted with persons in different positions and from different parts of the society. Nevertheless I used semi-structured interviews that enabled a two-way communication and flexibility. This type of interview was informal and showed to be suitable for sensitive issues like the perception of the land policy. I prepared a set of questions to be used as a general framework and guidance during the interviews but was at the same time ready to adjust them when required (Esaiasson 2003:286). I preferred not using my dictaphone throughout the interviews since that would add unnecessary pressure on the interviewees. Consequently, after each interview I compiled memory notes.

The presence of the village spokesman had of course, more or less, an impact on the *vakavanua* settlers' answers. Still, his presence was my only key to these remote households. However, he was very familiar to all the *vakavanua* holders and stressed the importance of my research and that it most likely would be of benefit to them. He made them talk and created a friendly and informal mood.

Since I am writing a thesis in political science I will have to assess the land issue from a broader political perspective. Thus I came into contact with the important authority Native Lands Trust Boards which is set to manage all native land in Fiji as a trustee for the Fijian landowners. However, further official contacts showed to be impossible to accomplish due to the tense political climate in Fiji at the time of my visit. All such aspirations were cancelled after my mentor at the university threatened to send me home after e-mailing her that I had come into contact with a high politician representing landless Indians. Thus, necessary material from the different Fijian political interest groups has been gathered from Sweden mostly through Internet and e-mail.

After the interviews in the village I returned to the university and completed a preliminary non-political report on my findings and presented it for interested staff and students. A “village version” of my results was also compiled with a more narrative focus and recently sent to Sawani. Thus, this Bachelor thesis is the 3<sup>rd</sup> outflow of the gathered material.

The major obstacle to this project was the political situation in Fiji. The country has an inherent coup-culture and even if the latest of them has been described as “the quiet coup” there is according to a number of foreign embassies a potential for civil unrest following the military coup. Thus, although the security situation in Fiji is currently calm, it could deteriorate at short notice (UD 2006b). As said before, I had to adapt myself to the situation and withdraw from my broader political ambitions in the country.

The language caused me lesser problems. The majority of the locals speak English fluently. At the same time, for most local people, English is not their mother tongue –at home indigenous Fijians speak Fijian and Indo-Fijians speak Fiji-Hindi (Vaisutis et. al. 2006:272). I learned some basic Fijian and the spokesman of the village translated during my interviews with the settlers when necessary. In addition, familiarity of the cultural traditions among the ethnicities is necessary to be able to interact and understand the people. I was therefore well prepared in that matter before my journey and spent two weeks at the USP studying the land issue and the Fijian culture.

## 1.4 Material

The material gathered on a micro level in Sawani is mainly interviews with the *vakavanua* settlers and the landowners. On a broader level interviews have been carried out with representatives of the NLTB. Interestingly this authority which is set to manage about 90 % of all Fijian land, is still using the legitimate government’s land policy document regarding the peri-urban areas near the capital, including the village of Sawani. This so called Master Plan will be referenced to. The legal framework that will be referred to is the 1997 constitution, NLTA and ALTA. Regarding ethnical conflicts in general, Horowitz will be used as a reference. Horowitz stands along with Lijphart as the leading giant in the genre. The latter’s vision of consociationalism has actually been



experimented with in Fiji over the years but with numerous shortcomings. In Fiji the ethnic tensions run too deep for such a solution (Lijphart 1969 and Iyer 2007). It is my belief that Horowitz' theory might explain the mechanisms behind the land problem in a more beneficial way for the purposes of my thesis than Lijphart's. Horowitz is namely more focused on the reasons why ethnical conflicts emerge, the dynamics behind the conflict and how this persuades the ethnical groups' behaviour.

Concerning scholar works on the land issue and the ethnical divergence in Fiji particularly, numerous materials have been used, the majority coming from the USP. Political programs for the FLP has mainly been collected through its homepage while the views of the SDL which lacks a homepage have been gathered through different articles, official speeches and papers on the Internet.

## 1.5 Disposition

After the conventional introductive part of the thesis with purpose, delimitations, method and material discussion, I will continue with the outlining of its theoretical framework. This will partly touch upon Horowitz' general theories regarding ethnic groups in conflict as well as more specific material relating to the specific Fijian context. A presentation of the land issue follows which will relate to history, politics and relevant laws. The conflicting groups, represented by political parties, will then be presented and their views on the subject will be laid forward. Furthermore, the consequences of the land policy on a micro level will be told of through my gathered material in the village of Sawani. In the conclusion, the different groups' views will be discussed and related to the applied theoretical framework. Here, I will also try to deliver answers to my research questions.

## 2 Theoretical Framework

The land conflict in Fiji is an outflow of the ethnical conflict between Indians and Fijians. That is why I under the following sub-headings will refer to literature that treats ethnical conflicts in general. Horowitz' classic work: "Ethnic Groups in Conflict" will be used for this purpose. The intonation is thereby laid on ethnic conflict theory. In the next sub-chapter I will relate to literature that more specifically deals with the ethnical conflict and land issue in Fiji.

### 2.1 Ethnic Conflicts in General

In severely alienated societies, ethnicity finds its way into a myriad of issues: development plans, trade union affairs, business-, tax-, and land policy. Issues that elsewhere would be relegated to the category of routine presuppose a central place on the political agenda in ethnical divided societies. In Fiji, the mineworker's union is mainly Fijian: the canegrowers' federation, mainly Indian and there are two teachers' unions, one for each group (Horowitz 1985:7-9). In societies where ethnicity suffuses organizational life, virtually all political events have ethnic consequences. Whole systems of economic relations can crystallize around opportunities afforded and disabilities imposed by government policy on particular ethnic groups. In Fiji, for example, Indians are not permitted to own the vast majority of land. Consequently, they must lease agricultural land from Fijians (Horowitz 1985:12).

Horowitz stresses that there has been a common failure to distinguish between types of ethnic relationships. Much of the confusion can be dispelled by recognizing an uncomplicated but fundamental distinction between *ranked* and *unranked* groups. Stratification in *ranked* systems is synonymous with ethnic membership. Mobility opportunities are restricted by group identity. In such system, political, economic, and social status, tend to be cumulative, so that members of group B are simultaneously subordinate in each of these ways to members of Group A". In *unranked* systems, on the other hand, parallel ethnic groups coexist, each group internally stratified. Parallel groups are themselves embryonic whole societies. Although the question of group superiority is far from irrelevant in such a system, it is not settled. The position of a group varies from one domain to another, none of them decisive in establishing superordination or subordination. In *ranked* systems, the unequal distribution of worth between superiors and subordinates is acknowledged and reinforced by an elaborative set of behavioral prescriptions and prohibitions. In *unranked* systems, relative group worth is always uncertain, always at issue. Neither *ranked* nor *unranked* ethnic

systems are static. The core of ethnic conflicts is the transition from *ranked* to *unranked* and the maintaining of these standings (Horowitz 1985:22-26).

The second part of Horowitz' theory treats how ethnical groups react during *ranked* or *unranked* conditions. The fear of being in an unfavorable position will further strengthen the unity of the ethnical group. The only possibility to avoid dominance from other groups is to mobilise and to keep the powers of the group. The latter aspect will be the crucial factor at elections and the founding of parties. Consequently, ethnicity will be the prime interest when the groups confront each other in terms of influence and power sharing. The issue of power sharing is of certain importance when the group members vote. In countries with two or more ethnical groups, the question of ethnicity will be superior to all other political issues. The ethnical parties will stress the differences between the groups, by Horowitz called the *centrifugal force*. This force results in a radicalization of politics since co-operation and moderation will be understood as a withdrawal of ethnical principles and a risk of being challenged by new more hard-core parties. This will force the elites to focus even harder on ethnicity, rather than co-operation, due to the pressure on the masses. Compromises and consensus are almost impossible, since it is the relative and not the absolute advantages that govern. That is why the political system can be understood as a zero-sum-game, where improvements for one group result in impediments for the other. Changes in the system are regarded as a threat against the interests of the group and promises concerning improvements in the future will not have any effect. Either should improvements come simultaneously, or they should not see the light of the day at all. Research has shown that people rather see that the other groups do worse than themselves, than if all groups were slightly better off (Horowitz 1985: 342-349).

## 2.2 The Fijian Context in Particular

It is important to understand that albeit the apparent solid division of the population into Fijians and Indians, neither of the groups are homogeneous. The Indians came to Fiji with different backgrounds in the form of religion, caste, language and even ethnicity. The Fijians were never united historically and separation still exists through class, language and geography. Simultaneously the ethnic conflicts rely on the fact that each group is seen as a homogeneous and opposed to each other. It touches on every aspect of society (Ratuva 2006:3).

The colonial era is one of the formative factors behind the ethnic divide. During colonial rule, the two ethnic groups were kept separate which prevented a meaningful interaction between the groups. Different economic activities and separate political representation did encourage the dividing wall and gave them perceptions of the other which later turned to stereotypes. Fijians portray themselves as carefree, generous and sharing, while Indians regard Fijians as lazy, wasteful and living only for the day. Indians perceive themselves as smart, penny-

wise and able to plan for the future. Fijians see Indians as sneaky, greedy and ever calculating (Ratuva 2006:7-9).

A recent research at the UPS showed that Fijians generally do not save and those who save, their savings rate are low. The Fijian culture embodies a system of preferences common to most societies in the South Pacific. This system does not place as much emphasis on future financial gain for the individual. The focus lies more on satisfaction of present desires and how one's actions contribute to traditional group solidarity. On the other hand, most of the Indo-Fijians save and their savings are also high relatively. Indo-Fijians exhibit economic behaviour consistent with what is observed in more commercialized economies. Value is placed on long term individual financial gain (Reddy 2005:1-4). Research has also shown that Indian farmers are distinctively more productive than their Fijian counterparts (Eaton 1988:144). On the other hand, while the Fijian households have the lowest average income and a uneconomical spending, the highest number of households below the poverty line are within the Indians (Ratuva 2006:12-13).

Robertson & Sutherland view the image of Fijians lagging behind Indians economically as the most crucial issue of the ethnic conflict. Simultaneously, the authors stress that there are other related aspects which also affect the conflict such as the land issue and demography (2001:85). One of the driving factors behind the ethnic conflict is competition for employment. It is part of the affirmative action applied by successive governments to raise the number of Fijians in highly paid occupations and in the business sector, through e.g. scholarships (Robertson & Sutherland 2001:53-54).

Robertson argues that the consolidation of ethnic politics in Fiji owes much to the agendas of Fiji's postcolonial leaders. It is the tensions between their goals and the realities of a changing social and economic landscape that can explain the causes of military intervention in Fiji's politics throughout the years. An extremely sensitive question that plays a key role in the ethnic conflict is the land issue. Land is tremendously important to Fijians culturally as well as to other native people in the Pacific (Robertson 2005:1).

In the Pacific generally, land is essentially bound up with the social and cosmological world. Today, appeal to the spiritual dimension of land is being invoked as a result of the external pressures such as colonialism, land commercialization and land politics. The notion of land as a cosmological being was further reinforced by the colonial land codification process in the late 1800's. The notion of *vanua* came to be formally identified with a defined geographical boundary and ordered social grouping. The *vanua* represents a dynamic relationship which continually re-defines the political and cultural configuration of the Fijian community in terms of internal dynamics as well as external relations with other ethnic communities. An example of this is the use of politics of fear of land being dominated by Indo-Fijians (Ratuva 2002:1-2).

The *vanua* is according to Ratuva more exactly referring to an accumulation of three forms of inter-relationships: *the territorial sphere*, *social kinship* and *the cosmological dimension*. Land as a territorial sphere is socially defined by the extent of kinship which is underpinned by a belief in continuity with an ancestral past within the cosmological order. The ancestral cosmological order in turn

grants the primordial legitimization for land ownership (Ratuva 2002:3). The capitalist notion of land as alienable, privately owned and commercially transferable stands in stark contrast to the South Pacific understanding of land as communally owned and inseparably bound up with social relations (Ratuva 2002:6-8). The *vanua* contains the actuality of one's past and the potentiality of one's future. It is an extension of the concept of the self. To most Fijians, the idea of parting with one's *vanua* or land is equivalent to parting with one's life (Ravuvu 2005:70).

### 3 Historical-Political Background

I will in the following chapter give a short political background to Fiji, where the land issue always has played a major role. Then follows a review of the legal framework regulating the land issue. Next, the major political groups and their views will be presented. Subsequently, I will put the situation of the *vakavanua* settlers in Sawani into relation with the land policy.

To make a long story short, Fiji became a British colony in 1874. The British established a system adapted to the social structure of the native Fijian society. The high chiefs persuaded the British to accept that no more land should be transferred from the natives to the settlers. Thus, since that time, all land (83 %) excluding established freehold land is inalienably to be owned by the indigenous Fijians. It is however important to stress that the colonial native land system that today is perceived as corresponding with the ancient Fijian tradition, actually was an invention by the Native Council. Before the cession, there was no single land system per se. A great degree of variation was persistent prior the cession to the British. (Ward 1995:203-216).

The first British governor let the Fijians keep their own supervision and forbade the Europeans to use them as a work-force. Instead Indian indentured labors were recruited. When the system ceased to be in 1916, the majority of the Indians chose to stay. Simultaneously the Fijians had decreased in numbers due to tribal wars and diseases. The purpose of the British colonizers, bearing earlier colonial failures in mind, was to protect the native population, which to some extent came to be the case. However, the policy also laid the ground for the ethnical conflict of today, mainly because of the Fijian exclusivity to own land. The Fijians were in many other ways given a preferential treatment on the disadvantage of the Indians, but they were also locked out from taking part in the modern economic life (Landguiden 2007).

In 1970, Fiji became an independent state within the Commonwealth. The social changes coming with urbanization in the following years fueled pro-Fijian values. The chiefs supported the parole and warned that the Indians were about to abolish the Fijian exclusive right to land. Elections came, where people mainly voted along their ethnic line. The multi-ethnic government was overthrown in a coup in 1987 by the military, followed by another coup later the same year. A new clearly racist constitution was subsequently formed, giving the Fijians a majority in the parliament. The Fiji-nationalists' failure to cope with the conflicts regarding the election system and the land issue as well as drought led in the elections 1999 to that the Indian party FLP won and Mahendra Chaudry became the first Indian Prime Minister in Fiji. The Fiji-nationalists raged and stressed that the rights of the natives were threatened. The inevitable coup occurred in 2000. Hostages, including the Prime Minister were kept in the parliament for 2 months. An interim

government consisting of only Fijians was installed. The next elections were held in 2001, and a pro-Fijian party won. A constitutional crisis arose since the Indian FLP was not given any seats in the new government by the Fijian Prime Minister, albeit this was granted in the constitution.<sup>2</sup>

A new election was held in 2006 with roughly the same results as the earlier. However, this time the FLP was granted minister posts in the government in accordance with the constitution. Nevertheless, the winning pro-Fijian SDL-party proposed two controversial legislative acts that were heavily opposed by the military. One act related to the giving of amnesty to the coup-makers of 2000. The other intended to give the native Fijians even more intervening land rights. The 4<sup>th</sup> coup since 1987 was a fact on December 4<sup>th</sup> 2006. The Prime Minister was deported to his remote home island and Military Commander Bainimarama took power. Interim ministers were installed from all larger parties. Elections are said to be held in 2010 when the corruption clean-up campaign is completed, a population census is made and the constitution is cleared from laws that make a difference between races (Landguiden 2007-12-18). Thus, the land issue is a very sensitive subject in the center of the ethnic conflict. In the following we shall shortly review the elemental laws regulating Fijian land.

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<sup>2</sup> According to the 1997 Constitution of Fiji, a party with at least 10 % of the votes in an election has the right to enjoy minister posts in the government.

## 4 Fijian Land Acts

The land policy in relation to native lands in Fiji is carried into effect in three pieces of legislation; namely, the Native Lands Act, the Native Land Trust Act and the Agricultural Landlord and Tenants Act. Fijian Land ownership is protected under the 1997 Constitution which clearly stipulates that any change to the Native Land Act must be passed by three quarters of the members of the Lower House and three quarters of the Great Council of Chiefs in the Senate. But let us start off from a more general perspective. Land has become an important tool for political bargaining and the ownership of land is closely tied to the ideology of Fijian paramountcy. The current land policy can according to me be understood as a rational consequence of this doctrine. Fijian paramountcy is stipulated in the 1997 constitution. In Chapter 1, Section 6 we read out that “The conduct of the government is based on (...) the paramountcy of Fijian interests as a protective principle continues to apply, so as to ensure that the interests of the Fijian community are not subordinated to the interests of other communities...”.

The NLA plays a crucial role in preserving the interests of the Fijians in native lands. Native lands shall in accordance with Section 3 be held by native Fijians according to native customs as evidenced by usage and tradition. By section 4, this Act provides for a Native Land Commission to determine disputes as to rights in Fijian land and to record the boundaries to such land including easements or encumbrances. The Commission also has powers to resolve land disputes.

The Native Land Trust Act, by section 3 establishes a board known as the Native Land Trust Board which acts as a trustee for the landowners and is managed by the indigenous Fijians. The main reason behind the stipulated communal ownership was to prevent the landowners from being misled into selling their lands at a low price. As a result the NLTB was formed in 1940's by the NLTA to administer designated native land for the benefit of the landowners. The Act guarantees under section 5 that native land may not be alienated except to the Crown. The control of all native land lies within the NLTB and all such land shall be administered for the benefit of the Fijian owners.

The Agricultural Landlord and Tenant Act was at enactment 1976, a political compromise between the ruling pro-Fijian party and the Indian opposition which temporarily improved the situation for the tenants. Its basic intention was to “buy a generation of time”. ALTA was a highly sensitive issue within the Fijian communities and set terms and conditions to be implied in the Contract of Tenancy. Under Section 4 of the Act any person who had been in possession and cultivating any agricultural holding as a tenant for at least 3 years and the lawful landlord including the NLTB had taken no steps to evict the user, then the onus was on the landlord to prove their occupation was without consent. Thus, a lease of 30 years from the commencement of the Act was granted under the presumed



tenancy. The legislation makes no provision for renewal of leases, and today more than 6000 leases have expired without renewal (Qarase 2005c).

## 5 The Political Actors

There are two main political parties in Fiji, one Fijian nationalistic and one Indian dominated. At the elections 2001 and 2006, the pro Fijian party Soqosoqo Duvata ni Lewenivanua (SDL) won most seats in the House of Representatives. SDL was founded by the current interim Prime Minister Laisenia Qarase shortly before the 2001 election. The party is strongly supported by the influential Methodist Church. The social democratic Fiji Labor Party is dominated by Indians and is led by the former Prime Minister Mahendra Chaudry. The NLTB represents the landowners and is a powerful factor to count with. The current interim government, installed by Commander Bainimarama consists of people from all blocks, however with an Indian domination. All actors will be dealt with below, beginning with the interim government.

### 5.1 Interim Government

Unfortunately no concrete policy document on the land issue has yet been published. Except for vague statements, the interim government remains silent when it comes to one of its most crucial issues to deal with.

According to the interim Prime Minister “the Interim Government has begun to tackle many of the pressing issues facing the country in addition to corruption. These are issues such as land, civil service reforms, sugar industry reforms, poverty alleviation, rural and outer islands development, reviving agriculture and maintenance of law and order. These are ‘bread and butter issues’, which were too politicized before with vested political interests. We will address these issues based on wide ranging consultations and in a constructive manner. The interests of the nation and ordinary people would be of paramount consideration in whatever solution is found in each case” (Bainimarama 2007a). Subsequently, promises have been made to “restructure the Native Land Trust Board to ensure more benefits flow to the ordinary indigenous Fijians” (Bainimarama 2007b). Yet another time, interim Prime Minister Commandeer Bainimarama has promised to assess the problem: “We will resolve the land-lease issue” (Bainimarama 2007c). Nothing has happened so far.

In March 2007 the Interim Government said it would help indigenous landowners develop their resources and help the country move forward. Interim Fijian Affairs Minister, Ratu Epeli Ganilau, said the regime hoped to make owners of land realise the enormous potential they had if they cultivated their properties. "I believe this government is going to actively work with the resource and landowners in order to develop their resources and in turn develop

themselves," said Ratu Epeli. "We hope to make the indigenous landowners realise the commercial viability of the land they have.(Fiji Times 2007-03-05).

The charm offense towards the Fijian landowners continued in June 2007, when the same minister stated that "Fijian land and interests will always be protected". Replying to an academical paper saying that the claim that 90 per cent of land in Fiji should be native land was questionable, Ratu Epeli it was misleading to say the interim Government would touch Fijian land. He said any doubts Fijians had on any threat over their land should be put to rest. Ratu Epeli said also he was in Cabinet as "a watchdog" for Government and they would not want to do anything to jeopardise things (Fiji Times 2007-06-04).

The interim government's future actions regarding the land issue are hard to foresee. They have to address the issue, yet it will be a tremendously risky task.

## 5.2 Fijian Labor Party

Many politicians work to ease the life for the Indian tenants but few questions the right for the Fijians to own the land by themselves (Landguiden 2007). The special relationship between indigenous Fijians and their land forms the cornerstone of FLP's approach to land. The party promises to fully protect Fijian ownership of land and encourage a pragmatic approach to land development for the economic benefit of the landowners and the nation as a whole (FLP 2006:22). SDL stresses the fact that although 95 % of land held under native reserve is lying idle, thousands of Indian farmers are being forced off native leases on land their forefathers have farmed for generations. These are according the FLP shocking land use figures and show the extreme racist stance of the former SDL-government on land issues. Access to land is a constitutional right of every Fiji citizen. Yet Indian tenant farmers are being blatantly denied this right (FLP 2002). FLP will end the previous situation where most of the land is not used. Thus, co-operation with the landowners for introducing utilization programmes aimed at boosting agricultural production as well as for residential and commercial purposes will be encouraged in corporation with the NTLB. To overcome the squatter problem in the urban areas the party promises to increase resettlement funding and to identify and develop large tracts of vacant land for this purpose (FLP 2006:23). The party also wants to pay resettlement grants to farmers whose leases are not renewed (FLP 2006:14).

A proposed solution to the land problem presented by the SDL-government was rejected by the The Fiji Labour Party since it "does not guarantee long term security for farmers or denies their basic human rights" The "solution" meant that the NLTB was prepared to offer 50-year leases under NLTA, but that no more leases under the more tenant-friendly ALTA was ever to be issued. Besides, the rent amount to be paid by the tenants was to rise. "We will not accept any proposal that compromises the rights of the tenant community," Chaudhry said. "We will not be rushed into any settlement on land that does not ensure the long term interests and rights of the tenant community" (FLP 2003).

FLP leader Chaudhry is currently Minister of Finance and Sugar Industry in the interim government, and there is yet another minister post occupied by a member of his party. The Labour leader said recently that “Fiji needs to address certain fundamentals before any new government is put in place”. A return of the democratically elected SDL-government would mean a disaster. Thus, Fiji needs to address certain fundamentals before any new government is put in place. The only way forward is for the Constitution to spell out key principles of governance that must be adhered to by all elected governments. These should include among other good governance provisions: social policies, proper management of the economy and State finances.

The latest political product on the ethnical issue, that of course embraces the crucial land problem, is *The People’s Charter for a better Fiji*, called “an avenue through which such necessary reforms can be achieved through dialogue and consensus”. According to the FLP a serious and genuine attempt is being made for the first time to address fundamental problems that have haunted us for 20 years or more (FLP 2007).

### 5.3 Soqosoqo Duvata ni Lewenivanua

SDL leader and former Prime Minister Qarase has stated that “the unresolved issue of agricultural leases is a weeping wound on the body of Fiji that we have so far been unable to cure. It has caused much human suffering and ill-will. I do not think the Government, or the country can afford to further postpone consideration of this vitally important question, with all its deep economic and social implications. (...) We cannot continue to ignore the cry of the Fijians for a more just return of their land” (Qarase 2006:7-8). This view to resolve the land issue and at the same time opt for more returns for the native Fijians is held by the SDL party and its leader Qarase. Throughout the years the party has been constantly pro-Fijian in its policies. Some citations from Fiji’s main newspaper, The Times follow:

“I can give you an undertaking that a re-elected SDL will not give up on land. We will press forward with a fresh approach one that fully safeguards the landowners and the tenants” (Fiji Times 2006-04-02).

“The Fijians own the land by law, but the law has taken over from them, effective control of the use of their own land (Fiji Times 2006-05-05).”

“Prime Minister Qarase said the proposed land tribunal’s role was to resolve outstanding disputes or claims on land. Particularly land that was acquired outright 100 years ago in circumstances that do not appear just” (Fiji Times 2001-08-03).

It is obvious that the landowners' interests come first for the SDL. The party wants the land owners to have better conditions in their contracts as well as the right to claim even more land. However in 2006 a compromise was proposed and an arm outstretched to the FLP. The party bore in mind the fact that there for Fiji as a whole, was and is a pressing need to increase the rate of growth. This means "we must make productive use of all available land to boost exports" (Qarase 2005a).

The government's land proposal included that all agricultural leases on native land would be issued under NLTA rather than ALTA which would enhance the landowners' power. 50-year leases were proposed to enable the farmers to secure more resources, at more reasonable terms, to maximize their farm production and income. Since ALTA leases began expiring in 1997, more than 6000 leases have expired, and in the absence of a long term solution, many of the farmers concerned and their families have been displaced. Many are now squatters in urban areas or *vakavanua* settlers. The landowners felt that ALTA had exploited them through its low and somewhat inequitable rental provision. The proposal needed 2/3 of the votes in the parliament was not passed due to the FLP's voting (Qarase 2005b).

The Fiji Labour Party wanted ALTA retained and that any amendments must be within the ambit of ALTA. In a new twist the Prime Minister had confirmed that the FLP had suspended all talks with him on national issues and the land impasse was included (Bolatiki 2006). This is the last known attempt to assess the land issue.

## 5.4 Native Lands Trust Board

The control of all native lands is vested in the NLTB. The Native Land Trust Board thus controls and administers about 84% of the landmass in Fiji. The Board must ensure that any development over native land will bring the best economical return to the present and future landowner (NLTB 2007). In Fiji, traditional institutions which are meant to protect Fijian culture such as the NLTB are theoretically outside the ambit of party politics, but over the years major ruling Fijian political parties such as SDL have used these institutions to serve their political ends. (Ratuva 2006:27-28). For instance, according to the board, and to the SDL as well, ALTA has many provisions that are prejudicial to the proprietary rights and interests of native landowners. The NLTB has publicly explained why it feels very strongly that the proprietary rights and interests of native landowners would be best served if native land were removed from ALTA and returned to NLTA (Bolatiki 2006). The board has remained quiet since the coup in December 2006 and still follows policies enforced by the former cabinet, like the Master Land Use Plan for the peri-urban native lands of the Greater Suva. This plan might be seen as a part-solution of the land problem in the Suva area since it mainly concerns the release of adequate land to cater for growth and development. Much in focus stands the illegal *vakavanua* settlers or squatters since their

presence on adequate land are seen a constraint to development in the region. The Master Plan defines a vision for future growth of native lands within the greater Suva Urban Area over the next 20 years (NLTB 2003, Ch. 1).

These settlers live generally very poor and since they cannot get or afford any lease they come and make an informal agreement with the landowners. Usually the settlers are granted a plot of land to stay on, but without any legal security. Eviction can occur at any time by the landowners, or as the plan proposes by the authorities, before year 2023. The number of these unofficial settlements springing up on native lands is increasing day by day. Such communities are seen as a national problem which brings adverse effects of lack of affordable urban land for housing. Consequently, this is another consequence of the current land policy. A difference compared to the problem of non-renewed leases is however that many of the approximately 1560 families that staying on a *vakavanua* basis are of Fijian origin (NLTB 2003, Ch. 2-3).

A relocation of the settlers would be a social issue to both the NLTB and the government of Fiji. The settlers occupy prime agricultural land, land suited for middle-class residences, native reserve areas and other areas of importance for the development in the fast growing Suva area. Intervention is therefore required (NLTB 2003, Ch 4). Consultations with the landowning units affected and interested parties will be done. Sufficient time for consultation and genuine effort is important. Landowners will be educated on the benefits of having their land developed, as well as the injustice caused from *vakavanua* tenure. Alternative sights can through consultation be identified and arrangements made for the relocations of *vakavanua* settlements located on valuable land (NLTB 2003, Ch. 5). If possible, the evicted settlers would be the first to be offered to lease the land they were evicted from. It is plausible that the *vakavanua* arrangements will be reduced in number over time and replaced by NLTB leases (Anonymous NLTB Officer 2007).

The settlers in the village of Sawani are included in the Master Plan. According to it, the area holds valuable agricultural land that needs to be protected. However, the settlers are not a high-priority on the eviction list (NLTB 2003, Ch 4). Besides, very little is at present happening to realize the plan, because of lack of resources (Anonymous NLTB Officer, 2007). I will shortly describe the situation in Sawani below.

## 6 The *Vakavanua* Settlers in Sawani

Sawani is situated about 15 km north of the Fijian capital Suva. The population in the main village is roughly 300 persons in 50 households (FIBS 2007). There are 3 land owning clans: *mataqalis*, in the village. Two of these have *vakavanua* settlers on their lands; the chiefly *mataqali* owning *vakavanua* land south of the Waimanu River and Nacowaliva *mataqali* owning *vakavanua* land south of it.

There are in total 22 *vakavanua* arrangements in force on Sawani's lands at the moment. 7 of them are only temporary and will be transformed to leases at any time, when NLTB has demarcated the land borders. These settlers came here for a lease and not a *vakavanua*. The holder of one *vakavanua* arrangement south of the river was not home during my stay in Sawani and could therefore not be interviewed. Representatives of all the remaining 14 *vakavanua* arrangements in Sawani have been interviewed in their respective homes. I have given each arrangement a unique number that reflects the order they were reviewed. The total number of individuals living permanently in a family on a *vakavanua* basis here in Sawani is 120 persons approximately. It is approximated that 20 % of the Sawani land is held on a *vakavanua* basis (anonymous NLTB Officer 2007). A map of the location of the arrangements can be found in Appendix A.

The absolute majority of the holders came to Sawani since they had some sort of connection to the village, often through a relative or a more or less distant marriage. Very strong reasons to come to the area are education and work possibilities and an overall superior access to facilities compared to where the settlers came from. All *vakavanua* holders except for one very closely related to the landowning clan presented *sevusevu* when they came to Sawani and asked for permission to settle on a *vakavanua* basis. A standard *sevusevu* consists of a whale's tooth; *tabua*, 1 kg of the narcotic drink *yaqona* and 3x20 litres of kerosene. Interestingly to note, in the Nacowaliva *mataqali* 3 of the 6 arrangements have been "renewed" since another *sevusevu* has been presented a long time after the first one. The reason for this measure is to strengthen the bond between the landowner and the *vakavanua* holder. The renewals have often occurred when someone strongly tied to the *vakavanua* agreement has passed away.

None of the *vakavanua* households pay any rent. Only seldom they have to supply with money to the landowners. Instead they are obliged to contribute when there is a wedding or a funeral and to other communal interests such as the fundraising of a new church. They contribute with mats, cassava, food or with their own work power. In general this occurs every 2 month, but the contributions are more common in the Nacowaliva *mataqali* compared to the chiefly one. Indeed the "*vakavanua*-deal" is considered as a very good one by the holders, but most of them think that the demand for contributions will increase in the future.

The majority of the agreements were made from the early 50's to the early 90's. 5 out of the 14 *vakavanua* holders come from the outer islands. The average *vakavanua* holder appears to be confident with his arrangement. However the presence of *Turaga-Ni-Koro* may have put a pressure on some of the answers. The house condition of a *vakavanua* holder can according to Dakacia (2003) be seen as an indicator of the settlers security in the agreement with the landowner. Interestingly, almost every *vakavanua* holder has made improvements on his house since he first settled. However, the majority agrees that their respective houses would be even more improved if they had a lease. It is interesting to note that the condition of the houses are better north of the river on the Nacowaliva *mataqali*'s lands than the standard of the households situated south of the river on the lands of the chief *mataqali*. Furthermore the trust in the agreement of the Nacowaliva settlers are higher compared to the *vakavanua* holders of the chiefly *mataqali*. Let us now turn to the interesting question if the *vakavanua* settlers want a lease or even a legalization of the arrangements.

When it comes to the holders' attitude to a lease or a legalization of the *vakavanua* arrangements, the picture is not coherent. 7 of the holders prefer a lease instead of the *vakavanua* arrangement. The other 7 prefer to hold on to the *vakavanua*. Many of the *vakavanua* holders that do prefer a lease are since many years deeply rooted and established in Sawani. They can also *afford* a lease. However their requests for a lease have not been accepted by the landowners. Another reason to prefer a lease is that the title can be used to get credit from the bank. Motives to stick to the *vakavanua* arrangement are that it is the cheapest and often the only possible alternative the settlers can afford. Generally the settlers think the *vakavanua* agreement is a good deal. Some who actually can afford a lease still prefer to stay *vakavanua* because of their close bonds and feeling of security to the landowners.

In terms of area and usage of *vakavanua* land the following can be said. The average *vakavanua* area is 3 acres. They vary from less than 1 acre to 8 acres. Usually there are 1-2 houses on a *vakavanua* arrangement on land that most often also is cultivated for the family's own purposes. Out of the 14 *vakavanua* settlers, 2 cultivate on a semi-commercial basis, which means that the surplus will be sold at the market. Only one of the 14 holders occupies the land for commercial farming purposes and he is very closely related to the head of the *mataqali*.

Earlier research in Western Fiji in the 80's on Indian tobacco farmers on *vakavanua* arrangements showed that there were room for successful enterprises under these arrangements since they turned out to be more productive than their counterparts on ordinary leases (Eaton 1988). However this is obviously not the case in Sawani today. The productivity on the near lying Chinese farms on leased land is extremely better off compared to the semi-commercial *vakavanua* cultivations.

The following texts are extracts from my interviews with representatives with the landowners as well as my discussions with *Turaga-Ni-Koro*. I think they all together can shed some light on how a landowner today can perceive the *vakavanua* issue. There is a traditional spiritual dimension, a family/tribe perspective and a more economical approach.



**A spiritual approach:** The main reason to grant people a *vakavanua* is a genuine will to help and to follow the words of God. All you do that is good will come back to you in some form or another, not necessarily from the one you gave it to. The communal spirit will be strengthened through these agreements. To be honest, leases are better for the village in monetary terms, since you can buy more for the rent income compared to the actual worth of what the *vakavanua* holder usually will contribute with. However, *vakavanua* arrangements preserve the communal structure and values. It is easier to be granted a *vakavanua* if you have a connection to the village, but you do not necessarily have to be a Fijian. Nor does the amount of the *sevusevu* alone matter. It is also very important how you present it and what reasons you have to settle in Sawani (Turaga-Ni-Koro 2007.)

**A familiar approach:** The *vakavanua* holders are embraced by the whole *mataqali* family. The *mataqali* is small in numbers (only about 30) which facilitates the tight relation to the *vakavanua* holders. Besides, they stay more closely to the village compared to the other *mataqali*'s *vakavanua* holders. Because of its low number the *mataqali* benefits from the contributions a great deal from their "extended *vakavanua* family. The *vakavanua* settlers are secure as long as they adhere to the Fijian custom and contribute with what they can. They are not allowed to lease out the land or the house to someone else. Concrete buildings are generally prohibited. The arrangement is a good deal for both landowner and *vakavanua* holder but it is especially beneficial to the latter in Sawani compared to other places near Suva where payment is requested along more demanding contributions. This landowning generation has no plans to charge any money but maybe their children will (representative of the Nacowaliva *mataqali* 2007).

**A modern approach:** A *vakavanua* is basically granted for kindness sake. It is better that someone uses the land than to let it lay idle. However, leasing out land is generally a better deal for the village than a *vakavanua*. The *vakavanua* holders in Sawani are very lucky compared to others if you consider how little they actually will have to contribute with. Besides, the village has plenty of lands. However, if gold or oil would be found on or near a *vakavanua* holder he will have to move. He will be offered a place on unoccupied *mataqali* land. If there is no land left, the settler will have to leave the village. No compensation will be paid (representative of the chiefly *mataqali* 2007).

Let us now sum up the whole thesis as well as answering the research questions. This will be done in the following chapter.

## 7 Conclusion

The background to the ethnical tensions in Fiji was the colonization process, where the Indian indentured workers were imported and the Fijians left outside the commercial sector. At the time of the British rule, all native land came to be protected for the native Fijian ownership under a made-up land system, that since then by the masses have come to be seen as corresponding to the ancient Fijian custom. To understand the situation fully, one must also consider the fundamental importance of land for a native Fijian. As written above, to most Fijians, the idea of parting with one's *vanua* or land is equivalent to parting with one's life (Ravuvu 2005:70). When urbanization came, Fijians felt themselves to be lacking behind the Indians who had them outnumbered. In accordance with Horowitz' theories, the centrifugation force polarized the two people along their ethnic lines throughout the elections, which was fuelled with much racial agitation. The fear of losing their native Fijian land was and is extremely sensitive (Landguiden 2007).

In the thesis I have also tried to explain where the different political fractions stand when it comes to the land issue. Beginning with the FLP, we can conclude that the party promises to fully protect Fijian ownership of land (FLP 2006:22). On the other side they will "not accept any proposal that compromises the rights of the tenant community" (FLP 2003). We have learnt that SDL holds a strong pro-Fijian attitude. "...SDL will not give up on land". (Fiji Times 2006-04-02). At the same time the party (along with the FLP) is painfully aware that Fiji must make productive use of all available land to save the economy (Qarase 2005a). This credo has been realized in the NLTB's Master Plan. The same fact, along with the will to solve the land problem has given rise to a few measures, none clearly successful. Mainly, I would say that the policy has been a do-nothing-thing. ALTA was only a temporary solution. The collapsed negotiations with the FLP helped nothing. The stands of the interim government on the issue are still vague. Nevertheless, we know that the interim government product: *People's Charter for a better Fiji* is on its way and promises to deal with the racial troubles and the land issue. The interim government also has realized the importance of the commercialization of the native land (Fiji Times 2007-03-05). It has also been made clear that any doubts Fijians have on any threat over their land should be put to rest (Fiji Times 2007-06-04). What is distinctive with the interim government is that both Indians and Fijians occupy important ministry posts. This might imply a more pragmatic approach to the land issue in the *People's Charter for a better Fiji*. However, all groups seem to agree that the land must be utilized more efficiently, and here lies the chance for the Indians and the misfortune of the *vakavanua* settlers. In the long run, someone needs to organize the land use. The *Vakavanua* settlements are too unorganized. In 3-4 years a vast number of

agricultural leases in e.g. Sawani will expire (Native Lands Trust Board Officer, anonymous interview 2007-09-26). This certainly opens for other possibilities. I think the *vakavanua* arrangements will be more and more uncommon in the future, especially in a peri-urban area such as Sawani. The land will be too attractive to not further develop economically. The settlers will sooner or later have to move. That requires however, that the landowners think more individualistically. Education, Western influences and rising land values will contribute to this. I think the temptation will be hard to resist both for the landowners and the NLTB to let land that most probably will rise in value be used economically inefficient. A lease will at the end of the day bring in more money to the landowners and the NLTB. This perspective is not shared by the *vakavanua* holders, who all feel more or less confident with their arrangement and definitely not foresee a removal.

As we concluded earlier, all parties want to utilize the land better. For that purpose the Indians are indispensable. They know better how to manage the land. Research has also shown that Indian farmers are distinctively more productive than their Fijian counterparts (Eaton 1988:144). At the same time we know that Fijians in general have an added factor that tends to drain off any excess income that they can save (Reddy 2005:1-4). Thus, the Fijians need the Indians for their management. It is certainly not reasonable that 95% of the Fijian native lands lie idle when many Indians starve for land and their ethnicity covers approximately 40 % of the population.

However, that will of course not have to imply that the Fijians will have to lose their land. Everything in that direction will, as we have seen before, create more agony, violence and coups. Consequentially, the political parties seem to agree that the land will remain in native Fijian hands. But, the Fijians will have to realize that they need the Indians for the utilization of the land and that the Indians need safe long-term contracts. Besides, both sides need to hamper the sometimes harsh rhetoric against each other.

A development like this has however Horowitz' theory of *centrifugal force* against it. But let us first start with the Horowitz distinction between *ranked* and *unranked* ethnic groups. I would argue that Fiji's two main peoples are *unranked*. In such system, parallel ethnic groups coexist, each group internally stratified. Both groups have their own elite and are embryonic whole societies. The position of a group varies from one domain to another, none of them decisive in establishing superordination or subordination. The Indians dominates the business sector whereas the Fijians rule the military and owns the land. The core of ethnic conflict in Fiji is the maintaining of the *unranked* standings (Horowitz 1985:22-26). Thus, Fiji holds an *unranked* system and the ethnic groups do what they can to maintain and to improve their position. The fear of being in an unfavorable position, in accordance with Horowitz, further strengthens the unity of the ethnic groups. The only possibility to avoid dominance from other groups is to mobilise and to keep the powers of the group, which certainly has occurred in Fiji. The *centrifugal force* has without doubt been in force. Thus, this force might explain why compromises and consensus have been almost impossible to manage. It makes sense to say that it is the relative and not the absolute advantages that

govern in Fiji. Either should improvements come simultaneously, or they should not see the light of the day at all (Horowitz 1985: 342-349). It will be interesting to follow the development in the future. Will we see another coup, yet another meltdown on the land issue or perhaps a solution to it in the coming *People's Charter*? I personally think that answers to the two first questions will be positive, while the last one will be negative. Fiji still has a long way to go...

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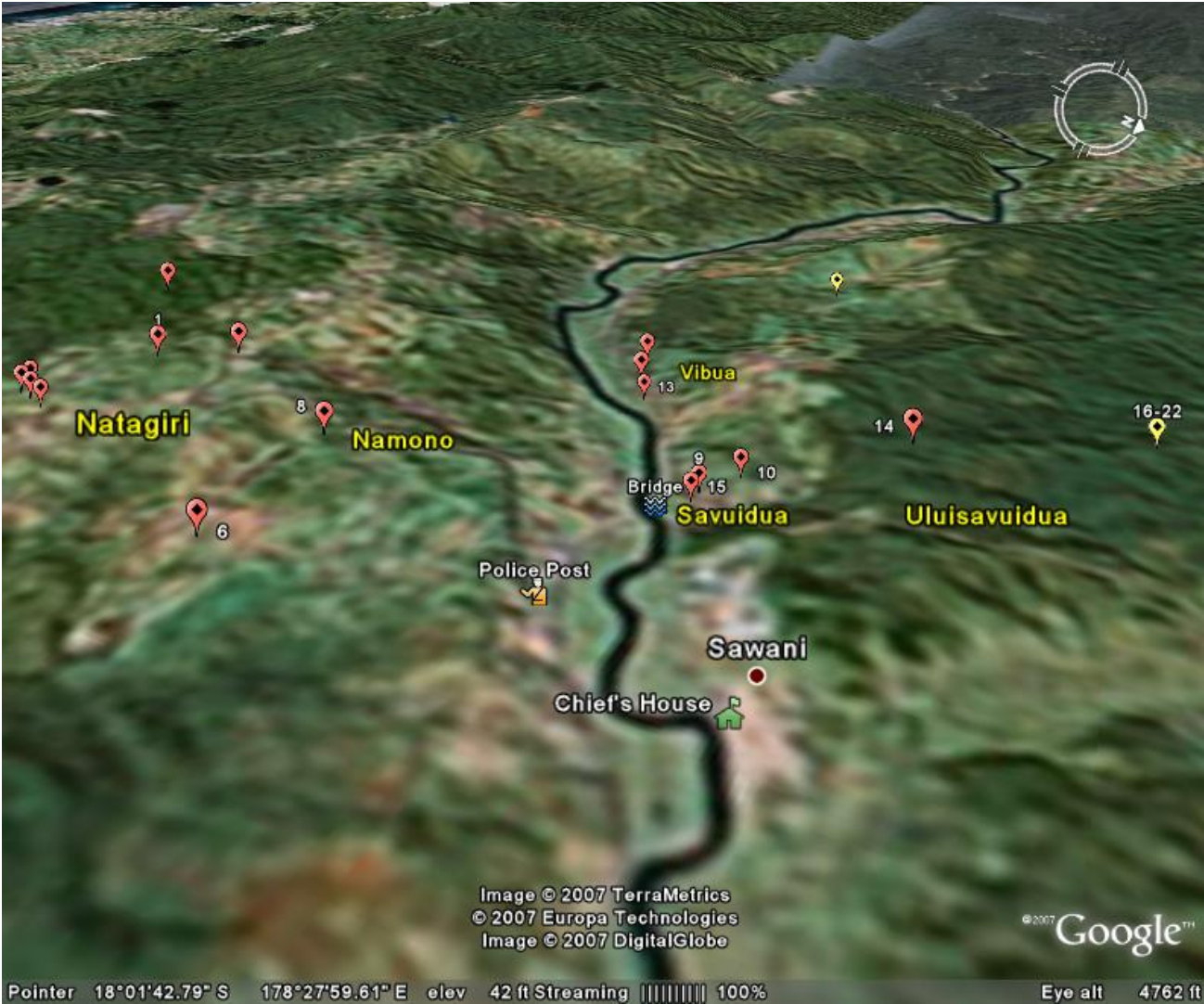
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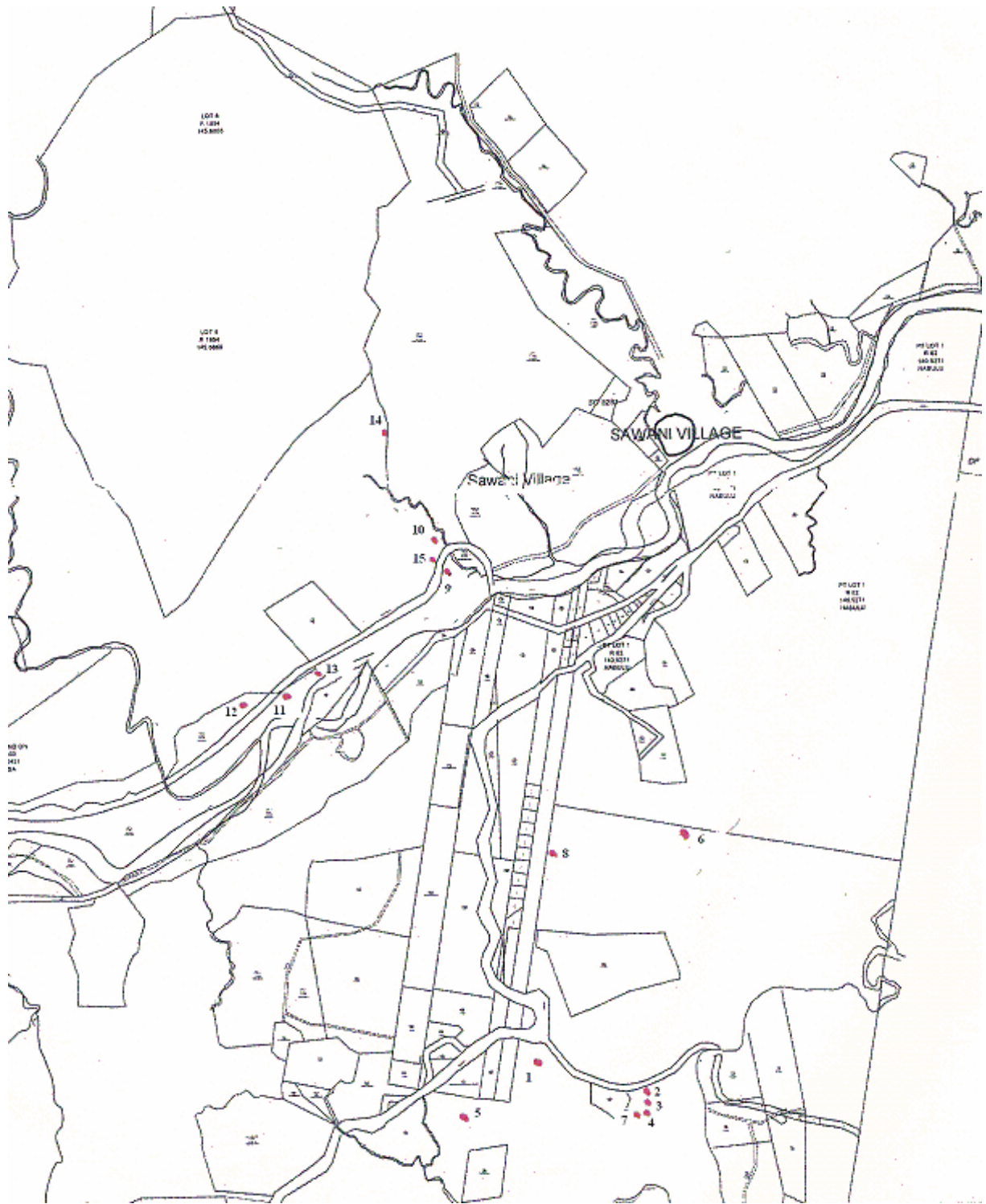
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# Appendix A –Maps



Map 1 –Sawani and its *vakavanua* settlers, viewed with Google Earth. October 2007.





Map 2 –Sawani and its 15 *vakavanua* settlers, viewed with VanuaView. October 2007.