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Fiji: the challenges and opportunities of diversity

By Vijay Naidu (with the support of Annawaite Matadradra,
Maria Sahib and Josaia Osborne)





Indigenous Fijians and Indo-Fijians participate in a Citizens' Constitutional Forum community education workshop in the Ba province, Fiji.

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CCF is an NGO that educates and advocates for the constitution, democracy, human rights, and multiculturalism in Fiji. CCF is not aligned with any political party.

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Contents

Foreword	2
Executive summary	4
Map	6
Introduction	7
Part 1: Background	8
Ethnic groups in Fiji	8
Historical and contemporary factors in inter-ethnic relations and discrimination	10
The Qarase era and contemporary Fiji	13
Part 2: Findings of the interview survey among ethnic groups	19
Current inter-ethnic relations	19
Issues that contribute to inter-ethnic tensions and conflict	21
Participation in decision-making	22
Women's participation in decision-making	23
Impact of the 2006 coup on inter-ethnic relations	24
Discrimination	25
Relations between religious groups and between government and religious groups	27
Human rights issues	28
Government policies	29
Conclusion and recommendations	31
Bibliography	34
Annex 1: Tables showing details of respondents	36
Notes	38

Foreword

By Chris Chapman, Head of Conflict Prevention at MRG

Against the backdrop of the controversy surrounding the draft constitution, MRG hopes that this report can provide insight into two of the most vexed issues that the constitution sets out to address: tackling discrimination and exclusion based on ethnicity, and improving inter-community relations. We offer focused policy recommendations, based on evidence drawn from extensive interviews across the diversity of Fiji's ethnic groups. We hope that our recommendations can contribute to the understanding of government, civil society and ethnic community leaders regarding these difficult issues, and provide food for thought during deliberations over the constitution, the future electoral and parliamentary system for the country, institutions, and secondary legislation that will be needed to implement constitutional provisions.

On 10 January of this year the Fijian government announced that it would not accept the draft constitution prepared by the Constitution Commission it had appointed, headed by the eminent professor of international law, Yash Ghai. It stated that the draft would be revised by the Attorney-General's office, before being presented for approval to a Constituent Assembly appointed by the government.

The commission's draft contains many provisions aimed at improving inter-ethnic relations, tackling discrimination and exclusion, and increasing government accountability and respect for human rights – notably by reducing the role of the military in government.

The document opens with a revolutionary statement (although an expected one, as it was one of the non-negotiable principles that had been pre-ordained by the Bainimarama government): *"We are Fijian: iTaukei and all others who have come to make their home in these islands"*, thus reversing the principle, in place since colonial times, that only iTaukei (indigenous Fijians) could lay claim to the term "Fijian". This measure was cited by many of the respondents to our field research as an important symbolic move that recognized their equal citizenship; it was also welcomed by a number of indigenous Fijian respondents.

The draft's preamble contains an impassioned, poetic plea to all Fijians to forge a new, inclusive, respectful national identity:

"We receive the gifts of these islands, their history, heritage, and name with deep gratitude. Together, we

aspire to keep faith with the spirit of tolerance in building our nation. Wishing to heal the divisions of our past, we acknowledge our struggles, and our failure to create a single nation and to establish an inclusive democratic society.

Striving now to live in unity, we resolve —

— to share the spirit of play, work and worship,

— to create a modern, progressive, multicultural nation founded on trust, tolerance, inclusiveness, compassion, the dignity and equality of each individual, and respect and stewardship of nature's gifts, and

— to build a just and sustainable government on the foundation of freedom, democracy, social justice, human rights, and the rule of law."

The draft contains, in Article 21 (3), an anti-discrimination provision which has one of the most exhaustive, inclusive lists of grounds of discrimination in any constitution in the world: *"The State may not discriminate directly or indirectly against anyone on one or more grounds, including birth, age, ethnicity, social origin, race, colour, primary language, religion, conscience, belief, culture, sex, gender, gender identity, sexual orientation, pregnancy, marital status, disability, social status or economic status."* It mandates equal status for the main languages of Fiji and establishes freedom of religion.

Significantly, it takes a root and branch approach – again as laid down as a non-negotiable principle by the Bainimarama government – to tackling the measures put in place since colonial times to protect the paramount position of indigenous Fijians in politics and their land ownership. This approach includes the aforementioned universal application to all citizens of the term "Fijian"; abolishing reserved seats in parliament and government based on ethnic belonging; and establishing an electoral system based on proportional representation and one person one vote. The Bose Levu Vakaturaga, or Great Council of Chiefs, a body made up of indigenous Fijian chiefs which wielded considerable political power under previous constitutions, is given an advisory role on affairs of direct concern to indigenous Fijians. The document does however protect indigenous customary ownership of land by forbidding the transfer of this land to any other body or individual.

The draft calls for a National Consultative Land Forum, made up of relevant state bodies, land owners and tenants, to be set up to provide an opinion to parliament on new laws, and promote consensus on issues of land ownership and land leases, a subject which continues to be the cause of much inter-ethnic tensions (see p.14 of our report). The measure might be viewed as kicking a thorny problem into the long grass; on the other hand, it might be the only way to tackle such a difficult issue in a transparent and participatory way.

It must also be recognized that the draft had its opponents. In particular, many indigenous Fijians opposed what they saw as the dismantling of a series of measures and programmes aimed at protecting their privileged position in Fijian politics which they see as their birthright, and addressing the poverty and poor education levels of their community (although it should be remembered that poverty in Fiji is by no means limited to indigenous Fijians). While these concerns must be acknowledged, so also must be the long-standing grievances of other communities (not just Indo-Fijians but also the many minorities of Fiji) who have been actively excluded from government and access to resources.

Prior to the currently proposed draft, the document that could probably lay claim to greatest legitimacy was the 1997 Constitution, in that it was the result of a far-reaching process of political and civil society consultation. Some observers argued that the 1997 Constitution was still valid, thanks in particular to a successful case brought to the High Court and Court of Appeal in 2000, challenging its abrogation by the coup leader (and current Prime Minister) Commodore Frank Bainimarama.

The 1997 document was highly significant in its attempts to reform the electoral system, by rewarding parties who reached out across ethnic divides through the Alternative Vote system, its strong anti-discrimination measures, and mandating of affirmative action programmes. However it also attempted a – surely impossible – balancing act, by maintaining the principle of the primacy of the rights of indigenous Fijians. The

current draft arguably takes the process a step further by establishing without reservation the equality of all communities.

The government's 10 January decree has caused a political firestorm in Fiji due to its subversion of the democratic process. The draft constitution was based on over 7,000 submissions received from the public by the drafting commission, and the outcomes of a series of civil society consultations organized by the NGO Citizens Constitutional Forum.

There has been much speculation as to the reasons for the government's rejection of the draft, with attention focusing on the provisions limiting the role of the military, subjecting it to supervision by the National Security Council, calling for power to be handed over to a caretaker cabinet immediately in the run-up to elections, and forbidding soldiers from obeying "manifestly illegal" orders (in an attempt to reduce the likelihood of military coups).

There is widespread concern within Fiji that the government, having declared its intention to allow the people to have their say over the country's future, is now backtracking, and is unwilling to relinquish power¹ In a further development, in February the government issued a decree giving all political parties just 28 days to register by collecting signatures of 5,000 members across the four sub-divisions of the country.²

On the other hand, the Fijian President Ratu Epeli Nailatikau has praised some of the draft's provisions on fundamental rights, including socio-economic rights, good governance and accountability and independence of the judiciary.

After many years of coup d'état governments, the Fijian people had hopes of a new political compact that would reflect their desires, concerns and ambitions. Although Decree No. 80 does not exclude the possibility of significant sections of the draft making their way into the government's final version, the move has impacted on the general public's faith in the process and their willingness to engage in it.

Executive summary

Historically, Fiji's economic and political development has created inequalities and deep-rooted divisions between its diverse ethnic groups. The country has experienced four military coups and a military mutiny since 1987, mainly as a result of tension between the majority indigenous Fijian population and an economically powerful Indian minority. Smaller minorities, including Banabans, Rotumans, Chinese, Melanesians and other Pacific islanders are largely politically invisible, and socially and economically excluded.

The most recent 2006 coup, led by Commodore Josia Voreqe Bainimarama, has presented itself committed to creating a multi-ethnic Fiji and ending a system that classifies Fijians based on ethnicity. However during this time, Fiji's military government has been heavily criticized for its infringement of rights to free speech, press, peaceful assembly, and association.

Now the country is again at a crossroads. In January 2013, Fiji's government rejected a draft constitution drawn up by an independent commission, and submitted it to be re-written by the Attorney-General's office. This intervention threatens to significantly undermine the people's confidence in the process, the final document and a democratic future for Fiji.

Against the backdrop of these upheavals, this report aims to address the most intractable problems the constitution set out to address: tackling discrimination and exclusion based on ethnicity and improving inter-community relations. It is based on evidence drawn from interviews with individuals from nearly all ethnic groups from various walks of life, including government officials and representatives of NGOs, religious communities, trade unions, employers, farmers, university students and diplomats.

Their responses reveal a complex picture of ethnic relations in Fiji and reflect perceptions of both greater ethnic integration and growing divisions.

On the one hand, Fijian society is undergoing huge changes. Rapid urbanization, a growing modern economy and demographic shifts (indigenous Fijians are now the country's largest ethnic group) are eroding entrenched ethnic divisions. People of different ethnicities are living and working together and their children are going to multi-ethnic schools. Increasingly, how an individual relates to members of their own and other ethnic groups

depends more on their education and socio-economic status than their ethnic identity or gender.

However, indigenous Fijians expressed disquiet about what they perceived as the government's anti-Fijian policies. For example, the abolition of the indigenous Fijian Great Council of Chiefs, the suppression of the Methodist Church and the withdrawal of affirmative action programmes. They argued that these policies have damaged inter-ethnic relations and fuelled ethno-nationalism.

Land ownership and access to natural resources also remain the cause of much inter-ethnic tensions. Large numbers of Indo-Fijians, who rely on land leased by indigenous Fijians, have lost their land; and indigenous Fijians fear their land will be expropriated by the government for development.

While educated women from all ethnic groups have greater opportunities for employment and getting their voices heard, Fiji remains a male-dominated society. Banaban, Tuvaluan and Melanesian, and some Rotuman women in rural areas particularly struggle to participate in decision-making beyond their families and church groups.

This report explores the historical factors that have shaped inter-ethnic relations in Fiji, the impact of the 2006 coup and subsequent government policies, and the legacy of the work of the Constitution Commission. The report also provides policy recommendations, based on the evidence drawn from extensive interviews.

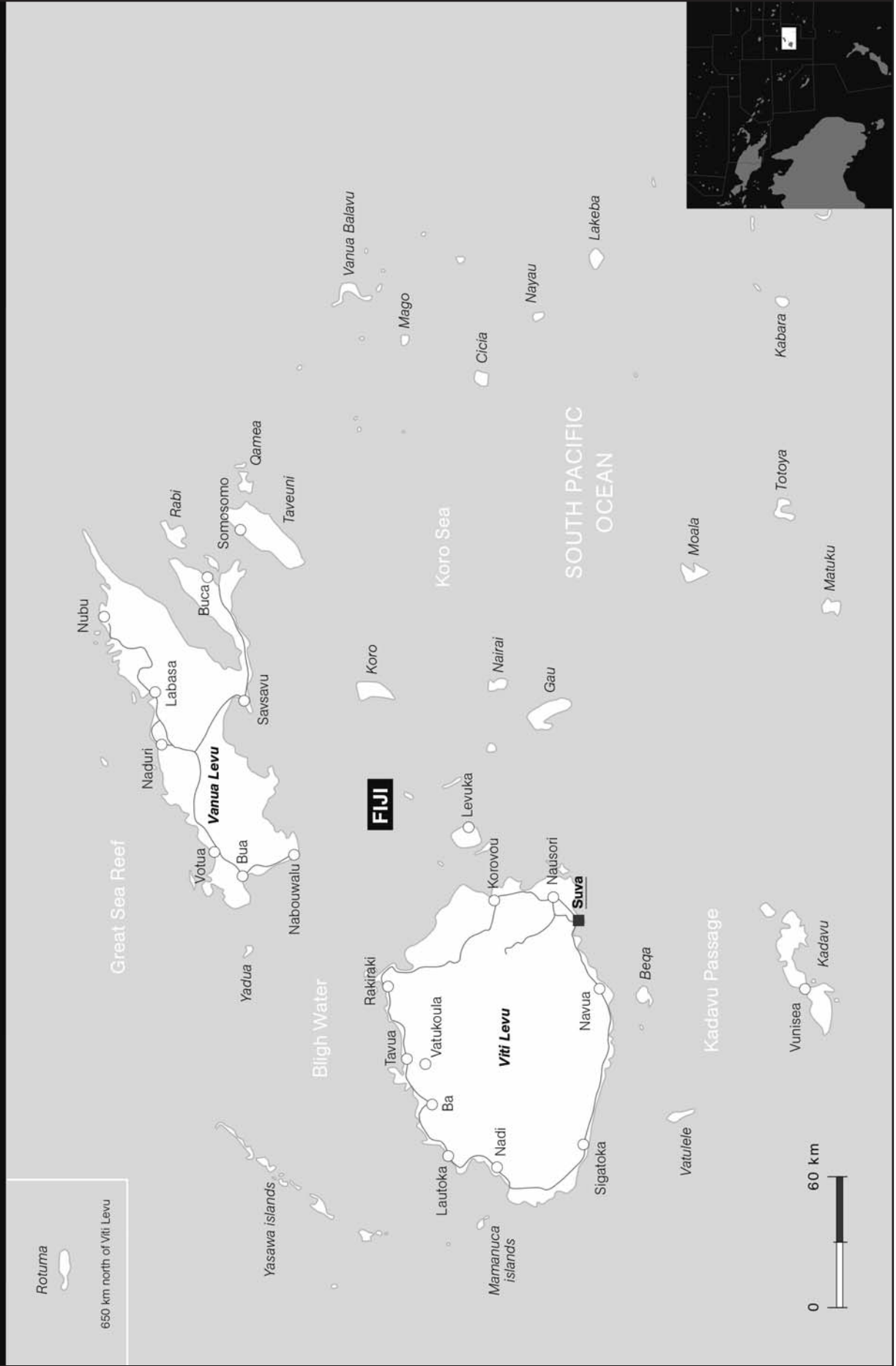
This report calls on the Fiji government to:

- Rescind its decision to reject the draft constitution, developed by the Constitution Commission through a legitimate and participatory process, and submit the draft to the Constituent Assembly.
- Enact comprehensive legislation to prohibit discrimination and provide transparent, accessible and effective access to justice for all victims of discrimination.
- Carry out an audit of all affirmative action programmes to identify the extent to which the most needy communities and individuals are receiving assistance. The current complex system should be replaced by a streamlined, simplified programme which ensures that access to support is on the basis of need.

- Commission a comprehensive review of school curricula by a body including representatives of all ethnic and religious communities and propose a new curriculum that includes teaching about the history, culture, religion and language of all communities in Fiji.

The report also urges civil society, ethnic, community and religious leaders to take efforts to build understanding, tolerance and dialogue between ethnic and religious groups.

Fiji



Introduction

Fiji is an archipelagic state in the South Pacific comprising citizens from diverse cultural backgrounds fragmented along ethnic lines. It is made up of more than 300 islands, of which 100 are inhabited. Fiji's population of nearly 900,000 live predominantly on the two main islands of Viti Levu (80 per cent) and Vanua Levu (15 per cent). English is a common language for all citizens, and increasingly Bauan Fijian (the lingua franca of indigenous Fijians) and Fiji Bhat (spoken by Indo-Fijians) are also becoming more widely used. Fiji has a great potential to become an integrated, equitable and peaceful multi-ethnic state, 'the way the world should be', according to Pope John Paul who visited the country in 1987.

But the country has experienced political instability and military coups d'état over the past decades. These coups have been justified as protecting the paramountcy of indigenous Fijians (or iTaukei) against the supposed threat of Indo-Fijian domination, or to promote equal rights for all citizens irrespective of ethnicity. Because of political instability and sense of personal insecurity, some 150,000 Fiji citizens, mostly Indo-Fijians have emigrated since the 1987 coups, and 5,000 people leave permanently each year.³

The most recent of these coups was executed by the Republic of Fiji (previously Royal) Military Forces in December 2006. The post-coup government, led by Commodore Voreqe (Frank) Bainimarama, has presented itself as firmly committed to a multi-ethnic Fiji and opposed to the ethno-nationalistic policies of the allegedly corrupt government led by Lasenia Qarase that was

deposed. However, the Qarase-led government was the very first experiment with power-sharing between the two major ethnic political parties as required by the 1997 Constitution.

This report is based on a study of inter-ethnic relations and discrimination in the period since the last coup in December 2006, based on detailed interviews with a cross-section of people in Fiji about their experiences and perceptions. An Indo-Fijian female respondent asked: *'What kind of country is this that all its citizens want to leave? First Indians began leaving, and now indigenous Fijians.'*

The research sought to (1) investigate and collect information on inter-ethnic relations, discrimination and exclusion, (2) explore the impact of government policies and practices on levels of ethnic exclusion, and (3) look at the future prospects of government policies on inter-ethnic relations and discrimination. The research also explored gender issues and addresses intersectional discrimination, including gender, ethnicity and religion.

This report first identifies ethnic groups and discusses ethnicity in the context of Fiji, where it is officially and in popular parlance used interchangeably with 'race'. It then examines historical and contextual factors, the 2006 coup and its aftermath, the post-coup government policies with respect to inter-ethnic relations, and the work of the Constitution Commission. The report then analyses the responses of interviewees from different ethnic groups and their views on policies to improve inter-ethnic relations.

Part 1: Background

Ethnic groups in Fiji

Fiji has been multi-ethnic from prehistoric times but has become even more ethnically diverse since the mid-nineteenth century.⁴ An ethnic group is defined by itself and other groups by its distinctive cultural, linguistic and religious attributes. This is a different term from ‘race’. Sometimes there is a conflation of the two terms where race and ethnicity are combined in a somewhat confused way.⁵ This has been the case in Fiji where it is common practice to speak in terms of ‘races’ rather than ethnic groups or ethnicities.

Fiji has a population of 837,271 people, according to the 2007 Census. iTaukei, or indigenous Fijians, are the majority group (475,739), followed by Indo-Fijians (313,798). Other groups include Chinese, European, mixed race, Rotuman and Pacific islands origins as well as expatriates of various nationalities.⁶ ‘Other Pacific islanders’, previously deemed to be ‘Fijian’ and now categorized as ‘others’ comprise ‘Melanesians’ (descendants of Solomon Islanders and Ni-Vanuatu labour migrants), I-Kiribati, Banabans, Tuvaluans, Tongans, Samoans and Wallisians (see Table 1).

Table 1: Ethnic minorities in Fiji

Community	Brief background
Asians	This is a very small minority, which consists of Filipinos, Koreans, Burmese and other Asians who have taken up Fijian citizenship. They are mostly professional and business people.
Banabans	Mostly live on Rabi Island. Others live in various urban centres around Fiji. They were relocated to Rabi in the 1940s after their homeland, Ocean Island, was used for phosphate mining. With the mismanagement of the Banaban Trust Funds derived from phosphate mining reparation and royalties, Banabans on Rabi and elsewhere are generally impoverished and marginalized. The community’s marginal political influence means that Banabans barely feature in government affirmative action programmes.
Chinese	The ‘first wave’ arrived in the early twentieth century and the ‘second wave’ in the 1980s and 1990s. They are mostly businesspeople and commercial farmers. Unlike the relatively well integrated local Chinese, the new Chinese immigrants tend to speak their own languages and dialects. Despite the community’s economic success, the community has remained politically marginalized.
Europeans	Some have been in Fiji since the 1800s and others came later. Europeans are mostly involved in business and professional occupations. They and the Chinese are among Fiji’s wealthy.
Gilbertese (I-Kiribati)	Small communities of Gilbertese have been in Fiji since the late nineteenth century. They have largely been ‘invisible’ in mainstream national life. They are generally poor and marginalized.
iTaukei (indigenous Fijians)	They now constitute the majority group (57 per cent of the population), whose ancestors settled the country over 3,000 years ago. They are physically Melanesian and culturally a mixture of Melanesian and Polynesian with eastern parts of the archipelago more Polynesian. They are culturally diverse and follow several Christian denominations but Methodism is dominant. Indigenous Fijians are to be found among the highest income earners as well as among the majority of low-income and poor people. In many areas, including educational performance, and representation in commercial and economic sectors of the economy iTaukei are under-represented. However, they also maintain privileges; land-owning groups own about 88 per cent of Fiji’s land; they make up 70 per cent of civil service positions, 90 per cent of senior

Table 1: Ethnic minorities in Fiji (*continued*)

Community	Brief background
	government positions and 99 per cent of the military; and, with the application of the principle of paramountcy, their chiefs and political leaders have wielded considerable influence on the country's development, particularly through the Great Council of Chiefs. However the current government has vowed to abolish the principle of paramountcy, for example by removing the powers of the Great Council, and symbolic moves such as expanding the term "Fijians" to cover all communities.
Indo-Fijians	They comprise the second largest ethnic group (37 per cent of the population) and are culturally and economically diverse. More than 90 per cent are descendants of indentured labourers (Girmitiyas) and the remainder are descendants of free migrants. The majority are Hindu and a minority are Muslim and Christian. A small number of Indo-Fijians can be defined as wealthy or engaged in business enterprises, but the majority of Indo-Fijians are workers and peasant farmers, and also include the poorest of the poor in the country. Indo-Fijian tenant farmers rely on leased agricultural land and since 1999 many of these leases have not been renewed, or are on the point of expiring, resulting in the lease-holders being displaced. As a result, Indo-Fijians are among the largest category of landless people in Fiji. This is a source of anxiety and hardship as they often have no other means of sustenance, and feel a real sense of political marginalization. As a group there has been a high degree of anxiety since the coups of 1987 and 2000; particularly after the events of 2000, in which many Indo-Fijians were beaten and raped, and their property looted and burnt, the community has been traumatized.
Melanesians	They are among the landless and the poorest and most marginalized people in the country. They are descendants of labourers forcibly brought to Fiji to work in plantations during the 1800s. They largely live in communities around the main urban centres. With other Pacific islanders, they were classified as 'indigenous Fijians' until the 1990 Constitution. Studies show that Melanesian communities fare worst on almost all social and economic indicators.
Part-Europeans	They are of mixed European and Fijian descent, usually of Fijian matrilineal linkage. This has been the preferred name of the community. There are very-well-to-do families as well as a much larger group who are landless and impoverished.
Part-Chinese	These are those of mixed Chinese and Fijian descendants, usually of Fijian matrilineal lineage. They are mostly tradesmen, professional and business people.
Rotumans	Numbering just over 8,000 (1981 figures), their home is the Polynesian outlier of Rotuma situated about 500 km north of the Fiji group, although increasing numbers are seeking education and employment on Fiji's main islands. In previous constitutions, they have been officially classified as 'indigenous Fijians' and usually accorded the same privileges, such as a reserved seat in parliament, and affirmative action programmes. Yet Rotumans feel that successive governments have neglected their communities.
Samoans	Most have been in Fiji since the early 1900s and live in isolated small communities around Fiji. Samoans who came to Fiji two centuries ago have been absorbed into the Fijian community.
Tongans	Tongans have been in Fiji for a number of centuries and have been absorbed through inter-marriage and cultural mix over the years. However, some of the latecomers now live in isolated communities.
Tuvaluans	A long-established Tuvaluan community is locked in a poverty and social exclusion trap. Many live on Kioa Island and some live in communities around Suva.
Wallis and Futuna	Many of these live in communal settlements such as the one in Tamavua, Suva. Many have been gradually absorbed in to the Fijian community through marriage.

SOURCE: ADAPTED FROM CCF, *ETHNICITY, NATIONAL IDENTITY AND CHURCH UNITY*, SUVA, CITIZEN'S CONSTITUTION FORUM, 2001, P. 26; AND MRG AND CCF, *ECONOMIC DEVELOPMENT, DEMOCRACY AND ETHNIC CONFLICT IN THE FIJI ISLANDS*, MRG AND CCF, 2001.

Indigenous Fijians, or iTaukei, are Christians, with a majority being Methodist. Europeans, Part-Europeans,⁷ Chinese, Rotumans and other Pacific islanders are also predominantly Christian. Some Chinese are Buddhists. Indo-Fijians are mainly Hindus and Muslims, with a small but increasing minority who are Christians.

There is further linguistic, cultural and religious diversity within each of the officially recognized ethnic groups. Indigenous Fijians have linguistic and cultural differences. Indo-Fijians include those of north and south Indian descent. Distinction is made among them between descendants of indentured labourers (*girmityas*) and free migrants. Among the Melanesian minority, people differentiate themselves on the basis of whether their ancestors came from the Solomon Islands or Vanuatu.

Bauan Fijian (commonly referred to as 'Fijian') is the lingua franca of iTaukei and is one of three officially recognized languages, along with English and Hindi. Bauan Fijian is used widely because it was used to translate the Bible by missionaries who proselytized indigenous Fijians. It is widely used for official purposes and in churches, while regional dialects such as Cakaudrove and Nadroga continue to be popular among people from these areas.

Fiji Bhat emerged in the sugar cane plantations from the Bhojpuri dialect of north Indian immigrants. Later arriving south Indian migrants had to learn this language and adapt to plantation work. However, Fiji Bhat does not have a distinct written script, and indeed is seen by '*sudh*' ('pure' or proper or 'Delhi' Hindi speakers) as 'pidgin'. For official purposes *sudh* Hindi is used. The language for social mobility is English followed by Bauan Fijian. The ability to speak all three languages is increasingly preferred for certain government positions.⁸

Usually government and academic discourse centres on the two major ethnic categories, indigenous Fijians (iTaukei) and Indo-Fijians (*na Kai idia ni Viti*). Other groups are very rarely considered and little information is available about them.⁹

For persons of mixed ethnic origins, until the adoption of the 1997 Constitution, only their father's ethnicity was taken into account when classifying them ethnically. The women's rights movement had campaigned against using paternal descent as the exclusive criterion for citizenship. This had meant that, for almost 30 years after independence, children born to Fiji women but with foreign fathers were not entitled to automatic citizenship or rights to customary land. This has serious consequences of a whole category of people, especially rural Part-Europeans, many of whom are landless and, culturally, indigenous Fijian.

Historical and contemporary factors in inter-ethnic relations and discrimination

Contemporary inter-ethnic relations and discrimination have historical and contextual dimensions. This section briefly describes how differential treatment of different ethnic groups during Fiji's colonial and post-independence period has adversely affected ethnic relations.

Colonial legacy

Under British rule, indigenous Fijians were governed by a system of indirect rule through their chiefs.¹⁰ In 1874, the British governor created a Great Council of Chiefs, or Bose Levu Vakaturaga, to secure their active collaboration.

Following the signing of the Deed of Cession in 1874 by some (but not all) leading chiefs of Fiji, the British colonial administration instituted pivotal policies that affect inter-ethnic relations to the present day.

First, the native policy required that ethnic Fijians reside in their nucleated villages and engage in agricultural livelihoods as small-holder or peasant farmers until the 1960s. A significant aspect of the native policy related to customary ownership of land and its non-alienability. The British governor decided that only 10 per cent of Fiji's land area could be alienated to white settlers. A further 7 per cent accrued to the 'Crown'. Close to 83 per cent of the land was recognized as owned by indigenous Fijian land-owning groups.¹¹

The second significant policy was the invitation to the Colonial Sugar Refining Company (CSR) of Australia to establish sugar cane plantations and mills in the colony.¹² Between 1879 and 1916, 60,500 Indian indentured labourers were brought to Fiji to work for CSR and other planters.¹³

Social and economic inequalities

Colonial society was founded on a hierarchy of race and on differential treatment based on ethnicity. The colonial administration encouraged the separate economic development of different communities. Historically, the mainstream market economy – the large commercial plantations, sugar mills, port and mill towns, mining, tourism and other commerce – were the domain of Europeans and migrant workers and their descendants. Indigenous Fijians were compelled to live in rural villages. However, over time, iTaukei acquired education and some sought to break out of the village way of life.¹⁴

This system created a three-tiered economic structure with Europeans and Chinese at the top tier, followed by 'Indians' in the middle tier, and 'Fijians in the bottom tier'.¹⁵ This image of inequality is widely held among

iTaukei, although the reality has always been somewhat more complicated. However, perceptions play a critical role in inter-ethnic relations, and indigenous Fijian leadership has maintained that iTaukei must hold political power in their own country, as economic power is held by others.

Stereotypes of ethnic groups emerged; these stereotypes and accompanying prejudices have survived into the contemporary period.¹⁶

The politics of ethnicity

Ethnic groups in Fiji entered local- and national-level political institutions at different times and in very unequal ways. This representation was entirely gendered, with men seen as legitimate political leaders for each ethnic group. For much of the colonial period, Europeans – who constituted less than 2 per cent of the population – enjoyed equal representation in the colonial legislature with iTaukei and Indo-Fijians.

Demographic trends – strangers in their own land

Lack of immunity to introduced diseases resulted in the indigenous Fijian population declining from an estimated 300,000 in the seventeenth century to 84,400 in 1921. Indo-Fijian numbers increased, to overtake indigenous Fijian numbers in 1946. Besides being seen as a threat in the political domain, they were also considered to be a danger to iTaukei ownership of land. There was talk of iTaukei becoming ‘strangers in their own land’.¹⁷ Table 2 shows population trends since 1881.

The Indo-Fijian population growth rate began to decline in the late 1960s and 1970s as their literacy improved. The coup of 1987 was accompanied by an

exodus of Indo-Fijians¹⁸ to Australia, New Zealand, Canada and the United States. The current estimate is 60 per cent for iTaukei and 36 per cent for Indo-Fijians. By 2022, the projected population of these two categories is 64.38 per cent and 29.70 per cent respectively. It is expected that all the other minorities will increase to almost 6 per cent.

Land – Noqu Kalou, Noqu Vanua (My God and My Land)

As outlined earlier, the colonial administration divided land ownership into three types: customary or indigenous Fijian *mataqali*-owned¹⁹ land now accounts for 88 per cent; a further 8 per cent is freehold land and remainder is state owned. Freehold land has been owned by Europeans and their Part-European descendants. Indo-Fijians owned 1.7 per cent of freehold land in the 1970s,²⁰ and it is likely that currently they own around 3 per cent of such land. Since 1940 the Native (now iTaukei) Lands Trust Board has administered leaseholds for land-owners. The relationship between indigenous land-owners and Indian and Indo-Fijian farmers spans more than a hundred years, with periods of cooperation and times of friction.

In recent years, there has been considerable inter-ethnic disagreement over what constitutes fair rent for agricultural leases,²¹ as well as over the non-renewal of leases and evictions of tenant farmers, and the return of state land to customary owners. Among iTaukei nationalists, the underlying belief is that Fiji is their God-given land and, as owners of the land, they have special rights and privileges that override the rights of citizens of other ethnicities.²² This belief has been nurtured and reinforced historically by the notion of the ‘paramountcy of Fijian interests’.

Table 2: Population by ethnic origin from 1881 to 2007

Ethnicity	1881	1901	1921	1946	1956	1966	1976	1986	1996	2007
Chinese	+		910	2,874	4,155	5,149	4,652	4,784	4,939	4,704
European	2,671	2,459	3,878	4,594	6,402	6,590	4,929	4,196	3,103	2,953
Indigenous Fijian	114,748	94,397	84,475	118,070	148,134	202,176	259,932	329,305	393,575	475,739
Indian	588	17,105	60,634	120,414	169,403	240,960	292,896	348,702	338,818	313,798
Part-European	771	1,516	2,781	6,142	7,810	9,687	10,276	10,297	11,685	10,771
Rotuman	2,452	2,230	2,235	3,313	4,422	5,797	7,291	8,652	9,727	10,335
Pacific Islanders	6,100	1,950	1,564	3,717	5,320	6,095	6,822	8,627	10,463	15,311
Other	156	467	789	514	91	273	1,270	810	2,767	3,660
Total	127,486	120,124	157,266	259,638	345,737	476,727	588,068	715,375	775,077	837,271

SOURCE: FIJI ISLANDS BUREAU OF STATISTICS.

Ethnic capture of the state

The 1970 Independence Constitution safeguarded the interests of indigenous Fijians, entrenched the power of chiefs and the system of land ownership. It continued the unequal representation of Fiji's ethnic groups.

These communal arrangements of representation meant that ethnically based 'identity politics' was deemed normal.²³ In political campaigns, candidates mainly appealed to members of their own ethnic group, safeguarding and promoting their interests. Calls for ethnic unity were integral to these campaigns. All general elections in Fiji have been times of ethnic tension and, over time, voting along ethnic lines intensified.

Under the 1970 and 1990 constitutions, the electoral system was first past the post (FPTP), which meant that the winning party (or parties) 'took all'. Given the ethnic nature of political parties, it became normal for indigenous Fijian leaders to rule and Indo-Fijian leaders to be in opposition.

The Indo-Fijian National Federation Party (NFP) won the 1977 general election. However, the then Governor-General reappointed the defeated indigenous Fijian-dominated Alliance Party leader, Ratu Sir Kamisese Mara as prime minister, using the provision of the 1970 Constitution that empowered him to decide who had the support of the majority of members of parliament.

The 1997 Constitution's alternative vote system²⁴ was supposed to encourage cooperation and even coalition of moderate political parties; but the very opposite happened in each of the three general elections held under it. Ethnic polarization further increased between 1999 and 2006.

Military coups

The Republic of Fiji (formerly Royal) Military Forces comprises over 99 per cent indigenous personnel.²⁵ It is seen as an exclusively ethnic institution that caters for the employment needs of young male indigenous Fijians. It has a very good international reputation for peacekeeping in the Middle East and other trouble spots, but within Fiji it is known for its coups d'état against elected governments.

Until December 2006, the military identified itself with iTaukei leaders and interests. It illegally overthrew two multi-ethnic governments whose main supporters were Indo-Fijian voters.

The 1987 military coups

In May 1987 a first military coup led by Colonel Sitiveni Rabuka deposed Dr Timoci Bavadra's government – a coalition between the multi-racial Fiji Labour Party (FLP) and the Indo-Fijian-based NFP.

Government ministers were forcibly removed from parliament by the army, and then divided into 'Fijian' and

'Indian' groups for separate detention.²⁶ The 'Indian race' was seen by the army as an enemy and Rabuka was portrayed as the 'saviour of the Fijian race', and made life member of the Great Council of Chiefs.²⁷

Methodist Church ministers were prominent in the destabilization campaigns against the Bavadra government and openly supported the coup. Some Methodists expressed their intolerance of non-Christian religious by burning places of worship as well as religious books and destroying 'idols'.

When the Governor-General tried to broker an agreement between Dr Bavadra and Ratu Mara for a government of national unity without Colonel Rabuka, extreme nationalists felt marginalized. A second military coup in September 1987 again overthrew the government.²⁸ Rabuka abrogated the 1970 Constitution and declared a republic.

The government decreed a new Constitution in 1990. This Constitution reserved the positions of president and vice-president, prime minister and other senior government positions for indigenous Fijians. It guaranteed 37 of the 70 seats in the House of Representatives for indigenous Fijians.²⁹ The senate was two-thirds indigenous Fijians.³⁰ A revised Constitution was adopted in 1997 after a Constitutional Review Commission recommended amendments to the 1990 Constitution, which it described as feudalistic and racist. This included several positive features, including provisions for power-sharing and a comprehensive Bill of Rights. However, it failed to make a firm break with ethnic-based representation.³¹

During the 1980s, and especially since 1987, a number of multi-ethnic NGOs emerged to provide refuge for battered women and advocate against gender violence and for human rights, women's rights and religious tolerance. They included Fiji Women's Crisis Centre (FWCC), Fiji Women's Rights Movement (FWRM), the Citizens' Constitutional Forum (CCF) and Interfaith Search Fiji. However, following the coup some iTaukei public servants formed the ethnically exclusive, 'Viti Public Servants Association', breaking away from the Fiji Public Service Association.

The 2000 military coup: ethnic power struggles resurface

The People's Coalition group won power in the general election of April 1999. This coalition was led by Mahendra Chaudhry of the FLP, the Fijian Association Party and a number of minority parties representing indigenous Fijians and general voters. As required by the new Constitution's power-sharing provision,³² the FLP invited the Rabuka-led Soqosoqo Ni Vtakavulewa Ni Taukei (SVT) party (which ruled the country from 1988

to 1999) to be part of government, but promptly withdrew the offer when SVT set certain conditions to its participation. Instead the FLP combined with a number of minority iTaukei parties to form government. A majority of the cabinet was iTaukei and Chaudhry became Fiji's first Indo-Fijian prime minister.

During his 12 months in office, Chaudhry managed to alienate powerful businessmen who were investigated for tax evasion, media personalities,³³ certain chiefs, civil servants and even the commissioner of police. Indigenous ethno-nationalists revived the iTaukei Movement to organize public protests against the supposedly, 'Indian-dominated' government.

In May 2000 the indigenous Fijian businessman, George Speight and his military supporters entered parliament and took the Coalition government hostage.

Indigenous Fijian youths rampaged through Suva, looting, burning and trashing shops belonging to Indo-Fijians and others. Harassment of rural Indo-Fijian communities, home invasions, beatings and rapes, thefts of household items, farm implements, produce and animals continued for weeks without effective police response. These incidents were reminiscent of scenes of President Robert Mugabe's land appropriation in Zimbabwe publicized previously in the local media.³⁴ Traumatized and insecure, scores of Indo-Fijians fled their rural homes and set up as displaced at the Giriti Centre in Lautoka.

Prime Minister Chaudhry and his government ministers were held hostage for 56 days. After the Great Council of Chiefs was unable to broker a settlement with Speight, the then military commander, Commodore Voreqe (Frank) Bainimarama took over the reins of government, deposed the president and declared that he had abrogated the Constitution. An interim government was appointed, led by Lasenia Qarase as prime minister.³⁵ The ministers in the government were mostly iTaukei professionals. In November a mutiny at the Queen Elizabeth Barracks (which evidently had the support of a leading chief) resulted in the killing of three loyal soldiers and Commodore Voreqe (Frank) Bainimarama had to flee for his life.

From the outset, Qarase sought to placate ethno-nationalists. He proposed an affirmative action blueprint for iTaukei and Rotumans. He strongly opposed the legal challenge to the attempted abrogation of the 1997 Constitution.³⁶ He formed the Soqosoqo Duavata Lewenivanua Party (SDL), an exclusively iTaukei party, to contest the general election.

The SDL Party won the 2001 general election. Acting deliberately against power-sharing required by the Constitution, Qarase refused to form a multi-party government with the FLP, the other major party. He

instead chose to align with George Speight's Conservative Matanitu Vanua Party.

Qarase blamed the 2000 instability and the coup on Chaudhry. Several people implicated in the coup served as ministers. There was a reluctance to support investigation and prosecution of those implicated in the coup and mutiny.³⁷ Qarase sought to remove Bainimarama as commander of military forces.

The Qarase era and contemporary Fiji

Affirmative action policies and institutionalized discrimination

Convinced that the reason that iTaukei caused political instability evidenced by the protest marches, hostage taking and riots was because they were deprived in economic terms compared to other ethnicities, and especially Indo-Fijians, Qarase introduced a comprehensive plan for affirmative action called '50/50 by 2020'. The economic objective was for iTaukei and Rotumans to control 50 per cent of the country's modern economic sector by 2020. Besides making the \$20 million allocated by Rabuka to Fijian Holdings Limited into an outright grant,³⁸ he established 29 programmes under the Social Justice Act 2001 (see Table 3 - overleaf - for a breakdown of these programmes).

The NGO Coalition on Human Rights report presented to the Committee on the Elimination of Discrimination (CERD) in 2002 maintained that there was a strong bias in favour of iTaukei and Rotumans, with 55 per cent of the programmes specifically for these ethnicities, 4.7 per cent for Indo-Fijians and 40.5 per cent for all communities. 'So altogether, of the F\$70 million for affirmative action programmes in 2003, over F\$60 million (85 per cent) is for indigenous Fijian and Rotumans'.³⁹

Further legislation in 2002 reserved 50 per cent of government contracts, licences and permits for companies owned by indigenous Fijians and Rotumans, and reserved 50 per cent of shares in government-owned companies for them. Special tax exemptions were allowed for indigenous-owned companies. Corruption increased.

Qarase's government actually disadvantaged many ordinary iTaukei. In education, additional funding was directed to iTaukei schools that were owned by government or managed by iTaukei. But the government only owns 2 out of 700 primary schools and 12 out of 150 secondary schools. Non-iTaukei owned and managed schools actually have more iTaukei students than those of other ethnicities. These schools were not supported. With

Table 3: Affirmative action programmes and funding

	No. of programmes	2002 F\$ m	2003 F\$ m	2004 F\$ m
Education and training	13	19.479 (33%)	19.504 (33%)	19.485 (31%)
Land and housing	6	12.490 (21%)	13.50 (23%)	13.50 (21%)
Participation in commerce and the state services	7	12.842 (22%)	10.589 (18%)	15.487 (24%)
Others: poverty alleviation	3	13.499 (23%)	14.750 (25%)	14.761 (23%)
TOTAL	29	58.27	57.34	60.23

SOURCE: CCF (2007).

respect to enhancing iTaukei share in business, it turned out that the most lucrative 'A' class shares in Fijian Holdings Limited were bought out by a select group of iTaukei and less well-paying 'B' class shares were allocated to iTaukei provinces.

Discrimination in access to land

Indo-Fijians have been very heavily dependent on iTaukei land-owners for leases of land. In the period between 1997 and 2007 many such leases began to expire.

Broadly speaking, periodic lease renewals were politically determined, but individual leaseholders were required to make 'goodwill' payments for renewal of their individual leases to land-owning *mataqali* heads. Some goodwill payment demands could be large and cause long-term indebtedness. Most of the sugar cane farm leases are on indigenous-owned land.

It was estimated that, by 2003, 70 per cent of the farms that had been vacated were no longer productive. Sugar cane production declined by a third.⁴⁰

The amount of land allocated by government to resettle 'evicted' farmers was a fraction of what was needed. A majority of these farmers moved to urban centres, where many of them joined the mushrooming squatter settlements. These settlements of makeshift homes also house substantial numbers of iTaukei who no longer reside in their own '*vanua*'.⁴¹

While being well aware of very large proportion of Indo-Fijians and other ethnic communities becoming landless, in 2002 the Qarase government transferred nearly 4 per cent of state-owned land to the Native (now iTaukei) Lands Trust Board, seriously affecting any sense of security that sitting Indo-Fijian tenants had from being on state land.

Discrimination in allocation of scholarships

Post-independence, there have been three broad categories of government scholarships for studies in tertiary institutions: the Public Service Commission (PSC) scholarships that everyone can apply for but 50 per cent are reserved for iTaukei and Rotumans; the Fijian (now iTaukei) Affairs Board (FAB) scholarships that are only for iTaukei; and the Multi-ethnic scholarships for other ethnicities. The PSC awards are the most competitive and for non-iTaukei students, marks required for eligibility have been increasing each year. The FAB awards are open to all iTaukei with no family income threshold. However, for the Multi-ethnic awards there is an income threshold of F\$10,000. A quota for Melanesian and other minorities was put in place to ensure that Indo-Fijians did not end up taking all the awards in this category.

Employment discrimination

Since 2006 there has been a militarization of the public service as senior military personnel have secured positions at the level of commissioners of divisions and as district officers.⁴² According to a confidential report by the Citizens' Constitutional Forum (CCF), in mid 2012, the cabinet comprised '36 per cent military officers, 18 per cent civilians with military connections and 45 per cent civilian'.⁴³ On the same date, 12 out of 23 ministries (52 per cent) had a minister or permanent secretary who was a military officer or reservist.⁴⁴ Fiji's civil service currently comprises close to 70 per cent indigenous Fijians, with the highest echelons of government being close to 90 per cent iTaukei.

In the contemporary period, in the private sector, banks, finance companies and large businesses employ increasing numbers of suitably qualified iTaukei. However, in the small business sector, especially family-run retail shops, there are not many indigenous Fijian owners. In

most tourist resorts and hotels, there is an ethnic and gender division of labour. Front office positions, waitressing and chamber maid positions are generally allocated to iTaukei and people of mixed ethnic origin. The back office jobs of keeping records, accounting and administration, as well as gardening and trade jobs, are allocated to Indo-Fijians. Much of the cleaning and laundry work is done by women. Generally, senior managerial positions are held by whites and Asian expatriates.

The 2006 coup d'état: the power struggle between 'moderates' and 'extremists'

Receiving 80 per cent of iTaukei votes in the general election of May 2006, Qarase's winning SDL Party invited FLP to form a multi-party government in accordance with the Constitution. This was unprecedented; the experiment in power-sharing between the two political parties representing the major ethnicities appeared to be working.

With a clear majority and elements of the FLP in tow,⁴⁵ the SDL confidently pushed its ethno-nationalist agenda. The military challenged this orientation of the government, asserting that it was the final protector of national interest as clearly stipulated in the 1990 Constitution.⁴⁶ When the government persisted in pushing bills that were vehemently opposed by the commander of the military, the 2006 coup began to unfold.⁴⁷

In December 2006, the Commodore Voreqe (Frank) Bainimarama overthrew the Qarase government. While justifying his illegal removal of the government as a move to 'clean up corruption', there were other possible reasons for his action. These included the intention to investigate him and other officers responsible for the brutal deaths of five alleged rebel soldiers following the 2000 mutiny, and also efforts by Qarase to have him removed as commander of Fiji's military.⁴⁸ The attempted mediation between the two men by the New Zealand government was unsuccessful.

The situation post-2006

In the immediate aftermath of the coup, protests against the military take-over were firmly suppressed. Anyone openly expressing anti-government sentiments was detained, humiliated and tortured. A number of indigenous Fijians died from beatings and torture at the hands of the police and military. The immunity decreed by the government has meant that members of the security forces have not been held accountable for gross violations of the human rights of citizens yet again.

Unlike the previous three coups, the 2006 military usurpation of power is widely perceived to be anti-indigenous Fijian and pro-Indo-Fijian. Highly respected iTaukei institutions, such as the Great Council of Chiefs, the Methodist Church, the Fijian (now iTaukei)

administration and the Native (now iTaukei) Land Trust Board were seen to be under attack, as were measures of affirmative action for indigenous Fijians. The Great Council of Chiefs was rendered ineffective and has been abolished.⁴⁹ The dominant faction of the Methodist Church leaders had supported all the previous coups and had actively supported the SDL Party. Bainimarama swiftly stopped meetings and gatherings of Methodists, such as the Annual Conference and choir competitions, which raised substantial funds that the church relied on.

Even though the Bainimarama government has been predominantly indigenous Fijian (currently all except two people in the cabinet are iTaukei), it is seen as an anti-iTaukei regime. With the initial involvement of Mahendra Chaudhary as Minister of Finance, the government was seen as pro-Indo-Fijian. The coup and the government have also been seen as being 'Muslim' on account of the involvement of individuals of this faith in the government and judiciary.

In 2007 a National Council for Building a Better Fiji (NCBBF) was established, chaired jointly by Prime Minister Bainimarama and Archbishop Petero Mataka, head of the Catholic Church in Fiji,⁵⁰ and comprising representatives of ethnic groups, religious groups, trade unions, NGOs and civil servants. However, this council and subsequent efforts at wider consultation and engagement have not been supported by political and religious (especially Methodist) leaders, trade unionists and leaders of other civil society organizations.

The NCBBF established three task teams to work on good governance, economic growth and 'social cultural identity and nation building'. It prepared a report on the state of Fiji's economy and society which described the country's poor economic performance, growing poverty and corruption, and a citizenry that was divided ethnically. The document, the People's Charter for Change, Peace and Progress, has sought to address these matters. Although the process has been divisive, the government has persisted with it, and has claimed that the charter has popular support. Subsequently, a Roadmap for Democracy and Socio-economic Development 2009–2014 was drawn up. This encapsulates a strategic framework to achieve 'sustainable democracy, good and just governance, socio-economic development and national unity'.

Given the country's increasing ethnic polarization, the government is apparently committed to moving Fiji firmly away from its ethnic preoccupations. In terms of political representation it is committed to the principle of 'one person, one vote and one value', and a system of proportional representation with no ethnically-based reservation of seats. It has decreed 'Fijian' as the common national name for all citizens.⁵¹ It has also allowed multiple citizenship for Fiji's citizens.⁵²

The Bainimarama government has emphasized the importance of merit in appointments and promotion. It has established the Fiji Independent Commission Against Corruption (FICAC) to investigate corruption, especially in public service. However, government ministers are mainly indigenous Fijian and so are the senior public servants. One factor in this state of affairs is the travel sanctions placed by Australia and New Zealand on anyone who takes up a government appointment. So it is left to the predominantly indigenous Fijian military to provide personnel for leadership positions in the public service.

On land matters, the government has set up a Committee on Better Utilization of Land (CBUL) and the Land Use Unit, which is responsible for the 'land bank' scheme. CBUL seeks to identify idle land to bring it into productive use. Land-owners voluntarily designate land that they do not need and also indicate their preferred use of the land. The state then leases out the land to investors for up to 99 years.

A number of pro-poor measures have been undertaken. These have included the provision of 'free bus fares' for children whose parents are below a certain threshold of income, as well as free textbooks for students. Besides the review of the Family Assistance Allowance Scheme by the World Bank (which controversially recommended that hundreds of recipients should no longer receive the monthly support), a system of food vouchers for those on this scheme has been implemented. Squatter settlement upgrade as well as squatter resettlement programmes have been being implemented.

The government has pushed for schools to change their names if they carried an ethnic label previously, for instance 'Fijian' or 'Indian'. In Suva, the privately owned Indian College has been renamed Jai Narayan College, after its longest-serving principals. However, the Draiba Fijian School, a government primary school for indigenous Fijian children, has retained its name.

Since 2006, conversational Bauan Fijian and Hindi have become a required part of the curriculum in primary schools. In the past, English was used as the medium for teaching in multi-ethnic primary schools. However, predominantly iTaukei primary schools teach in Bauan Fijian and predominantly Indo-Fijian schools teach in Hindi for the first three years of schooling.⁵³

Almost all school committees have welcomed the government's decree, but there is a shortage of qualified language teachers. Students are also taught about the different cultures and religions in Fijian society, but emphasis varies between schools.

The ethnic make-up of schools depends on local demographics. In rural areas, because of the concentration of indigenous Fijians, schools largely comprise iTaukei students. Some areas, such as Ba province and Macuata,

have seen declining numbers of Indo-Fijians, due to smaller family size and migration. The Ministry of Education has urged local communities to rationalise schools, but because many have cultural or religious origins and management, this has not happened.

In urban areas, recent trends show that 'good' secondary schools (those with the highest exam results) are more ethnically mixed. Other schools that were ethnically mixed in the past are now predominantly iTaukei because of demographic trends in the capital, Suva, over the past decades.

The government has introduced 'zoning' of schools, which means that parents will have to send children to 'home zone' schools within 2 km of their homes. This zoning of schools is aligned to UNESCO principles of equity and access to education for all. Among other gains, home zoning may further promote multi-ethnic schools, especially in urban areas.

The government's draconian measures, particularly the Media Decree, have seriously compromised media freedom.⁵⁴ However, a positive aspect of media restraint is that there is less preoccupation with ethnic politics, and 'racial' advertisements seeking flat-mates, domestic help and employees by private advertisers (mostly Indo-Fijian) have almost disappeared. The media have instead highlighted common problems faced by communities, such as floods, inadequate health services, water and electricity cuts, damaged bridges and deteriorating roads.

While the government has proclaimed that the country has moved towards a system based on meritocracy and equality of access to opportunities, rather than ethnicity, there are several ongoing issues which suggest that there are major gaps between its public claims and what is happening in reality. On land issues, iTaukei opponents have criticized the government for 'bullying tactics' in obtaining land for leasing purposes.

The absence of a free media has meant that there is little critical and independent assessment of what the government has actually achieved or how public funds have been used.⁵⁵ The government has promulgated over 200 decrees that range from very positive policy measures, such as child protection and proscription of violence against women and children, to those that deny media freedom, freedom of association (seriously undermining trade unionism), and freedom of speech, as well as arbitrarily reducing the compulsory retirement age from 60 to 55 years, and also substantially reducing the pension entitlement of Fiji National Provident Fund pensioners.

After the April 2009 Appeals Court ruling that the Bainimarama government was illegal, the president decreed the abrogation of the 1997 Constitution which meant that the whole judiciary and other Constitution offices were removed. There have been serious issues

relating to the independence of the judiciary in the subsequent efforts to establish this vital institution. As there is no longer an independent appointing body such as the former Judicial Services Commission, there are questions about the independence of the appointment process and, given the fact that the current personnel in the judicial system are on short-term contracts, there are issues about how secure their appointments are and the extent to which they are subject to influence by the executive arm of government. The recruitment as well as the termination of employment of judges and magistrates is a matter of concern for those who seek an independent judiciary and the return of the rule of law in the country.

The tendency of the Bainimarama government to act arbitrarily against public servants has caused widespread demoralization of the country's public servants.

The government appointed a Constitution Commission to compile a new constitution for the country by December 2012. Among its guidelines are a number of 'non-negotiable' principles. These include common and equal citizenship; a secular state; removal of systemic corruption; an independent judiciary; elimination of discrimination; good governance; social justice; one person, one vote, one value; elimination of ethnic voting; and voting age of 18. While these principles are laudable there have been objections about the fact that they have been imposed on the constitutional process without prior discussion with citizens. These guidelines also sought immunity for the military and coup makers.

There was only a limited period of freedom allowed for constitutional submissions with the lifting of the draconian 2009 Public Emergency Regulations in January, which were swiftly followed by the Public Order Amendment Decree that restricted freedom of association and expression.⁵⁶ According to the Attorney General's statement in May 2012, the decree has been retained to 'restrict racial and religious vilification'.

The government had agreed that once the draft constitution was completed, it would be made available for citizens to read and suggest changes to the Constitution Commission. The document was then to be reviewed by a tribunal of five judges (two from outside Fiji), to scrutinize its compliance with international principles and standards.⁵⁷

The Constitution Commission, led by Professor Yash Ghai of Kenya with three local and one other expatriate member (altogether two men and three women)⁵⁸ received more than 7,000 oral and written submissions.⁵⁹ The Commission submitted a draft constitution in December 2012.

Apart from separating powers of the executive, legislative and judiciary branches of government, the significant features of the draft constitution include:

- Removal of reserved communal or ethnic seats and the adoption of proportional representation electoral system.
- In addition to parliament to have a National People's Assembly comprising of civil society and government representatives to deliberate and review national challenges.
- The recognition of the Great Council of Chiefs as a non-political civil society entity that promotes iTaukei culture and values a multicultural Fiji.
- Grant of immunity to coup makers and senior members of the security forces in accordance with Decrees 57 and 58 following swearing an oath of allegiance and reconciliation.
- A transitory caretaker government comprising of a cabinet of independent persons including retired civil servants to take office six months before the general election of 2014.

Relations between the Commission and the government were strained from the beginning, as the Commission urged the government to lift restrictions on public freedoms of expression and association so that citizens could freely participate in public consultations.

After the Commission submitted the draft constitution in December 2012, police seized copies of it and burnt printer's proofs in front of Professor Ghai. In January 2013, the President declared that the draft constitution will be amended by a government legal team before it is handed to the Constituent Assembly.⁶⁰

The President claimed the draft constitution was 'an anathema to democratic representation' and many of its provisions 'position us in the past'. He asked the Prime Minister to 'extract the positive elements of the Ghai draft and infuse into it key elements of the Peoples' Charter and internationally accepted practices and standards to formulate a new draft constitution'. The positive aspects he referred to were provisions on fundamental rights including socio-economic rights, good governance and accountability, and independent judiciary.

The reasonably open process of drawing up Fiji's fourth constitution since independence is now in the hands of an unnamed government legal team. There is some concern that the military will now insert its own terms and conditions into the draft constitution.

It is rather strange that the very tight schedule of seven months (May–December 2012) for the hearing of submissions and the writing up of the draft constitution will be followed by almost 18 months of hiatus, with no real public discussion. Some 300 names have been submitted to the Prime Minister's Office of nominees of various groups for his selection for the Constituent Assembly. There is no explicit and transparent process for

adopting the various provisions of the new constitution, and steps towards the September 2014 general election. The latter would involve the appointment of an independent electoral commission and a caretaker government to ensure credible free and fair elections.

The re-imposition of the Public Order Decree will once again prevent any public discussion and debate about the constitution and the upcoming elections.

Part 2: Findings of the interview survey among ethnic groups

To obtain information about how members of different ethnic groups felt about current inter-ethnic relations, a cross-section of people were interviewed. Interviews were held with local and government officials, representatives of ethnic and religious communities, religious leaders, representatives from international NGOs, academic researchers and representatives of donor, diplomatic and inter-governmental organizations

The field research was carried out over three weeks in September by the principal researcher (an Indo-Fijian male), and three research assistants (an iTaukei female, a mixed iTaukei and Indo-Fijian female and an iTaukei male).

Thirty-three iTaukei were interviewed (21 men and 12 women). Ten Indo-Fijian men and 10 women were interviewed. Thirty-two people from other minority ethnic groups were interviewed. They comprised 18 men and 15 women (see Annex 1 for details).

Current inter-ethnic relations

During the period when the research was carried out, the country was ruled by a military-backed government and normal democratic values and institutions had been suspended, including freedom of expression and association. Fiji media were gagged and trade unions were severely constrained. As previously indicated, there is no overt discussion of ethnic issues or inter-ethnic matters in the local media in the country. However, fairly strong views are expressed on internet blogs about government policies and often these are perceived as being for or against particular ethnic groups.

iTaukei views

Generally, it is apparent that iTaukei feel that the government has seriously undermined their institutions and deprived them of affirmative action measures. However, over the last five years many indigenous Fijian groups have applauded the government's efforts at building rural infrastructure (roads and bridges), and a number of provinces and villages previously opposed to the government have made formal rituals of apology to the prime minister.⁶¹

Over 50 per cent of iTaukei Fijian respondents said that inter-ethnic relations were 'not good' or had deteriorated recently because of government policies that

are seen as anti-iTaukei, and are undermining their status compared to ethnic groups, especially Indo-Fijians. For example, government policies relating to the Great Council of Chiefs, the Methodist Church, as well as land and affirmative action were mentioned.

Some iTaukei expressed strong views against the adoption of 'Fijian' as the common name for all citizens. A female respondent maintained that, *'as much as this government has put together policies for friendly ethnic relations calling us all Fijians but on the ground ethno-nationalism still exists. It is hidden!'*

Additionally, people cannot freely express themselves due to media censorship, as the government suppresses dissent. A male iTaukei respondent stated that: *'Government does not tolerate what anybody says, it suppresses it! People in schools, people we meet on the street view the regime as being controlled by Indian ideals. This gives people the right to think that ethno-nationalism is right.'* An iTaukei student commented: *'even at the University of the South Pacific there is a lack of integration of the student associations, where all races still want to be identified as who they are.'*

Public servants are very cautious about their views relating to government policies, and generally expressed positive views. In the central division, a majority of the senior government officials indicated that inter-ethnic relations have significantly improved.

Forty per cent of iTaukei felt inter-ethnic relations were good and improving. These people believed that the ethnic groups were increasingly living and working together, and in some instances supported each other. Recent natural disasters, especially the floods in the western and northern divisions saw citizens of all ethnicities contributing actively to the rehabilitation of flood victims who were primarily iTaukei and Indo-Fijian. iTaukei respondents agreed that there were closer inter-ethnic relations and sense of community among people in the western and northern parts of the country compared to the central division which was more individualistic and prone to tensions and conflict.

A majority of the iTaukei respondents who affirmed improving inter-ethnic relations agreed that: *'mutual understanding, cooperation, togetherness and respect for each other's culture, intermarriages and a multicultural education system has helped strengthen relationships amongst all ethnic*

groups in Fiji.’ A respondent mentioned that: *‘I believe that past public discussions were about the hegemony of one group over another. Nowadays it’s more about what is best for citizens of Fiji.’*

Yet another respondent from western Fiji mentioned that cane farming has brought different ethnic groups together, especially Indo-Fijians and iTaukei, who had formed cooperatives in their own rural localities to address their needs. These include providing small loans, meeting domestic needs such as maintaining roads, drainage, primary schools, machinery and farming equipment.

Indo-Fijian views

The majority of Indo-Fijian respondents (70 per cent) felt that generally inter-ethnic relations had improved following the 2006 military coup. Government policy changes, which included a common name for all Fiji citizens, efforts to find land for farming and other activities, and improve law and order were seen to be positive contributions to inter-ethnic relations.

A 32-year-old man stated that the initiative to adopt a *‘common nationality has bestowed upon other races a sense of belonging to this country’*. According to a civil servant, the common name ‘Fijian’ means that the government is serious about treating all citizens equally. For younger respondents, more multi-ethnic education and exposure to the outside world were reasons for the breaking down of barriers between ethnic groups. A 26-year-old female lawyer said that the *‘improvements in inter-ethnic relations are due to exposure to modern ideas and concepts’*.

Fifty per cent of the respondents from Nadi said that inter-ethnic relations had improved. A number of respondents said that the government has emphasized improving relations between the two main ethnic groups and there appears to be more appreciation of Indo-Fijian culture. A 40-year-old civil servant stated that: *‘Indo-Fijians felt in the past that they were being ridiculed during multicultural performances, but attitudes are changing; leadership is providing the space. Hindi and Fijian music are being appreciated in Lautoka and Ba markets.’* It is widely known that ‘Bollywood’ films and TV series are popular among iTaukei and non-Indo-Fijian ethnicities generally, but especially in the provinces of Ba (west) and Macuata (north), where many iTaukei speak Fiji Bhat.

Respondents in Labasa, Savusavu and Ovalau indicated that relations between different communities have generally been good irrespective of what happened in Suva.

Thirty per cent of Indo-Fijian respondents indicated that inter-ethnic relations were either the same or had deteriorated. They said that while the government had been publicly saying that everyone will be treated equally, the reality is very different. They pointed to issues relating to land tenure, education and training as well as

employment. They pointed to the ethnic composition of government and upper echelons of the public service. According to a female NGO leader, *‘discrimination continues in the public service in appointment, promotion and transfer of Indo-Fijians. There is a definite bias in favour of [indigenous] Fijians.’* A male respondent, who is the manager of a large community organization, said that although people were separated in the past, they coexisted peacefully and respected each other, but it is different now:

‘when I was growing up I used to swim with Fijian children and play with them, when they threw stones or misbehaved, they were punished by the elders. They greeted us and were friendly; it is different these days. The best year of inter-ethnic relations was 1997 when Jairam Reddy and Sitiveni Rabuka worked together. The cooperation between the leaders of the two communities permeated down to ordinary people of all races.’

Community workers said that there was discrimination by both government and NGO personnel in the distribution of ‘flood relief’ against Indo-Fijians.

Other ethnic minorities’ views

Sixty-three per cent of other members of ethnic minority groups interviewed believed that ethnic relations had significantly improved. Moreover, 21 per cent of the respondents stated that inter-ethnic relations have always been good.

A Part-European woman in Suva explained that *‘ethnic relations have improved with the new post-coup government ... race is less prominent now – government does not dwell on race; unlike previous governments.’* Several others agreed that the current political environment had silenced ethno-nationalistic views. Chinese and Melanesian Fijians believed that inter-ethnic relations have improved largely because of government policies and the focus on law and order. An older Chinese businessman and community leader maintained that Chinese *‘shopkeepers and farmers can go about their work as there is law and order. Previously, every farmer used to get robbed; a number of violent robberies led to death of farmer’s wife, and in a separate incident another farmer was killed.’*

Some interviewees believed that inter-ethnic relations had always been good. These views are held by those who have been living in smaller close-knit communities in Levuka, Savusavu and Labasa. All the interviewees from Levuka mentioned that good inter-ethnic relations are due to their *‘living and working together for a very long time’*.

A 48-year-old Melanesian man described the situation on his island: *‘In Ovalau, we are just like one big family. How we call and treat one another is just like how we call*

and treat our relatives; you have iTaukei and those of Indian descent calling us brother or cousin ...' Where groups have lived together in close proximity for so long, members of the different ethnic groups speak each other's languages, which has brought communities closer.

A majority of the respondents believed that education and religion play a pivotal role in enhancing understanding and interaction among the ethnic groups. A 26-year-old female Banaban interviewee observed that *'this is especially for the younger educated citizens of Fiji who embrace multiracialism and are very open, understanding towards those from other communities.'* Some respondents explain that religion has played a role of promoting tolerance of other religions and cultural diversity.

Fifteen per cent of interviewees were ambivalent about inter-ethnic relations in the current period or believed that relations had deteriorated compared to the period before 1987.

According to a female European academic: *'the extent to which ethnic relations change based on the directive from above is doubtful; the issue is whether political culture can be changed with fresh new generational politics.'*

There were diverse views among diplomatic and international agency respondents. A majority said that relations between ethnic groups had improved, and that *'young people were relating to each other across the ethnic divides much better than ever before'*. Asian diplomats had very positive views about the government's efforts to create a 'non-racial' society. Pacific island country representatives agreed that some improvements had taken place but there was a need for more understanding and tolerance between ethnicities. But two respondents expressed concern that ethno-nationalism among iTaukei had been *'pushed underground for the time being'*.⁶²

Issues that contribute to inter-ethnic tensions and conflict

iTaukei views

Competition between ethnic groups over natural resources, political power, education and employment opportunities are seen as triggers of tension and conflict.

More than half of the iTaukei respondents indicated that 'politics' has led to ethnic tensions and discrimination. Past government policies have contributed to a deterioration in inter-ethnic relations, and as a result 'ethnicity' is one of the major issues for the country.

A few respondents said that land contributed to ethnic tensions not only among different ethnic groups but among iTaukei from different provinces and between the

Viti Levu land-owners and people from the other islands who lease land. One respondent said *'there is fear among iTaukei community about the appropriation of their land, culture and identity. This is a reason for ethnic tensions.'* The respondent further stated that many indigenous Fijians viewed land as their *'source of life but Indians viewed it as investment and this caused conflict'*.

A former minister in the SVT government stated that affirmative action programmes are often misrepresented, *'there is a 'culture of begrudgement. When ethnic Fijians want something, others begrudge them, and, in turn, when others want something, ethnic Fijians begrudge them for this.'*

Indo-Fijian views

For Indo-Fijians land was said to be the major issue causing inter-ethnic tensions. Expiration of land leases following the 30-year leaseholds allowed under the Agricultural Landlord and Tenant Act (ALTA) of 1977, and the refusal of many land-owners to renew leases, has had negative consequences. In the words of a former politician and businessman, *'the expiry of land leases on farms has led to a mass exodus of farmers causing significant urban drift. Squatters have sprung up in town and as a result impacted on other races.'* And he added that the political nature of the land issue has brought about a deterioration in inter-ethnic relations. A farmers' leader said that *'land is sensitive to ethnic Fijians but it is critical for Indians too, their umbilical cord [nara in Hindustani] is often buried in their farms or birth places'*.

Opportunities for education and training were also an issue. An 18-year-old female respondent said that:

'scholarships to students are given according to their ethnicity along with marks scored in external exams.... Most of the scholarships are offered to iTaukei and Rotuman students.... Students of other races get deprived of the chance to get scholarships to continue with their studies.'

All respondents said that inter-ethnic relations were affected by discrimination in employment. According to a Lautoka businessman, there was a growing imbalance in the employment of Indo-Fijians in the civil service and statutory bodies. He also maintained that, *'the police force has only 34 per cent Indians'*. Another male respondent echoed this view: *'race-based policies such as recruitment in the Fiji police force have discriminated against Indians ...'*

Similar sentiments were expressed by another male respondent who said that *'there was a lot of discrimination in the public service against Indo-Fijian and other minorities following 1987'*. In the recent electronic voter registration, more iTaukei (1,250) than Indo-Fijians (1,050) were registered.

Politics was also seen as a major contributor to the ethnic tensions and issues surrounding inter-ethnic relations.

Generally, most respondents considered affirmative action policies as largely discriminatory. There also appeared to be some agreement among them that social and economic inequalities contributed to inter-ethnic tensions.

Other ethnic minorities

Other ethnic minority respondents expressed similar views to those of Indo-Fijian interviewees about a number of issues that affected inter-ethnic relations, including land.

According to a Part-European female interviewee, who is an estate owner, there has been constant tension over land between her family and the neighbouring iTaukei villagers. A Banaban female student believed that ethnic tension was caused by *'fear'* on the part of iTaukei land-owners that their land is going to be taken away from them due to developments taking place.

The majority of respondents said that politicians (particularly iTaukei) have used land issues to create mistrust between ethnic groups. A male Melanesian respondent believed that these politicians *'because of their individual and selfish interest, stirred up differences and soured relations in the community'*.

Ignorance and lack of understanding of different ethnic groups was also cited as a cause of tension. A young Banaban woman aged 26 said that: *'There is a tendency for many ethnic groups to ignore the various cultural values of each other as exemplified in the 2000 coup... iTaukei leaders reflect their own ignorance that other races are going to take their land and intrude on their wellbeing.'* According to a 70-year-old Chinese respondent, *'people don't listen to each other and this creates misunderstanding between them'*.

Participation in decision-making

iTaukei perspectives

Seventy per cent of the iTaukei respondents maintained that their participation in decision-making was strong at the national and local government levels. Some said that affirmative action policies had helped, and others said that iTaukei were more proactive about participating in advocacy groups. Many said that iTaukei have been at the helm of national leadership for quite a long time. A male respondent mentioned that: *'our voices were quite strong in the past due to the Great Council of Chiefs which had deliberated on our behalf'*.

A small proportion of respondents believed that iTaukei current participation in decision-making is more limited. As observed by a male respondent: *'they are in*

conflict with the current government especially in terms of policy made by the government'.

A 24-year-old male respondent mentioned that there is a need for good leaders in the country, regardless of ethnicity:

'if you have one Indo-Fijian or a person of another ethnicity who knows what he is doing and is going to do the job to the best of his ability better than iTaukei, why not give it to him as he will do the work effectively for the satisfaction of all?'

Indo-Fijian perspectives

Most respondents said that even though they are consulted, decision-making lies largely in the hands of iTaukei in the government.

Others said that there is no problem in representation and participation as there are many Indo-Fijians in government bodies. A 32-year-old male respondent from Suva believed that Indo-Fijians have managed to participate in the decision-making in past governments. He felt that leadership should not be based on ethnicity but on qualifications, and that a leader should be able to bring together all ethnic communities in Fiji.

Another respondent, a trade unionist, said participation of Indo-Fijians in decision-making has not changed much. However he claimed that:

'Fijians hold most positions in public service and there is an ongoing preference for them in government positions and several organizations. Because of the current regime, Muslims are holding positions as well. It can be said that government is predominantly iTaukei and Muslim.'

Other ethnic minority perspectives

Overall, ethnic minority respondents had three rather different standpoints on participation in decision-making at the national level. A large number felt that they were not adequately represented in national-level forums such as parliament. Over the years the representation of the 'General Elector' category (voters who are not indigenous Fijian or Indo-Fijian)⁶³ has been reduced to be more proportionate to their number in the overall population. They had been over-represented previously.

Others believed that they should have their own representatives in parliament. Three Melanesians and a Banaban respondent felt that there was a need for them to have their own representatives at the national level. Most of the Banabans and Melanesians believed that they have been represented by the *'Kai Loma'* (Part-European) for too long. Most Part-European respondents believed that their

lack of participation in decision-making was due to the differing views within their community. There were other respondents who felt that *'they were a minority community and they did not have a good leader to take them forward'*.

A minority of respondents felt that it did not really matter who represents them in parliament; the country needs fair-minded and capable leaders irrespective of ethnicity. But ethnic minority respondents did maintain that leaders at the national level should be elected on merit. This point is illustrated by a 58-year-old female Part-European who had *'no problem with their lack of participation in decision-making ... as long as we have the right leader and it should be based on merit'*. Similar sentiments were echoed by a male Melanesian (aged 48) who mentioned that: *'as long as our views are heard by government, then we have no problems with our lack of participation in decision-making'*.

For Chinese respondents, while they contributed directly and indirectly to decision-making, most of them are too immersed in their own businesses to care, and their main concern was security.

At the local government and grassroots level, many ethnic minorities are able to fully participate in decision-making. The main government body that deals with the minority communities is the Ministry of Regional Development, while the church also has a significant role in their community.

Women's participation in decision-making

iTaukei women

Most respondents felt that *'Fiji is a male-dominated society'*. A female respondent said: *'we live in a patriarchal community where women are suppressed and are not usually given the right to voice their opinions, however, through education and women's rights, women are now able to voice their opinions without being suppressed.'*

A small proportion of respondents believed that women's participation in decision-making has improved. A former prime minister said that while iTaukei communities are male-dominated, there are many very capable women who hold senior positions in the civil service and in a few large private business firms.

A woman graduate stated that *'educated iTaukei women can freely express their voices whereas those women from the rural areas are still restrained to some extent'*. But challenges still persist. Some men expressed reservations about women in decision-making positions. They had prejudiced views about women. A middle-aged male expressed his prejudice when he claimed that he wanted women to be involved in decision-making but: *'wherever there is a woman leader, you will find a lot of gossip and*

differences, but now the churches are saying that we should increase their participation'.

Indo-Fijian women

Women's participation in decision-making is very low, according to all female respondents and some male respondents. A female respondent said that: *'women, even in this era, are being dominated by the men'*. A male respondent said that: *'due to the patriarchal nature of the culture, women are kept behind the curtain; there are constraints for both Indo-Fijian and iTaukei women'*.

A trade unionist asked:

'what structures are in place to encourage women to take leadership roles, and become more vocal? There are cultural barriers to rural women's participation but education is changing this. Girls are getting educated and attending university but previously they stayed home and got married and had children. This still applies to women in rural areas.'

The woman NGO representative from Ba said that Indo-Fijian women were becoming stronger at a grassroots level among evicted and traumatized communities: *'In community governance women speak up, write letters for instance about bus access to Advisory Council and speak face to face with government officials.'*

Other ethnic minority women

Eighty-eight per cent of the respondents believed that women's participation in decision-making has improved. Women are able to participate fully in decision-making as there are no constraints at the national level. Currently, there are many women who are CEOs and managers in government ministries, civil society organizations and in various companies.

All female respondents believed that they were gaining grounds in terms of participation in decision-making. A Rotuman female respondent said: *'women are beginning to be more assertive and vocal at the community level ... previously they spoke through their husbands'*. Most of the women believed that education played a vital role in terms of how they are empowered, while some believed that modern changes have really helped in breaking male dominance.

Most Part-Europeans (male and female) believed that their women are participating in decision-making at the household, community and national levels. Chinese respondents also believed that women have been participating in decision-making. According to an older Chinese man: *'Chinese women who are educated are capable leaders.'*

However, Banaban, Tuvaluan and Melanesian, and some Rotuman interviewees believed that their women's

participation in decision-making was largely limited to household and community levels, including the church.

Diplomats and international agency respondents also noted that women were increasingly involved in leadership positions, especially in civil society organizations and NGOs, and to a lesser extent in government.

Impact of the 2006 coup on inter-ethnic relations

iTaukei views

Sixty per cent of the iTaukei respondents believed that the 2006 coup had widened divisions between ethnic groups and created a sense of distrust among them. A respondent mentioned that: *'we were always united but the past three coups have brought about divisions and a sense of mistrust ...'* A female civil servant stated that: *'judging from my work with village communities in my province, I sensed tensions. I hope these do not explode, especially as many view the current moves by government as challenging their values and beliefs in their traditional society.'* A male respondent stated that:

'due to the current government's laws and policies, people were not given full rights.... Who knows what will happen after 2014? Perhaps, as soon as the military regime ends, there would be another coup because suppressed people would now come out in the open.'

According to a former woman government minister: *'coups always have victims.... Now there is a sense of victimhood among most of the ethnic groups.'*

However, 30 per cent of the respondents felt that the 2006 coup has largely improved ethnic relations and brought about a more inclusive society. A 30-year-old male respondent said that:

'It broke down all divisive policies... it has brought about the implementation of good reform policies that have helped people assimilate and integrate better than before and improved race relations. For instance, having a common name for all and also the implementation of vernacular curriculum for all ethnicities have been encouraging.'

Another male respondent mentioned that:

'The 1987 and 2000 coups brought divisions between the two major races, however the current coup has tried to bridge the gap between all the races. There is always a scar there for those ethnic groups affected by the coup but so far discrimination has decreased.'

A young respondent hoped that the *'current moves by government, such as the abolition of the Great Council of Chiefs and common nationality, will be of more benefit for all citizens'*.

A small group (10 per cent) of the respondents from western and northern regions felt that the last coup did not affect inter-ethnic relations. They had got used to *'the coup culture ... everyone were just doing their own thing'*. This was especially so in Levuka (the old capital) and in Savusavu (but also other localities such as Taveuni), where the predominant population is iTaukei and everyone speaks in Bauan Fijian and the local dialect

Indo-Fijian views

Seventy per cent of the respondents said that the 2006 coup had had positive consequences for them in terms of their sense of belonging to the country and security, and that there was less discrimination against them. According to a male respondent: *'the coup had brought equality and it was something like never before. The open door policy of the prime minister had made him accessible to everyone regardless of ethnicity.'* A female respondent said that: *'scholarships that were given based on race were now given on merit'*. For the farmers' representatives, government's initiatives on acquiring land for productive use by the land bank scheme were most positive if coupled with longer-term and secure leases.

Twenty per cent of the respondents were unsure about the consequences of the coup on inter-ethnic relations and some felt it had had negative effects. There was concern expressed that the coup was being seen as an 'Indian coup' or as a 'Muslim coup', which meant that iTaukei would direct their anger at them. A cultural group leader said that although he was well regarded by *'Kai Viti for my stand against the coup and the regime ... I can see this on the streets, at the airport and even when I meet them overseas, there is a lot of animosity against us, Indians.'* He also believed that the abolition of the Great Council of Chiefs had caused confusion among indigenous Fijians. This view was shared by a number of other respondents.

A few others believed that, despite rhetoric of ethnic unity, it was business as usual: indigenous Fijians were still in power and continued discriminatory practices against Indo-Fijians. They pointed to the ethnic composition of the military and public service to reinforce their point. An NGO leader said that everywhere in the public service, the police⁶⁴ and even at public gatherings, Christian prayers were being said with no regard or respect for the fact that this is a multi-religious country.

A small group of respondents said that the coups did not affect them. A male resident of Levuka, Ovalau said: *'I have my own piece of freehold land and even the past Tui Levuka [highest chief] told me "my son, you just go and fish*

anywhere, you don't have to pay anything.' Savusavu respondents expressed similar sentiments.

Other ethnic minority views

Sixty per cent of the respondents believed that the 2006 coup has brought about a sense of belonging, because of the government's more inclusive policies. Most of the respondents believed that the 2006 coup has managed to bring different ethnic groups together and reduce ethnic barriers. A 27-year-old female Part-European respondent expressed these sentiments stating that: *'compared to Rabuka's coup, there have been some feelings of liberation with the 2006 coup and post-coup government policies'*.

Fifteen per cent of the respondents were concerned that top-down approaches to improving ethnic relations may not work and may cause further ethnic polarization. A male respondent said that: *'the abolition of the Great Council of Chiefs has caused confusion among iTaukei and this may not be good for the rest of us in the longer term'*.

Discrimination

iTaukei views

Nearly half of the iTaukei respondents mentioned that they were discriminated against to some extent in terms of education and training, business, land, employment opportunities, credit and loans. Some believed that educational and training opportunities for iTaukei were being hijacked by Indo-Fijians and others because the latter took up these opportunities when there were not enough indigenous Fijians to make the numbers.

With respect to business, respondents agreed that it was difficult for iTaukei because there were many barriers. According to a male respondent, *'Fijians are looked down at in terms of small business establishment because Fijians are seen as failures.'* Most iTaukei are discriminated against because they are seen to lack business acumen and *'capability'*.

Another male respondent stated that:

'business is a foreign language to us Fijians. However the current generation coming out of university realize that business is a part of life. We Fijians are used to following a different type of living as we are brought up in the rural village. The younger generations who are brought up in the urban centres know the importance of money and see business as a part of life.'

Another former iTaukei government minister stated that: *'with iTaukei there is a casual attitude towards work but village and urban work environments are very different'*. He

felt that *'iTaukei lacked work ethics'*. There were, therefore, *'cultural factors'* that were barriers to business success, rather than any discrimination against them.

Some maintained that, in relation to employment, it is not what you know but who you know. A male respondent said that:

'there is a lot of nepotism rather than discrimination happening at the workplace. For example, look at the Bank of Baroda – it is controlled by Indians – and look at the employees, they are all Indians, only 2 per cent are Fijian.'

In terms of access to loans and credit, respondents felt that this depended on one's financial status. Banks discriminate against those who do not have security, thus favouring the rich. In most cases credit institutions try to give advice to people on how to get loans. However, for native Fijians, it is very hard as they often do not have 'security' and the contacts.

In addition, access to land and other natural resources is an issue. There are laws and regulations put in place by the government that permit full ownership of land and this has affected iTaukei's ability to access land. An elderly iTaukei male respondent mentioned that: *'Europeans who have leased land in Pacific Harbor have barricaded iTaukei from accessing the sea; which is a main source of sustenance...'*

Close to half of respondents indicated that there was no discrimination against iTaukei in terms of access to scholarships, employment, credit and loans, and business opportunities, as these depend on individual capability, ability to provide collateral, and performance. A young respondent declared: *'Everything nowadays depends on merit, qualification and eligibility. We are now moving into a modern age so why should we bring ethnic discrimination into all this?'*

These respondents maintained that everyone has equal opportunities, depending on one's capability and qualifications. A former female government minister stated that *'in the corporate business sector [people] of all races are there almost in equal numbers and interact better than in the public sector'*.

Indo-Fijian views

Indo-Fijian respondents felt that there was discrimination in many areas against them. There was always discrimination in accessing higher education because government scholarships were mostly for indigenous Fijians. Multi-ethnic scholarships allocated to them were means tested or only partially covered costs. A manager of a cultural organization said that at the Sangam Nursing School, iTaukei students were 100 per cent covered by

their scholarships while Indo-Fijian students were not fully funded. Another issue raised was the scaling of marks obtained by students in public examinations to maintain ethnic parity.

With respect to employment, according to some respondents much depended on personal contacts with people who were in a position to help. Public service positions remain difficult to get and there is discrimination in accelerated promotion in the Fiji police force. One man working for an NGO said that he was not inclined to appoint 'Indians' for jobs because they did not stay in an employment for long and tended to migrate.

Respondents said that housing was a matter of affordability, but that certain government-funded institutions, such as the Housing Authority, were discriminatory. Discrimination in access to land was widely recognized. Freehold land was only available to those who could afford it. Respondents mentioned intimidation or threats by land-owners. When leases expired, tenants were not allowed to dismantle their homes for relocation, or were illegally evicted before their tenancy and grace period ended. Tenants were also subjected to extortion.

With respect to credit and loans, respondents felt that access depended on security that a person had rather than one's ethnicity. However, they mentioned that micro-credit schemes appeared to be for iTaukei only.

All other natural resources of the land, rivers and seas belong to customary owners. There is designated customary rights ownership of marine areas, or *qoliqoli*, which are out of bounds for all who belong to other *vanua* or ethnicities. Historically, because the largest-scale artisan fishermen are Indo-Fijians, they have to deal with extortion by both government fisheries officials as well as iTaukei. Respondents said access to fishing areas had become more difficult and expensive, partly because of raised expectations following the debate on the *qoliqoli* bill, and also over issues of conservation, and marine protected areas. A respondent in Lautoka said: '*We can't fish, our boats are idle, we have laid off workers because Taukei want too much "goodwill" and we also are harassed a lot of times.*' Smaller-scale fishermen find demands of customary fishing area owners excessive.

Other minorities

The majority of respondents from ethnic minority communities believed that there is discrimination in scholarship allocation because these are based on 'ethnicity'. Part-European respondents do not have access to the iTaukei Affairs Board scholarships and voiced their concerns on 'affirmative action policies'.

Melanesian interviewees believed that affirmative action policies are discriminatory since scholarships

favoured iTaukei while those of other ethnicities have been excluded. They believed in equal treatment, but having a scholarship quota of some sort for their children in the Multi-ethnic Affairs scholarship scheme has ensured that there are some places for them. They believed that the current moves by government in the use of merit will end discrimination but, at the same time, it may disadvantage them.

Respondents from the Banaban community believed that the scholarship allocation should have '*quotas for our children*'. Currently, they can only access the very competitive merit-based PSC and the Multi-ethnic scholarships.

The Rotuman respondents stated that while they also come under the iTaukei Affairs scholarship scheme, there has been a decrease in the number of Rotumans who are awarded this scholarship.⁶⁵ A Chinese male respondent said that his community can afford to pay for their children's education, and they are not concerned about government scholarship schemes.

In relation to employment, most of the respondents felt that there was no discrimination against any ethnic group. Many of them believed that accessing employment is based on merit, that is, on individual qualification and experience. Contrary views were held by some others, who highlighted that there are some types of work where discrimination in recruitment persists. For instance, in the Fiji military there is evident bias towards iTaukei.⁶⁶ In addition, a former Part-European school teacher confirmed that there was discrimination in the Ministry of Education in terms of promotion: '*I faced discrimination in employment and promotion because of the union [Fijian Teachers Association and Fiji Teachers Union]. Because I did not support a certain union, I could not get a post.*' A Banaban woman also argued that most promotions in government were given to iTaukei or Indo-Fijians.

Interestingly, a number of respondents felt that there was nepotism in job recruitment. A senior government employee mentioned that nepotism was rife in the public sector. As evidence, he said that a senior iTaukei official at the PSC had recruited more than 20 relatives to work under him.

In terms of access to housing, most of the respondents believed that housing depended on affordability. A small group (15 per cent) believed that there was unfair treatment in terms of access to housing. A Part-European woman mentioned that the Fiji National Provident Fund village housing assistance favours iTaukei because they have customary land as security. Both Banaban respondents highlighted that the Banaban community were treated unfairly in terms of housing. They mentioned that many Banabans lived in Housing Authority and Public Rental Board flats, and were only allowed to have

one family in each house. *'This is unfair because some iTaukei have many families in one house.'* An older Rotuman male respondent believed that access to a rural housing scheme on Rotuma Island is difficult due to its remote location.

On credit and loans, a majority of the respondents believed that accessing loans depends on individual eligibility and the requirements of the lending institutions, and there was no discrimination. The Rotuman respondents said that due to the remoteness of Rotuma they had poor access to loans. A Chinese male respondent said that there is unfair treatment by lending institutions when it comes to accessing loans. This view was also supported by a Part-European woman, who stressed that lending institutions favour the wealthy and the elite. This critical view suggests that, while there is no ethnic discrimination in accessing loans, there is a bias by lending institutions towards the wealthy and powerful.

In terms of business opportunities, all respondents believed that this is based on the financial capability of each individual. Therefore there is no discrimination in access to business opportunities.

Divergent views were held by the minority community on land matters. Most Part-Europeans interviewed have their own freehold estates and land is not an issue for them. For Rotumans, Banabans and Tuvaluans, land is readily available on their own islands but not in the mainland. Some of the respondents believed that there is discrimination only in accessing customary-owned lands. As indicated by two female Part-European respondents in Savusavu, there has been a lot of contention between them and iTaukei land-owners over a piece of land. One of the two further mentioned that the *'I kovukovu'*⁶⁷ that was given to them has been usurped by their iTaukei relatives.

Issues relating to land also applied to Melanesians. Most of them mentioned that their access to land was insecure based on *vakavanua* arrangements. The land that they currently lived on in Levuka was leased by the Anglican Church; however, since the lease has expired, it has reverted to the land-owners. One of the male Melanesians mentioned that they are at the mercy of the land-owners. For the Melanesians, the Anglican Church had played a pivotal role in terms of their access to land but now they have become mostly tenants at will.

In terms of access to natural resources, some respondents stated that they have access to land only for farming, while for fishing they have to get approval and a licence for commercial fishing from the relevant authorities. According to a Kioan respondent (Tuvaluans who live on the island of Kioa) in Savusavu, they can farm freely (following negotiation with land-owners) but for fishing, they require the approval of the Tui Cakau

(the highest ranking chief in the province of Cakaudrove). This view was echoed by the Banaban respondents, who further mentioned that accessing natural resources such as fishing in Veisari (near Suva) requires the permission of government and land-owners. The approval process is expensive and time consuming, thus access to natural resources is limited.

The Melanesians in Ovalau said that they have no problem with using the *'goliqoli'* for fishing, since the Tui Levuka (the highest chief) has granted them permission. A majority of the respondents from Ovalau, Labasa and Savusavu believed that there was no discrimination in access to natural resources, as long as the right procedures were followed in presenting traditional gifts for the use of *'goliqoli'* and also meeting government requirements to obtain a commercial licence.

Relations between religious groups and between government and religious groups

iTaukei views

All the iTaukei respondents were Christian with 70 per cent being Methodists. They agreed that the *'government discriminates against us'*. Since 2009 Methodists have not been allowed to hold public meetings. Under the Public Emergency Decree, all public meetings seen to be 'political' were banned. A respondent stated that: *'the Methodist Church is the biggest denomination in Fiji and 80 per cent [sic] of the Fijians are Methodist yet we are not allowed to freely worship and have our Annual Conference'*. Another respondent mentioned that: *'it's not constitutional to appoint leaders outside of the Methodist Annual Conference, to hold meetings and also certain persons were not allowed to chair the meetings. There are no choir competitions allowed through which church divisions raise funds.'*

Thirty per cent of the iTaukei respondents who follow non-Methodist Christian denominations said that there was no discrimination against them by other religious groups or government, and that people were free to meet and worship. An iTaukei respondent from Ovalau mentioned that: *'there are good relations between different religious groups and also between different Christian denominations. In our village, we have Christians, Hindus and Muslims who are able to practise their religion without fear or harassment by others ...'*

A non-Methodist respondent stated that *'the only discrimination is made against Methodist by the government in relation to their activities'*.

Indo-Fijian respondents

Most Indo-Fijian respondents said that they were able to practise their religions without fear and meet freely for religious functions, but this was not the case until the Public Emergency Regulations were lifted in 2012. Previously, permits had to be obtained from the police and district administration for religious gatherings, weddings and funerals.

While relations with other religions are currently good, this was not the case in the past. During the post-1987 period, and also in 2000, there were acts of intimidation and desecration by Christians, and especially Methodist youths. Hindu, Sikh and Muslim places of worship and holy books were burnt. Hindu images of deities were destroyed. An NGO community worker in Ba said that: *'Acts of desecration have stopped but thieving from temples continues.'* She added that, on most public occasions: *'there is "masu" and Christian prayers are allowed but not Hindu or Muslim prayers.'*

Other ethnic minorities

Most respondents believed that there were no constraints on practising their religion. Only the two Seventh Day Adventists felt that they were discriminated against by some employers, by making them work on Saturdays. However, Methodists (who were not iTaukei) highlighted that they were being targeted by the government in some of their church activities mainly because of what their leaders had done previously.

Human rights issues

iTaukei views

Sixty per cent of iTaukei respondents believed that their human rights have been curtailed and suppressed during and following the coup. An elderly iTaukei male respondent stated that: *'Fiji is experiencing a coup culture; the current regime is being dictatorial. Fijians are not able to fully express their rights.'* An iTaukei respondent stated that it is because of the 'coup culture that ethno-nationalism burns iTaukeis like fire. Ethnic discrimination does not work and it is best for us to work together.' Another respondent mentioned that: *'Right now we are under a military regime so we stick by the book and do what they want us to do! If not we will end up being taken to the military barracks.'*

Most respondents felt that, while their political rights were undermined, they were still able to participate in social, economic, cultural and civic matters. One respondent pointed to an anomaly:

'We are able to participate in matters that concern us, such as political and civil [issues], as we were able to voice our views to the Constitution Commission, and on other matters it depends on an individual capacity to fully participate – such as economic, social, cultural and civil participation.'

A small group maintained that political and civil rights did not matter to them as they were more concerned about their livelihoods.

Indo-Fijian views

Most respondents maintained that, since the 2006 military coup, in general civil and political rights were currently denied to all. However, their understanding of social economic and social rights was limited to the right to employment and livelihood, housing, education and health, as well as social security.

Senior government officials explained that government suppression of freedom of expression and freedom of the media was justified, otherwise reforms to move the country forward along non-ethnic lines would be compromised. There was a need to censor the media, and ensure public order.

Respondents who had been actively involved in NGOs and political groups held strong views about the government's denial of human rights. A 61-year-old community worker said: *'civil rights – voices are stifled, there is no freedom of speech and assembly. Social and cultural rights have been promoted by the government with Indian High Commission at the forefront.'* Another respondent indicated that *'currently mainly rights are denied – freedoms of expression, association and media. The right to protest is denied.'* A female NGO worker saw no rights, *'what human rights? Civil rights do not exist. Right to health is shocking in rural areas ...'* According to a trade unionist, basic human rights are denied:

'In terms of trade unions, collective bargaining has been denied. The ILO [International Labour Organization] Convention signed in 1974 is being undermined. The Emergency National Industries decree denies basic labour rights in selected sectors and industries – airline, banks, telecommunications...tourism... and sugar.'

Respondents from business backgrounds felt that they have been given all the rights and they do not suffer state discrimination. Oddly, this standpoint is reflected in the views of an NGO worker: *'civil rights are being practised by my community and cultural rights too, and problem is with the people. They don't talk about issues.'* This respondent also believed that people did not really understand their rights

and responsibilities because these have been missing from culture and education in Fiji.

Other ethnic minorities

Most respondents believed that political and civil rights are being curtailed by government. Some of the responses highlighted the lack of right to a fair trial, the right to participate in politics, to vote and to petition about issues. A Part-European man said: *'it is not right when the judiciary is controlled by government.... The current Fiji judiciary will soon be a laughing stock or maybe it already is.'*

Another respondent referred to the significant sums of money borrowed domestically by governments from the pension funds of Fiji workers: *'Where is the right of the individual who has toiled so hard to put money there?'*

The majority of diplomats and international agency respondents said that there was an undemocratic and military-backed government which denied fundamental human rights. A western diplomat stated that: *'human rights are a travesty in Fiji given the denial of basic freedoms such as freedom of speech and association. Look at what they have done to the media.'* A few respondents pointed to the pro-poor policies of government as indicating concern for social and economic rights over political and civil rights.

Government policies

iTaukei views

The majority of iTaukei respondents indicated that the government should review its strategies because these have created a sense of distrust towards other ethnic groups. The land bank was a concern, as were the abolition of the Great Council of Chiefs, seen as the protector of indigenous interests, and the restrictions on the Methodist Church. There was a feeling that iTaukei were being deprived of affirmative action measures. There was also concern about the common national name for all citizens when 'Fijian' had previously been exclusively used for them. There was opposition to the 10 non-negotiable issues imposed on the constitution-making process without prior discussion.

Forty per cent of respondents felt that the current government policies have improved inter-ethnic relations in Fiji. Some believed that a common national name was positive as it has strengthened inter-ethnic relations and is inclusive of others. An elderly iTaukei and former soldier stated that:

'the government has done a tremendous job in trying ... to reform the bad policies. Corruption cases that have been there from the beginning were being wiped

out. We need the best for our upcoming generation ... we need transparency within the country. And now 18-year-olds were being given the right to vote.'

In Vanua Levu and Ovalau, the iTaukei respondents mentioned that: *'relations have been very good'*. A respondent stated that: *'many of the things that the government is currently doing were already happening here. We have maintained our relations with other ethnic groups since the colonial days until now.'*

iTaukei suggestions for the government

The majority of iTaukei (55 per cent) preferred a return to the deposed government's affirmative action programmes. They also wanted the re-establishment of the Bose Levu Vakaturaga (Great Council of Chiefs) and some wanted the word, 'Fijian' to be used only for indigenous Fijians. Many of them opposed casinos being established because of social problems that may arise. However, they supported the teaching of Bauan Fijian in schools. Most respondents supported multi-ethnic schools. Some wanted the government to reform culture and religion, as these imposed burdens on iTaukei. A respondent declared that: *'government needs to drill it into the church; challenge the church, change its vision to teach more on peace, multiculturalism and unity and to teach more about the true ethics and moral of Christianity.'*

Younger respondents tended to be critical of 'Fijian' institutions such as the iTaukei administration, the iTaukei Trust Board and the Great Council of Chiefs, recommending that these be reviewed and reformed.

Indo-Fijian suggestions

Respondents wanted policies to address access to land, to end separate ethnic local government, to establish an independent judiciary, and to provide sports and recreational facilities to bring different ethnic groups together, and the teaching of vernacular languages in schools.

A former male politician and businessman wanted government to be proactive about dealing with squatters so that squatter settlements did not increase so rapidly. In Fiji, squatters (those living in informal housing settlements and in substandard houses) now constitute 15–20 per cent of urban inhabitants.⁶⁹

A male CEO maintained that:

'there should be a land policy which would allow the state to be the main land-owner as it would obtain long-term leases on land and sublease plots to Indians and others, and collect and pay rents to the native owners.... Cadet training should be compulsory for all ethnicities.'

A representative of the Sugarcane Growers further added that:

‘[the] government should have a master lease arrangement with land-owners and lease out land to farmers. This will help relations in rural areas, which are not good because of land. Affirmative action should be needs-based and means tested. Improve security and law and order. There is a need to address corruption – there is more corruption now as there is no transparency and accountability.’

A woman NGO representative said that: *‘Government should provide the space for open and honest discussions among ethnic groups so that past wrongs are addressed and there is restorative justice ... and promote alternative cash crops as sugar declines.’*

A respondent who is a trade unionist said that *‘government should review all its legislation that curtails human rights and workers’ rights.’*

Other ethnic minorities

Close to 80 per cent of respondents believed that current government policies, such as common nationality and the use of ‘Fijian’ as the name of all citizens, have brought about a sense of inclusiveness and a sense of belonging for the

minority communities, who have always felt outsiders. According to a female Part-European woman: *‘we are all Fijians, we live in Fiji and Fijian is a European name, just as they called everyone as Australians in Australia ... whether they are white or Aborigines, so should we.’* A male Chinese respondent also felt that the current government programmes, decrees and laws have brought about harmonious relations among the diverse ethnic groups.

Most respondents did not feel that ethnic-based affirmative action policies helped inter-ethnic relations, but instead only entrenched iTaukei supremacy. To improve inter-ethnic relations, most respondents believed that there is a need for more awareness and interactions to foster cultural understanding between ethnic groups. This can be achieved through sports and recreational activities, and by encouraging the teaching of various languages (iTaukei/Indo-Fijian/Rotuman and Banaban) in schools. Inter-ethnic relations should be embedded in the school curriculum. There is a need for multi-ethnic schools rather than schools that cater only for a particular ethnic group.

Respondents argued that there is a need for policies to support better access to land and other natural resources.

Finally, all government policies to improve inter-ethnic relations must be well formulated and executed. According to the older Chinese respondent, these policies need to be enforced and monitored.

Conclusion and recommendations

Fiji's history of separate development of its people meant that indigenous Fijians and other ethnicities, especially Indo-Fijians had little chance to interact socially, economically and politically. Stereotypes and prejudices evolved, and both institutional and social racism were widely practised. Over time, socio-economic inequalities that were both vertical and horizontal created a sense of wealthier ethnicities and poorer ethnicities. This especially applied to iTaukei, who increasingly perceived Indo-Fijians being more prosperous than themselves.⁷⁰

Other ethnic minorities, such as Chinese, Part-Europeans and Rotumans have been largely politically invisible, and socially and economically marginalized and excluded. The majority of Part-Europeans, Melanesians and other Pacific Islanders are landless, relatively uneducated, unemployed and poor.

Post-independence governments have followed contradictory policies of seeking national unity but also treating citizens differently according to their ethnicity. Separate institutions were accompanied by affirmative action policies that privileged indigenous Fijians and their institutions. Other ethnic groups felt excluded. As latecomers to the market economy, iTaukei found that it favoured those ethnicities that acquired the entrepreneurial culture and the accompanying business networks, and faced barriers that were difficult to overcome. Their own cultural backgrounds, based on reciprocal kinship relationships and obligations to *vanua* (identification with tribal territory) and *lotu* (religious affiliation with Christianity, usually Methodist), compounded the difficulties.

While ethnic groups have remained separate at the political and administrative level, at the social and economic level very significant changes have taken place. Fiji is now predominantly urban, with a complex and ever increasing modern economy and much reduced rural agrarian sector. Major demographic changes have also occurred. iTaukei are now 60 per cent of the population and they constitute the largest group in Fiji's capital, Suva. These changes have substantially broken down residential segregation, ethnic division of labour, separate ethnic schools, ethnically exclusive sports and social clubs and differential treatment of ethnic groups.

Increasingly, how an individual relates to other people of their own and other ethnic groups depends more on

their education, and socio-economic status than their ethnic identity or gender. New social forces that have contributed to challenges to the ethnically based status quo. Multi-ethnic civil society organizations, including NGOs for women, youth, disabled people and sexual minorities have grown and taken on an active advocacy role. The military coups and political instability reflect the struggles between vested interests which seek to privilege ethnicity over common citizenship, and those that want to move to a multi-ethnic and socially just society.

The interview survey that forms the basis of this report found a diversity of viewpoints that reflected individual ethnicity, geographical location, gender, religion and level of education. A clear majority of indigenous Fijians (iTaukei) expressed disquiet about what they perceived as the government's anti-Fijian policies, which affected their status in the country and their relations with other ethnic groups. On the other hand, non-iTaukei respondents were predominantly supportive of government policies and generally felt that inter-ethnic relations had improved since 2006.

Respondents in Levuka and Savusavu, and to a lesser extent in Vanua Levu (the north) and western Viti Levu said that relations between ethnic groups have always been good, irrespective of the political situation. Women respondents generally felt that, while male dominance continued, with better education and greater access to employment, they were able to better participate in decision-making. This was especially true of Part-European interviewees. A majority of respondents expressed the view that they could practise their religion and culture freely. The exception to this view were iTaukei Methodists, who felt that the government had discriminated against and suppressed their denomination since December 2006. Generally speaking, the more educated respondents tended to be positive about inter-ethnic relations.

Respondents had broadly similar suggestions about improving inter-ethnic relations, such as establishing multi-ethnic schools, teaching Bauan Fijian to all students, and an end to the denial of human rights in contemporary Fiji. However, there were divergent views relating to having a common name – 'Fijian' – for all citizens, affirmative action policies, land tenure and religious freedom.

Recommendations

To the government of Fiji:

- The government should rescind its decision to reject the draft constitution developed by the Constitution Commission through a legitimate and participatory process, and submit the draft to the Constituent Assembly.
- The government should take immediate steps to implement the Bill of Rights provisions of the draft constitution.
- Once adopted Fiji's new constitution should be translated into Bauan Fijian, Hindi and minority languages and widely distributed among its citizens.
- All decrees restricting fundamental human rights, including freedom of expression, freedom of the media, and freedom of assembly, must be rescinded.
- The government should revise the existing legislation on discrimination into a single, comprehensive law prohibiting discrimination on all the grounds named in the draft constitution. This must include prohibition of acts perpetrated by government bodies and private persons, and prohibit the advocating of racial or religious hatred. The law must also ensure that racial motivation constitutes an aggravating circumstance for crimes and must provide a transparent, accessible and effective recourse to justice for all victims of discrimination
- When the new electoral system is adopted, the government should carry out public awareness raising programmes on how it works and how it will enable the voice of all sectors of the population to be heard.
- The Public Service Commission should continue merit-based appointments but should also carry out an audit to identify areas where representation of ethnic groups is unequal, disaggregated by grade. Where there are gaps, the government should develop training programmes to ensure that school-leavers and graduates from disadvantaged communities are able to compete for jobs on an even footing. Staff and job candidates must have access to transparent and accessible mechanisms to challenge discrimination in access to employment.
- The government should carry out an audit of all affirmative action programmes, including scholarships and the Fiji National Provident Fund, to identify the extent to which the most needy communities and individuals are receiving assistance. The current complex systems should be replaced by a streamlined, simplified programme which ensures that access to support is on the basis of need. An outreach programme should be organized to ensure that the

most needy sections of society are both aware of the programme and have access to it. All programmes must have clear objectives and need to be carried out within explicitly stated time frames so that they can be monitored and evaluated.

- The government, civil society organizations and the international donor community need to work together to promote women's participation in decision-making, through specifically targeted training programmes in public administration, and support for advocacy and consultation processes at the local and national levels.

Land

- Customary ownership of land and natural resources by indigenous communities should be constitutionally recognized and entrenched. An independent land commission, comprising representatives of land owners and lease-holders should be established, with a mandate to examine and resolve contentious land issues. In cases of leases coming to an end, the default position should be that, if the land is not being otherwise used, the sitting lease-holder should have first option of renewal under reasonable terms. The land commission should be mandated to hear disputes over termination of leases.
- The government should address the situation of displaced tenants by working with donors and the affected communities, to set up programmes offering alternative livelihoods, and provide good quality, affordable social housing, particularly in urban areas.
- The government needs in particular to examine the situation of certain very disadvantaged landless minority communities, including Solomon Islanders, Melanesians, Ikiribati and Part-Europeans, in order to ensure that they have access to affirmative action programmes.

Education

- The government should commission a comprehensive review of school curricula by a body including representatives of all ethnic and religious communities, and propose a new curriculum that includes teaching about the histories, cultures, religions and languages of all communities in Fiji. The government should ensure that this curriculum is rolled out to all regions of the country.
- The government should provide information on changes in the names of schools and changes to composition of student and teacher population by ethnicity together with a comprehensive plan for continued integration for the next four years.
- The 'home zone' scheme should be reviewed periodically to assess its impact on quality of

education, as well as whether schools have become more multi-ethnic. There should be provisions for additional state support for rural schools and those in depressed urban localities where education standards are lowest.

To civil society and religious leaders:

- Civil society and leaders of religious communities should work to promote religious and ethnic tolerance and dialogue between ethnic community leaders and religious and denominational leaders. In particular they should raise awareness among all communities of what it means for Fiji to be a secular state. The government and international donors should provide funding for this.

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Annex 1: Tables showing details of respondents

Table A2.1: Age and gender of iTaukei respondents

Age	Male	Female
20–30	6	1
31–40	3	4
41–50	4	2
51–60	5	3
60 +	3	2
Total	21	12

Table A2.2: iTaukei respondents' religious denominations

Religion	iTaukei
Methodist	26
Seventh Day Adventist	2
Catholic	2
Other Christian Denomination	3

Table A2.3: Locality of iTaukei respondents

	Suva	Lautoka	Nadi	Savusavu	Labasa	Levuka	Total
Male	9	2	2	1	1	5	21
Female	6	1	3	1	1	7	12
Total							33

Table A2.4: Age and gender of Indo-Fijian respondents

Age	Male	Female
20–30	0	4
31–40	2	1
41–50	2	2
51–60	3	3
60 +	3	0
Total	10	10

Table A2.5: Indo-Fijian respondents' religious denominations

Religion	Indo-Fijian
Hinduism	11
Islam	7
Christian	1
Sikh	1

Table A2.6: Locality of Indo-Fijian respondents

	Suva	Lautoka	Nadi	Savusavu	Labasa	Levuka	Total
Male	3	1	5	0	0	1	10
Female	6	2	2	0	0	0	10
Total							20

Table A2.7: Ethnicity, age and gender of respondents from other minority ethnicities

Age	Part-European/ European		Banaban		Tuvaluan/Pacific Islanders		Chinese Fijian	
	Male	Female	Male	Female	Male	Female	Male	Female
20–30	2	2	2	1				1
31–40	1	3		1				
41–50	1	1			1		1	
51–60	1	1	1		1	1		
60 +	1	2			1		1	1
Total	7	8	3	2	2	1	2	2

Table A2.8: Aggregated age and gender of all other ethnic minority respondents

Age	Male	Female
20–30	6	1
31–40	3	4
41–50	4	2
51–60	5	3
60 +	3	2
Total	21	12

Table A2.9: Religious denominations of other ethnic minority respondents

Religion	
Methodist	26
Seventh Day Adventist	2
Catholic	2
Other Christian denomination	3

Table A2.10: Localities of other ethnic minority respondents

	Suva	Lautoka	Nadi	Savusavu	Labasa	Levuka	Total
Male	9	2	2	1	1	5	21
Female	6	1	3	1	1	7	12
Total							33

Notes

- 1 E-mail to MRG, 13 February 2013 (on file with MRG)
- 2 East-West Center, “Fiji Government Further Criticized Over Draft Constitution”, Feb 8 2013, (<http://pidp.eastwestcenter.org/pireport/2013/February/02-11-03.htm>)
- 3 Significant numbers of other minorities have emigrated and more recently, the trend is for iTaukei migration.
- 4 Fiji’s name, Viti, means crossroads; it has been home to both Melanesians and Polynesians.
- 5 See Cohen, P. (ed.) *New Ethnicities, Old Racisms*. London: Zed, 1999.
- 6 Hitherto lumped together as ‘Others’ for political and administrative purposes. Fiji Islands Bureau of Statistics, 2008. *Statistical News Census 2007 Results*, Government of Fiji, Suva
- 7 The term Part-European is officially used for persons who have European and Pacific islander origins. It emerged in the 1940s, replacing the derogatory ‘half castes’, and is the preferred ‘self-identification’ term of the community. The use of ‘European’ as the identifier was because of the superior status of Europeans. The term Part-Chinese is used for Chinese and indigenous Fijians of mixed ethnic origins. It is noteworthy that those of mixed Indian and iTaukei origins are not officially designated as Part-Indian.
- 8 Pacific islander communities such as Melanesians and Banabans speak Bauan Fijian fluently. Those who do not speak this language or English are disadvantaged in many ways. However, Fiji law courts provide interpreters for vernacular languages, including Mandarin and Cantonese.
- 9 Writing of the ‘Part-Europeans’ (*Kai Loma*), Annilese Riles observed: ‘Very little factual information is available about this population as they have largely been ignored in every record, from colonial times to the present, by government officials and researchers alike’ (‘Part-Europeans and Fijians’, in B.V. Lal and T.R. Vakatora (eds), *Fiji in Transition*, vol. 1, Suva, School of Social and Economic Development, University of the South Pacific, 1997, p. 105).
- 10 Durutalo, S. ‘Democracy in the South Pacific context’, *Review* 20 (September), 1986, pp. 1–12.
- 11 Kamikamica, J., ‘Fiji native land issues and challenges’, in Lal and Vakatora, *op. cit.*
- 12 The 2,000 white settlers were deemed to be insolvent and incapable of any significant growth in commercial agriculture.
- 13 Gillion, K.L., *Fiji’s Indian Migrants: A History to the End of the Indenture in 1920*, Melbourne, Oxford University Press, 1962.
- 14 Robbie, D. (ed.), *Tu Galala*, Annandale, NSW, Pluto Press, 1992.
- 15 Fisk, E.K., *The Political Economy of Independent Fiji*. Canberra, Australian National University Press, 1970.
- 16 Citizens’ Constitutional Forum, *Ethnicity, National Identity and Church Unity*, Suva, CCF, 2001.
- 17 Indigenous Fijian leaders pointed to the plight of Native Americans, Australian Aborigines and Maori who lost their land to settlers.
- 18 Many as refugees. Interestingly, a number of native Fijians, fearing persecution as FLP activists, also sought refugee status in Australia and New Zealand.
- 19 *Mataqali* is the unit of the tribe (*yavusa*) that has been recognized as the land-owning group.
- 20 Kamikamica, *op. cit.*
- 21 See Davies, J., ‘On the source of inter-ethnic conflict’, 2000, available at: <http://maorinews.com/karere/fiji/davies.htm>; see also Davies, J. and Gallimore, C., ‘The reality of ALTA rents’, *Fiji Times*, 30 July 2002, and ‘Reply to the reality of ALTA and Indian sugarcane farmers’, unpublished paper, 2002. These authors claim that native Fijian land-owners were being deprived of an adequate share of sugar revenue by the low land rentals. They claimed, quite erroneously, according to Kurer, that \$1 billion had accrued to Indo-Fijian farmers in the post-independence period. See Kurer, O., ‘Land tenure and sugar production in Fiji: property rights and economic performance’, *Pacific Economic Bulletin*, vol. 16, no. 2, 2001, pp. 106–19.
- 22 CCF, *Scratching the Surface*, baseline study for community action program, Suva, Citizens’ Constitutional Forum, 2012.
- 23 Voters registered according to their ethnicity queued in separate lines and voted in separate booths at polling stations.
- 24 This system required a majority of 50 plus one for winning candidates. If a candidate did not obtain this proportion of votes, second and, if necessary, third and fourth preferences would be counted to make the required 50 plus one for the winning candidate.
- 25 For an island state with no enemy, the standing army is rather large. Papua New Guinea, with a population that is seven times as large as Fiji’s, has a smaller military. The Fiji military accounts for 1.5 per cent of GDP compared to Papua New Guinea’s military that accounts for less than 1 per cent of GDP. See CCF, *The Militarisation Report*, Suva, Citizens’ Constitutional Forum, 2012.
- 26 Robertson, R.T. and Tamanisau A., *Fiji: Shattered Coups*, Annandale, NSW, Pluto Press, 1988.
- 27 Dr Bavadra’s appeals to the Queen and the British government, and to the governments of Australia and New Zealand, largely fell on deaf ears. The government of the United States appeared to welcome the coup as Bavadra’s government had banned nuclear-powered and armed ships from Fiji waters. General Vernon Walters of the US military, who had gained notoriety for his association with military coups in several countries, including Chile, had visited Fiji a few weeks before the overthrow of the FLP/NFP coalition government.
- 28 Once again Indo-Fijian leaders and FLP supporters were persecuted, detained and tortured with impunity. There were many instances of gross violations of the human rights of Indo-Fijian citizens. The security forces were granted blanket immunity.
- 29 And 27 for Indo-Fijians, 5 for others and 1 for Rotumans.
- 30 Cotterell, Jill and Yash Ghai “Case Study Fiji: A tale of three constitutions, Ethnicity and Politics”. *Journal of African Law* 35(1/2), 2004. pp 56-58.
- 31 The Joint Parliamentary Select Committee that mediated the Reeves Commission’s recommendations reversed the recommendation that there be 45 open seats and 25 communal seats, to 45 communal, and 25 open.
- 32 The Constitution stipulated that all political parties that obtained more than 10 per cent of the seats in parliament were to be invited to be in the government.
- 33 The *Fiji Times* and TV 1 appeared to be antagonistic to the government and its policies, including presenting land policies as detrimental to land-owners’ interests.
- 34 In one reported incident a police truck was used to cart stolen taro and the carcass of a cow to the Parliamentary Complex from Muaniwani in Naitasiri Province.

- 35 In strict constitutional terms this action was illegal as the government held hostage should have been returned to power. The 2001 general election was politically expedient but not 'legal'.
- 36 Chandrika Prasad, an internally displaced Indo-Fijian farmer, inquired of the courts about the validity of the 1997 Constitution following its purported abrogation. The court ruled that the Constitution could not be abrogated. This ruling has implications for possible future litigation(s) on the April 2009 purported abrogation of the same Constitution.
- 37 The government blocked the renewal of the contract of Australian prosecutor, Peter Ridgeway, who had been successful in obtaining convictions of several putsch supporters.
- 38 Other Affirmative action measures at the time included an interest-free loan of F\$20 million to Fijian Holdings Limited (FHL), a private iTaukei investment company. There has been controversy about A and B class shares in the company because of the much better returns on A class shares. A class shares are private family share-holdings as against B class provincial share-holdings. A small group of socially mobile indigenous Fijians hold A class shares. See: Ratuva, S., 2000.
- 39 See: Chand, G., *Papers on Discrimination: The CERD Papers*, vol. 1, Lautoka, Fiji Institute of Applied Studies, 2005, p. 250.
- 40 See NGO Coalition on Human Rights, 'Submission to CERD', in G. Chand, *Papers on Discrimination: The CERD Papers*, vol. 1, Lautoka, Fiji Institute of Applied Studies, 2005. p 105.
- 41 The concept of *vanua* refers to the territory of an iTaukei tribe on which tribal members rely on for their livelihoods and to which they have strong emotional and spiritual ties. The *vanua* is led by a hierarchy of chiefs.
- 42 With threats of travel sanctions placed on people seen to be supportive of coups by Australia and New Zealand, few qualified Fiji citizens seek positions in government in periods immediately after coups; military personnel, however, are already subject to the travel ban and so do not feel any restraint about taking up such positions.
- 43 CCF, *The Militarisation Report*, *op. cit.*
- 44 *Ibid.*, p. 18
- 45 Chaudhry did not join the government.
- 46 The 1990 Constitution had been amended by the 1997 Constitution and the provision that made the military the protector of national interest had been removed.
- 47 These bills were the Promotion of Reconciliation Bill, which sought to end the investigation and prosecution of those behind the putsch and mutiny of 2000. The *Qoliqoli* Bill purportedly returned the ownership of customary fishing grounds to their indigenous owners. The tourist industry strongly opposed the bill. The Land Tribunal Bill followed on from the policy of the SDL/CMV government of allocating F\$500,000 for customary land-owners to buy back freehold land.
- 48 Qarase and Bainimarama aired their differences in the Fiji and regional media, and Qarase indicated that the military commander had psychological problems.
- 49 Both the Rabuka and Qarase governments had given the Great Council of Chiefs prominence, which reinforced its image following each coup up to the 2006 coup as the final arbiter of national-level political power, and the hegemony of iTaukei chiefs. Qarase funded a more than F\$20 million Great Council complex in Suva, which has been used by the Bainimarama government for various meetings, including that of regional state leaders.
- 50 The Archbishop's willingness to chair NCBBF led to allegations that the Catholic Church supported the coup, and to divisions within the church between those who openly criticized the Archbishop, and the majority who did not openly express their views.
- 51 With the exception of Qarase, all Fiji's former prime ministers, namely Ratu Mara, Rabuka, Bavadra and Chaudhry supported 'Fijian' as the common name of Fiji citizens. An iTaukei chief described this initiative as 'identity theft'.
- 52 Hitherto, the adoption of another citizenship meant automatic loss of Fiji citizenship.
- 53 In all secondary schools English is the medium of teaching, although other languages such as Bauan Fijian, Hindi and French may also be taught. Some primary schools also teach Mandarin, Urdu, Gujerati, Tamil and Telagu and French.
- 54 The media are perceived to be either pro-government or less favourably inclined to government. In the former camp are the *Fiji Sun*, Mai TV and FBC (radio and TV); in the latter are the *Fiji Times*, TV1 and FM96.
- 55 There has been no Auditor General's report during the last seven years.
- 56 See: 'Public Order decree "does not restrict debate"', *fijilive*, 12 May 2012, available at: www.fijilive.com/news/2012/05/public-order-decree-does-not-restrict-debate/42911.FijiLive
- 57 Fiji Constitutional Process (Constituent Assembly and Adoption of Constitution) Decree 2012 (Decree No. 58 of 2012), available at: <http://constitutioncommission.webs.com>.
- 58 They are Ms Taufua Vakatale, Professor Satendra Nandan, Ms Penelope Moore (locals), and Professor Christina Murray (a South African).
- 59 See: <http://www.constitution.org.fj>
- 60 President talks of amendment to Ghai's draft constitution, *Fiji Times* 13, January 2013 (<http://www.fijitimes.com/story.aspx?id=222131>)
- 61 These include the offering of a '*matanigasau*' ceremony.
- 62 An international agency interviewee pointed to the ethno-nationalistic submission of the SDL political party representatives to the Constitution Commission.
- 63 All post-independence constitutions had electoral systems that designated three political 'races' –'Fijian', 'Indian' and 'General Voters' (those who were not 'Fijian' or 'Indian' namely European, Chinese, Part-European and in the 1990 and 1997 constitutions Melanesians and other Pacific islanders).
- 64 A post-coup Commissioner of Police who belonged to an evangelical Christian denomination, not only made Christian prayers and hymns compulsory but also got police officers to public perform Christian songs and dances!
- 65 Attempts to verify this claim were unsuccessful as neither the PSC nor FAB scholarship personnel were willing to provide statistics on scholarships allocated on ethnic, gender and regional bases.
- 66 A senior European government official said that his former Indo-Fijian personal bodyguard, who was physically fit and intelligent, had applied to join the army but had been turned down without even an interview.
- 67 *I Kovukovu* means a piece of land given by iTaukei land-owners to the descendants of one of their kinswoman. This land is inherited through the maternal ties and should not be taken back.
- 68 In September, 2012 a high-level ILO mission to Fiji left abruptly when the government tried to impose amended terms of reference instead of the previously agreed terms for its assessment mission. In November 2012, the ILO listed Fiji among its list of top five violating countries of labour and trade union rights.
- 69 According to Kevin Barr, who has written extensively on poverty and squatters in Fiji (personal communication; see also documentary DVD, CCF, *Struggling for a Better Living: Squatters in Fiji*, Suva, Citizen's Constitution Forum, 2007b.
- 70 The poorest people in Fiji are landless, and unemployed Indo-Fijians, Melanesians and Part-Europeans. See: Narsey, W., *The Quantitative Analysis of Poverty in Fiji*, Suva, Vanuavou Publications, 2008.

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Fiji: the challenges and opportunities of diversity

Fiji has experienced four military coups and a military mutiny since 1987, mainly as a result of tension between the majority indigenous Fijian population and an economically powerful Indian minority. Smaller minorities, including Banabans, Rotumans, Chinese, Melanesians and other Pacific islanders are largely politically invisible, and socially and economically excluded.

In January 2013, Fiji's government rejected a draft constitution drawn up by an independent commission, and submitted it to be re-written by the Attorney-General's office. This intervention threatens to significantly undermine the people's confidence in the process, the final document and a democratic future for Fiji.

Against the backdrop of these upheavals, this report provides insight into the underlying causes and consequences of ethnic tensions in Fiji, based on evidence drawn from extensive interviews across the diversity of Fiji's ethnic groups. This report urges the government, civil society and religious and ethnic community leaders to promote understanding, tolerance and dialogue between groups. It also provides specific recommendations on tackling ethnic discrimination and exclusion.

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