

Document

Control of Land

National Congress of Fiji 1964/65

[Sometime between October 1964 and July 1965, the National Congress of Fiji, a body established by the Fiji Kisan Sangh, wrote a memorandum addressed to the British Parliament, the Colonial Government of Fiji, the British Parliament, the United Nations, and the Chiefs of Fiji. The 56-page document called for internal self-government 'without any delay' for Fiji. It listed seven specific grievances which necessitated internal rule. One of the 7 concerned practices on land, which had a bearing on the sugar industry. This section of the document is reproduced here with the kind permission of the Fiji Kisan Sangh, the oldest sugar industry union in existence in Fiji now. For readability, minor editorial changes have been made to the document; no change has been made to the substance of the text.]

THE NATIONAL CONGRESS OF FIJI declares that the United Kingdom Government give Fiji internal self-government without any delay. The reasons for this demand are as follows :-

.....

5. That the Colonial rulers of United Kingdom have taken complete control of all Fijian land, and administration thereof so that Fijians and Indians cannot develop the said land effectively for the benefit of the Colony as a whole.

.....

Indians and the Sugar Industry

One of the greatest problems ... confronting the bulk of the Indian

populace today is the security of land tenure, especially in the Western District of Viti Levu, which is predominantly enjoying one crop economy, namely, sugarcane. The total number of farmers engaged in the sugar industry is over 13,000. It is needless to say that their livelihood and the livelihood of others in other industries is dependent on sugar.

The Government of the Colony would be out of existence if there is a major set-back in this industry. At present Fiji produces approximately 300,000 tons of sugar [which] is the largest earner of Fiji's revenue. So in terms of economic well-being of the 450,000 people of this Colony it can be accurately stated that, 'No sugar no money' and further, 'No money no Government'.

The other industries, such as copra, banana, coconut, gold and tourists are subordinate and would not be in a position to supply the sustenance required for the present population which is dynamic and increasing rapidly.

Fiji's sugar industry is vivid, spectacular and varied. If it were not for Australian Capital, Fijian land and Indian labour sugar would have been non-existent and the moderate economic prosperity now being enjoyed would have been a thing of the past.

Most Indians live on lease-hold lands of the Colonial Sugar Refining Company, some have leased from the Native Land Trust Board and others work Freehold land.

Many leases of the CSR have expired and many are in the process of expiring. The Company is not making any effort for renewal. Consequently the land resorts to NLTB and the Indian is deprived of it and eventually evicted. We shall discuss this problem, at length, in grievance No. 5. Suffice it to say that Colonial rulers in Fiji, as evidenced already, have disregarded interests of the Indians and have left them in a state of uncertain anxiety.....

5. Control of Land to Prevent Economic Development

The Colonial Government has complete control of all land in Fiji and it failed to develop this effectively for the betterment and economic advancement of the Fijian people. The total land of Fiji is 4,541,271 acres out of which only 382, 592 acres are in use.

It is only 8.5% of the total; nearly one out of twelve acres could be brought in use.

Table XV: Major Land Utilisation Categories on Main Islands (in acres)

Major Class	Viti Levu	Vanua Levu including Kioa and Rabi	Taveuni and Islands	All others Islands	Total for each class
I	564,449	210,304	2,963	101,362	879,078
% of Total	21.46	14.66	2.48	28.40	19.36
II	201,632	180,941	51,193	43,672	477,393
% of Total	7.67	12.61	42.79	12.22	10.51
III	762,970	598,041	36,275	52,608	1,449,894
% of Total	29.01	41.67	30.32	14.74	31.93
IV	1,100,638	445,709	29,197	154,362	1,734,906
% of Total	41.86	31.06	24.41	44.64	38.20
TOTAL	2,629,689	1,434,995	119,628	356,959	4,541,271
%	100.00	100.00	100.00	100.00	100.00

(Based on information supplied by Wright and Twyford)

Notes:

- Class I. Land suited to permanent agriculture without improvement (other than by occasional application of fertilisers).
- Class II. Land suited to permanent agriculture after minor improvements such as fertilising, or some draining or minor soil conservation measures.
- Class III. Land suited to permanent agriculture after major improvements such as fertilising heavily, or draining or major soil conservation measures.
- Class IV. Land largely unsuited to permanent agriculture but suited to forestry for continuous timber production or to reforestation or preservation for catchment protection.
- NOTE The total acreage of land viz. 4,541,271 acres does not correspond with the total of 4,541,438 acres in paragraph 85 because the former includes mangrove swamp land which might be reclaimable.

(Source: Legislative Council of Fiji, Council Paper No. 1 of 1960; Report of the Commission of Enquiry into the Natural Resources And Population Trends of the Colony of Fiji 1959, Chapter VIII, Agriculture)

The tables show clearly that out of 4,541,271 acres of land of Fiji only 382,592 acres are in use today which is 8.5% only. The land suitable for cultivation is 2,806,365 acres, which is 61.80%. 1,166,000 acres are suited to forestry and continuous timber production or to reforestation or preservation.

There is no lack of suitable land in Fiji but the Colonial Government is keeping it lying virgin. The reasons behind this policy will be mentioned later on.

The Fijians used to grow root crops for food and there was coconut plantation in Fiji before the British rule started. Moreover coconut is planted once for eighty years or ninety years. If this crop is taken away from the total

land in use by Fijians there remains only 18,308 acres; .4%, that is four acres out of every thousand acres. Eleven acres out of every twelve acres of land in Fiji is lying vacant but the Native Land Trust Board (or in other words the Colonial Government because the Governor, the Secretary for the Fijian Affairs, the Director of Agriculture and the Director of Lands are the members of the NLTB), is making it very hard to give land on lease to both Fijians and Indians, particularly Indians.

Acres under Crops –1958

Crop	Total Acreage	Fijian	Indian	European and Part-European
Sugar – cane	128,863	8,448	118,184	2,231
Coconuts	168,000	84,000	5,000	76,000
Bananas	5,000	4,600	380	20
Rice	31,200	400	30,150	250
Roots (Food)	35,933	31,696	2,877	-
All Other Crops (a)	9,997	4,860	3,672	210
TOTAL	378,993	134,004	160,218	78,711
Approx. Farming Population (b)		28,000	23,000	6,600

Note: (a) Other crops includes vegetables, fruits, cocoa, pulses, tobacco, etc.

(b) Persons aged 15 years and over; figures are approximate but based on the 1956 Census (Dr. Norma McArthur).

The NLTB Report shows that the Colonial Government has reserved 660,304 acres out of 2,144,672 acres. The Fijians nominally own 3,776,000 acres. The remaining 1,631,328 acres are in such Tikinas where few Indians live and therefore leasing of that land is not required. In a way that is all reserved. Taking the two reserved figures together they come to 2,291,632 acres. They are 61% of the total land of the Fijians. The Burns Commission Report shows that the Fijians are using 134,004 acres of their land at present, which is only 3.5% but Government has reserved 61% of their land for them. These figures indicate quite clearly that the Colonial Government is not at all concerned with the development of Fiji and particularly the Fijian Race. They have been deprived of the rent from their land.

Table: Cultivated Crops

Crops	Area Cultivated Acres	Area Harvested Acres	Remarks
Cereals cut for grain			
Maize	280	280	
Rice	32,000	32,000	Insufficient for requirement
Sorghum	25	25	
Pulse	-----	-----	In scattered gardens.
		-	
Beans	350	350	
Pigeon Pea	500	500	Market Garden crops
Mungh & Urud	800	800	For household use
Others	700	500	For household use Mainly cowpeas,
ROOT CROPS:-			
Potatoes	35	35	For local use,
Sweet Potatoes	1,500	1,500	For local use,
Dalo	14,500	14,500	Staple food crop,
Tapiyoka	17,500	17,500	Staple food crop,
Yams	2,500	2,500	Staple food crop,
OIL SEEDS:-			
Ground nuts	80	80	Local consumption
Sesame	10	10	Local consumption
Spices & Condiments Tumeric	12	12	Also grows wild,
Carraway & Coriander	10	10	Garden plots,
Mustard	170	170	Garden plots,
Ginger	50	50	For export,
Tobacco	800	800	For Local Market,
Beverage Plant Yagona	4,500	4,500	For local use (Kava)
Coffee	50	50	For local use
Cocoa	2,000	2,000	For export,
Vegetables & Cabbages	120	120	Market Gardens,
Lettuce	100	100	Market Gardens,
Tomatoes	120	120	Market Gardens,
Miscellaneous	500	500	Market Gardens,
Tree & Bush Crops-Bananas	5,000	5,000	Scattered Planting
Citrus	150	-----	Gardens Plots,
Pineapples	230	230	Garden Plots,
INDUSTRIAL CROPS:-			
Sugar Cane	129,000	87,975	
Coconut	169,000	168,000	

(Source: Legislative Council of Fiji Council Paper No. 17 of 1964, Department of Agriculture, Annual Report For The Year 1963)

Details Regarding Approved Native Reserves, as at 31 Dec 1962		
Province-Old Tikina	Total Acreage	Acreage in Reserve
Ba	471,494	162,092
Tailevu	214,161	63,642
Macuata	395,983	77,813
Naitasiri	113,773	25,273
Nadroga	131,679	55,687
Navosa	371,399	169,864
Ra	257,274	79,954
Cakaudrove	87,729	11,648
Bau	91,160	14,331
	2,144,672	660,304

(Appendix D of Native Land Trust Board Annual Report, 1961 & 1962)

The following table shows that the Indians who number a little above 200,000, the majority race, owns only 1.73% of the land which Burns Commission Report calls, "a trifling portion." The Indians as tenant farmers lease 350,000 from various owners.

The crux of the matter is that the leases are of short duration and are expiring at a high rate. The renewal of the leases are subject to considerable red-tape and in cases where the lands are put into reserves the tenants are evicted. There are evidence to show that a large number of farmers have been evicted from the land they leased in various parts of Fiji.

Distribution of Land		
Form of Ownership	Area of Land owned in acres	% of Total Area of Colony
1. Crown Land	85,424	1.9
Freehold Schedule A	120,000	2.6
Schedule B	88,000	1.9
2. Freehold		
(a) Colonial Sugar Refining Company	75,091	1.7
(b) Europeans & Part Europeans	246,242	5.5
(c) Indians	75,830	1.7
(d) Chinese	5,081	0.1
(e) Banana & Ellice	16,950	0.4
(f) Islanders	4,600	0.1
(g) Fijians	7,532	0.2
(h) Other races	2,688	0.06
3. Native Customary Tenure		
(a) Fijians	3,776,000	83.6
(b) Rotumans	11,000	0.24
	44,514,438	100.0

(Burns Commission Report, Table VI, p. 19)

We believe that by 1972 some 30,000 Indians will be out of the land they are cultivating. Insecurity of land tenure is so great that Indians see no future in the present Colonial Administration. If we consider those Indians who are not cane farmers but labourers living in the outskirts of various towns in Fiji the number of landless would rise to over 60,000. This is no exaggeration and the Colonial Government is cognizant of this fact.

When the *Kisan Sangh* reported in a telegram to the United Nations that some 80,000 people are desirous of leaving Fiji, they gave a very modest figure. We believe that there are twice as many who would prefer to leave Fiji if provided the opportunity. The Colonial Government has put the Indians in a very insecure and precarious position.

History of Reservation of Land

The Colonial Government of Fiji has misled the Indians on many occasions and continues to do so. Needless to say, this we have pointed out already. We shall give you more instances of British Colonial policy and 'diplomacy'.

When the Bill to establish the Native Land Trust Board first came in 1940 for debate before the Legislative Council, its avowed aim was to place 'the administration of native land upon sound basis', to dispel fears regarding 'uncertainty of tenure so detrimental' to Indian agricultural community and to 'secure the native adequate areas for their own use, maintenance and support'.

The history of land legislation and administration in this Colony during the last 24 years has proved *contrary* to the objectives laid out in the Bill. The spirit in which the policy of reservation has been carried out by the Colonial Government leaves no doubt in the minds of Indians, as well as Fijian farmers, particularly in the Western District that it is a deliberate wedge to hamper economic development. The Government stirred up a complete feeling of apprehension and uncertainty.

The most shocking thing is that leases formerly held by the Colonial Sugar Refining Company and which sublet it to Indians have been expiring phenomenally during the past few years. The Company is not making any effort for renewal. The cane land is put in the trust of the Native Land Trust Board controlled by the British Colonial Government. As already pointed out there is considerable alarm among the farmers and many of them are becoming 'landless peasants' if such a term can be expected. Isn't this policy *inconsistent* with the Government assurances given in 1940 with regard to land administration of the Colony? The very ill which the Colonial Government wanted to cut is now becoming contagious.

In 1949 the Governor of the Colony made this statement concerning with reservation in his Budget speech of 25th November:

So much by way of retrospect; before turning to the figures I think it opportune to refer back to certain remarks which included in my address to you from this chair in August. I then spoke of probable consequence of the policy affecting Fijian land which was adopted unanimously from this Council in 1940 and has since been, and still remains the accepted policy of Government. I am given to understand that my words on that occasion have aroused alarm in certain sections of the community, and wish to take this present opportunity of amplifying which I then said. Here are some figures.

In the two provinces, Ba and Lautoka, of the boundaries of the Fijian Reserves have now been finally established, there are according to my information, 2,643 Indian cane growers. Out of this number only 32 occupy Native leases which will not be required to vacate their present holding in 13 months time all but one have already had their positions and prospects carefully considered by the Western District Resettlement Committee the Committee whose appointment I foreshadowed when addressing you in August. Of the 31 cases examined the committee found that only five require assistance towards resettlement, the remainder having already provided themselves with other land on which to maintain themselves and their families when they leave their present holding. And let us hear no more on the irresponsible talks, which I should like to believe is based on nothing worse than misunderstanding and stupidity, but which, if all that reaches my ears is true, has led to apprehensions of wholesale evictions, plots to get the Indian farmers off the land, and the creation in the next year or two of a large class of landless paupers. Such talk and the encouragement of such fantastic features to say the least of it, unutterably foolish, and I rely on the good sense of our Indian fellow subjects in this Colony to tress these remarks and their originators with the contentment which they deserve.

It may be said that the figures which I have just given relate to the period up to the end of next year and only to the Western District. On the particulars available to me I can say that after 1950 there will possibly be another 100 displacement involved which will be spread over the next 50 years. As regards the rest of the Colony no exact figures are yet available we shall know more about this problem in 12 months time but there is no reason to apprehend that the difficulties will be on a much greater scale than in the Western District or that they will be incapable of solution on the lines which I have indicated. Given good will on all sides I am confident this transitional period can be passed through with the minimum of hardship to those immediately affected and they are very few, and let me remind you that when the

transition period is complete it will be possible for the members of the non-native races to achieve, in respect of lands outside the native reserves, greater security of tenure than they have hitherto enjoyed (Legislative Council Debate 1949, p. 151).

It is true that the Governor's speech 'aroused alarm' at that time, and it was not without reason. We disagree with the contention contained in the above speech that talks on reservation were 'irresponsible talks' and based on 'misunderstanding and stupidity', for the subsequent history of reservation proves without doubt, that the Governor failed to recognize, that the policy 'has led to apprehensions of wholesale evictions, plots to get the Indian farmers off the land, and the creation in the next year or two of a large class of landless paupers'.

Analyzing the above report of the then Governor in the Legislative Council, it is clear that up to the year 2000 only 173 Indians will be required to leave their lands. However, to date 549 Indian tenants had to vacate their land, including those who have been served notices to vacate. This is only the 15th year; 35 more years to go. How many shall be required to vacate only God and the Colonial Government know.

Very little has been done to resettle the evictees and as pointed out already, the Colonial Government makes false and misleading statements.

Presenting the bill before the Council the Director of Lands said:

Under the provisions of the Bill the decision will no longer rest, in any circumstances, with the native owners but will be in the sole discretion of the Board. The circumstances which the Governor in Council might, under the present law require the native owners to pay for improvements will not in future arise and Government considers therefore, that this provision is no longer required. When the Board decides that renewal of all lease for a further long term should be returned to the native owners for their own use: I would recommend that, whenever possible, such lease should be extended for a short period (to be as long as is reasonable in circumstances of the case) in order that the lessee may, after due warning seek another plot of land on which he may settle and to which he may return on his improvements after his crops. The average period of such extension might well be five years. Further every endeavour should be made to assist such lessee in finding other land. This is, in fact, the present practice and is designed to mitigate the hardship inflicted upon a lessee by the determination of his lease. It goes without saying that a cultivator if he is to be of any use to the community must be kept on the land. (Extracts from Hansard, 2 February, 1940, p. 99).

In 1961 a Committee was set up to examine the Law in the Colony

governing the relationship of Landlords and tenants in respect of Agricultural Tenancies and to consider whether a fair and proper relationship exists between such landlords and tenants under the existing law, with particular regard to security of tenure, and to make recommendations.

The Committee submitted its report to the Government which was very much in favour of the tenants. The Governor made this statement in his budget speech in the Legislative Council meeting on 23rd, November, 1962 [as reported] on page 496 of Hansard:

The very valuable report of the Committee appointed to investigate relations between landlord and tenants had been laid before you and I hope that such needed Legislation on this extremely important subject will be introduced next year. Meanwhile it will be helpful to receive comments of the public on the Committee Recommendations.

Native Land Trust Board

Board or the Government gets the possession of the vacant lands in the field of the tenant the very next hour of the service of the Notice to vacate. The assurance given by the Director of Lands in the Meeting of the Legislative Council was of an extension for five years. The extension is not even for a day here. In some cases the fallow lands were ploughed out by tractor or bullocks, which have been taken away. The Indian farmer is regarded to be unlucky in such cases. Many thousands of tons of cane will be sent to the S.P.S.M. Ltd., this year by Fijians, which had been planted by Indians.

The Governor said in 1962 that the report of the Committee to recommend on the relations of landlord and tenants shall be made Law in 1963 but the Government did not do that. Why? Because one of the recommendations of that Committee in its report is that freehold land cannot be sold to tenant or leased out on share basis could not be rented on unreasonable rent. A committee was recommended to be appointed to fix the rents. There are several Europeans and others who had to lose lot of money by that Law. In order to give time to sell their freehold lands they stopped it. Some have sold their freehold land at exorbitant prices. In some cases up to £300-0-0 (three hundred pounds) an acre. The others are busy in selling their freehold lands these days. In that cases there will be no value of their lands even after paying huge prices if the law is enacted later on.

What is the Future?

Out of every twelve acres of Fiji land eleven acres are lying vacant but because the Colonial Government does not give on lease to worthy and capable Indians, the result is that when they become of mature age and want to

make their future, find themselves land-less and in order to earn something for their maintenance desert Fiji and go to other countries. About one thousand Indian young man have gone and settled in England before 1962. Others are finding themselves in a very difficult position. They are burden on their parents and can not raise or maintain their present standard of living while the Colonial Government is keeping the land lying virgin.

The Colonial Government is trying to see division between Fijians and Indians and wants to create circumstances that would force the Fijians and Indians to engage in a bitter strife in order to prove to the Committee of the United Nations on Colonialism the British rule in Fiji is badly wanted to keep peace in Fiji. They want the Committee of 24 on Colonialism to feel or to agree to all the British Rule to continue for a very long time. These are the reasons for our argument.

Thousands of acres of land suitable for cane are lying vacant adjoining the cane areas, and the Sugar Board has announced that new cane contracts shall be issued in order to increase the productivity of sugar. It is possible that Fijians can be settled in these productive lands. The Colonial Government is not doing that. She wants to give those lands that are being used by Indians and cane is already planted there. The Government gives the ratoon cane with the land and also the cash money that has been deducted from the cane proceeds and accumulated in the Sugar Price Stabilization Fund. By so doing the Colonial Government wants our native brethren to feel that she is very good to them and the impression upon the Indians cane farmers naturally be that the Fijian people are taking lands from them together with crops and the cane money. Ill feeling between the two races shall be created and the Colonial Government is with this motive.

By creating such circumstances the Government wants the Fijians to feel that the British Rule in the Colony is necessary to bring the Fijian race to prosperity and Indians to feel their helplessness and also to impress that the Fijians want their land back for use and maintenance together with cash and crops. This deliberate division between the two major races of the Colony will create the necessity for British rule to perpetuate indefinitely.

The Colonial Rulers in Fiji by giving Fijians the land, crops and cash money do not mean that they are keen in raising the standard of the people. The vast majority of the Fijians are poor. They are labourers, they work hard but they are not able to save money. In ninety years the British Rule has not improved their position. The figures from the Commissioner of Inland Revenue Report 1962, reveals this fact.

The figures show that Europeans pay or earn twenty times more than Indians and 240 times more than Fijians.

Since 1874 the Fijian people have remained most loyal to Colonial rulers and they look towards British Government hopefully that they would im-

prove their position but we believe that such time will never come. The Colonial rulers are taking advantage of their simplicity and are using them to work for them making them wealthy. The economic position of the Indians who are predominantly farmers and also not much better than the Fijians.

In schedule A of the Inland Revenue Report of 1962 if the Indian merchants are separated then the income tax structure of Indian farmers shall be slightly bit better than the Fijians.

The Necessity for Reserves

'Is it necessary to have reserves at all?' writes Adrian C. Mayor in his *Indians in Fiji* have arrived. He continues:

A Commission named after its Chairman Sir Alan Burns enquired in 1959 into the resources and population of the Colony as factors in its development. In his report, the Commission averred that the reserves in most places since 1940 had made little difference to the Fijians. Moreover, there was a danger in creating two classes of Fijian land, since the unreserved land might be regarded as less completely owned by them. Finally, Fijians were losing the rents which would have been paid to them by this land.

Mayor concludes that.

Whether the policy is justified or not, it has until now neither created the security among the Indo-Fijians that has hoped for, nor solved Fiji's problem of land use and agricultural production.

The Burns Commission points out that: 'The greatest cause of frustration and grievances has been the inordinate delays in the implementation of the policy of reserves' (Burns Report Council Paper No. 1 of 1960, para 126).

The area under reserves, already shown, by figures in the Report of the Native Land Trust Board for the years 1961 and 1962 are phenomenal. There are certain areas still to come under reserves.

Grave Problem

Since the problem of reserves has become so acute, and in the manner in which cane lands are taken up under reserves, with great vigour and gusto, the present declared policy of the Colonial Government leaves no doubt that the Native Land Trust Board will no longer "undertake a comprehensive review of reserve but in future the Board would only investigate" ad hoc applications from land owning unite for the return of expired leases for their use' (NLTB and Fisheries Commission Report -1963)

These are presumably those land under occupation of the Indian farm-

ers and whose leases expired and will expire in the near future.

The present policy of the Colonial Government completely ignores the second important purpose of the reserve policy of 1940. We may dare say, this is another instance of hypocrisy. According to Burns Commission, 'this was to make available for leasing to persons of any race those native lands outside the reserves, a purpose which was entirely reasonable in view of the composition of the population' (Burns Commission Report para. 132 & 133).

132 We respectfully suggest that your Excellency should give a clear directive to those responsible that the finalizing of all reserves within the Colony must be completed within two years, and that after completion no further reserves should be established.

133. Leasing of Land – As stated above, it is the function of the Native Land Trust Board to lease Fijian land outside of reserves to persons of any race. A number of Indian witnesses have urged for longer leases than are now normally given, pointing out with some reason that a leasee is unlikely to take the trouble of improving the land if he has no security of tenure. Apart from those short and temporary leases referred to above in respect of land which may be included into reserves, the normal period of a lease is thirty years, with no certainty of renewal. We consider that much longer leases are desirable, with power to the Board to revise the rental at regular intervals during the term of the lease. We suggest that the term of the normal agricultural lease should be 60 years, with rent revisions after 20 and 40 years. Where tree crops are to be planted the leases should be for 99 years, with rent revisions at 33 and 66 years. The Board might in certain cases consider charging a lower rent during the first year of tenancy, so as to relieve the tenant of heavy rent charges while his crops are maturing, compensated for by a higher rent in later years.

Since the second purpose of the 1940 Bill on reserves is not adhered to, we can rightly claim that the present trend reveals the scheme of the Colonial Government for mass eviction of Indian tenant and their actions and intentions warrant such an allegation.

The fact that the Council of Chiefs, influenced by the Colonial Government, rejected the Burns Commission's recommendation that the present demarcation of reserves be final and warned that 'the supposition that Fijian Reserved land is or will be adequate for Fijian requirements for years to come is erroneous'. This is sufficient evidence to prove that there is still more land to resort to Native Land Trust Board.

Furthermore the land may not be farmed by outsiders, 'even if it is not used by the Fijians'. Therefore the boundaries are not clearly defined so that they can be extended at the future date. There is no quibbling over this fact.

The position of the Indian agricultural community is in jeopardy and the Colonial Government has really misled them.

In 1960 the Council of Chiefs, influenced by the Colonial rulers stated that they see '... no justification moral or physical for providing more generously the land that we own'. We ask where is the promises of the Colonial Government that reserve policy will enhance security of land tenure for the predominantly Indian Community.

We maintain, with due respect to our Fijian brethren, the Colonial Government policy of land reserve as envisaged has certainly violated the basic principle of humanity and the assurance given at the time to Indians for greater land security.

As early as 1936, the late Ratu Sir Lala Sukuna, may God bless him, one of the greatest Fijian statesman, made this most dramatic speech before the Council of Chiefs.

It is thoroughly understood that the control of our lands is in our hands, but the ownership of the property has an important duty to perform ... It is the bounden duty on the landowners to utilize what they possess for the benefit of all. An idle landowner neglects his duty to his state. Should his holdings be more than he can utilize, he should give the surplus to those that can make use of it... This is why I insist that as leaders of the Fijian people it is our duty to use our influence, our power, to open up waste Māqali lands for agricultural purposes, whether they be taken by the Europeans, Indians or Fijians." (Burns Commission Report Page 18, paragraph 84).

This is another statement from the same great leader:

... Let us not ignore the fact that there is another community settled in our midst. I refer to the Indians. They have increased more rapidly than we. They have become producers on our soil. They are continuously striving to better themselves. Although they are of a different race, yet we are each a unit in the British Empire. They have shouldered many burdens that they have helped Fiji onward. We have derived much money from them by ways of rents. A large proportion of our money is derived from their labour. (Burns Commission, Page 10 para. 44).

Isn't this sufficient evidence to show the contributions made by the Indians in Fiji? Isn't this sufficient evidence to show how the Indians have been misled? Isn't this sufficient evidence to show Indians have no security of land tenure? We leave all these questions to an impartial observer. Now we turn to the most crucial issue the treatment received by Indians from the Colonial rulers.

What is Cane Land?

To assume that where a good and a luscious growth of cane is found on the land, is a good and productive land, is completely erroneous. No land is cane-land. A cane land has to be made and this involves years' of considerable labour and expenses. First the land has to be cleared of noxious weeds and the bushes to be uprooted, rocks and boulders to be removed and a proper drainage to be laid out along the boundaries. Roads and bridges to be constructed in the farms. For all these the Colonial Government does not subsidize one single penny.

Next, the land has to be ploughed several times for which tractors, bullocks or horses are needed, plus, all the farm implements. Then the top soil has to be covered with mill-mud for poorer soil or red clay. The mill-mud is a by product waste obtain from the cane at sugar mills and carted on trucks to the field. On top of this fertilizers of phosphate etc. are supplied to the field or coral sands. It would not be wrong to say that one has to spend £250-£300 initially in order to make a five acre cane-field. The first few crops do not bring any return nor cover the cost invested. In fact, the farmers are at loss. It is only when they harvest subsequent rations that some profit is envisaged.

It must not be forgotten that while farmers are breaking new lands they must maintain and support their families with food, clothing and schooling for children. They build small shacks of reeds and bamboos for living quarters and since they do not have working capital they borrow from ruthless moneylenders or buy provisions on credit from storekeepers.

There used to be a time when a farmer could not pay his debts in a life time.

In spite, most farmers are in debt and one has to work for 15-20 years before conditions on farm improve. Of course, by this time the lease expires, because most leases run out after a short time and so one is no better off than when one first started. In short, one is neither here nor there. Most live in poverty. Such is the lot.

Sugar Price Stabilization Fund

This fund was reconstituted under Ordinance No. 14, 1959 as an export tax of 25/- per ton of sugar exported from Colony under the terms of the Commonwealth Sugar Agreement. The object of the fund was to compensate millers and growers in times of crisis in the sugar industry and when 'the board deems that it is expedient' (Section 6, subsection (D) of the Ordinance). The Board of the Fund operates under the control of the Secretary of State for the Colonies.

The Burns Commission considered that this fund

... may operate in a way which is inequitable. At the moment an individual grower is simply told the amount to plant by the Millers. So long as he is a sugar farmer, he may under certain conditions, draw on the Fund for capital development purposes and may be compensated for low prices. However, as in the case of the farmers at Nausori, he is told that he can not grow sugar, he forfeits all rights to draw upon the Fund, just at the time when it would be expedient for him to find capital to develop other crops. Another case where an obvious inequity arises is where land is planted with sugar cane by an Indian farmer and then goes into Reserves, continuing to be used for sugar growing. As the individual account of the grower is in the name of the farm and not the farmer, then the amounts accruing in the Fund will be credited to the Fijian farmer and the erstwhile Indian contributors will get nothing.

The very fact that the Fund is partly designed to promote Capital Development against a background of quota restrictions means that if capital development is to be really pursued, the area planted may shrink as yields per acre arise. In these circumstances, it seems reasonable to us that farmers who can no longer grow sugar should be compensated in some way, and that the Funds should be used for that purpose. For the farmer who is told not to grow sugar the price of sugar has fallen to zero. (Burns Report-Para. 75).

What are the Hardships and Treatments of the Farmers whose Leases Expire?

Most evictees undergo through a period of anxiety. They feel the loss of their homes and chattels. They are not compensated for the improvements they have made. They are not compensated for the ratoon cane left on the field. They are not paid for their contributions towards building of roads and bridges or to the village schools, churches, temples or mosques. They are evicted mercilessly and unceremoniously.

The Colonial Government promises to resettle them in new lands, but the evictees again go through the same old process, till such time when the new lease expires. The farmers are moved from land to land, in a nomadic fashion, at the whim of the Colonial Government. Whatever savings they have again reinvest but they receive no sympathetic treatment.

What are other losses? They lose their cane contract; their contribution to Sugar Stabilization Fund; their capital investment and plants and, above all their prestige and dignity in the community in which they are living.

It is tremendous loss; indeed a grievous loss. There is no Legislation to prevent expiry of leases and certainly no Legislation for renewal of them. The

Colonial Government is not thinking of individual or national interest.

They lose their land, no doubt, it is regrettable, and they cannot fight for justice but take lying down when minds are closed and emotions rule human actions, and when racial bias blinds reason for reconciliation. Yes, the land goes. One must feel sorry about it; yes the cane quota goes, one must feel sorry about it. Nothing can be done. None will listen.

Yet, where is justice, with the farmers' land goes his contributions to the Stabilization Fund, and no compensation for his capital investment, in the land, and compensation for his plant or ratoon cane. Indeed, there is no compensation for any thing. Isn't this gross injustice?

When man was in a state of nature the first law he conceived was the Law of Property. For his survival he appropriated a small cave for dwelling purposes, a few root trees, and animal carcasses for his meal, and a few primitive weapons for his defense. He was the proud owner of these crude properties and if he was called to defend them, he did so, even at the risk of his own life. His instinct of survival told him that these things were essential for life. He survived the rigours of nature on his own strength. Can anyone imagine, that the Indian evictees, are worse off than the first men?

We are civilized indeed: The legalized robbery against the evictees is intolerable. We know of no civilized country where men are subjected to so much indignity and humiliation that their possessions are taken away right before their eyes and they are left helpless without any thing except their life-long savings; if they have any. This is violation of the most fundamental law-the violation of the law of nature. This is imperialism in its true colour. The Colonial Rulers violate the law of property. We do not profess to know everything, neither of this vast universe nor the countries therein, but we know that we are robbed. We appeal for justice.



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